ACTIVISM BEYOND BORDERS:
THE STUDY OF TRANS-BORDER
ANTI-SWEATSHOP CAMPAIGNS
ACROSS HONG KONG AND
MAINLAND CHINA

XU YI

Ph.D

The Hong Kong
Polytechnic University

2012

The Hong Kong Polytechnic University

Department of Applied Social Sciences

Activism Beyond Borders:
The Study of Trans-border
Anti-sweatshop Campaigns across
Hong Kong and Mainland China

XU Yi

A thesis submitted in partial fulfilment of the

requirements for the degree of Doctor of Philosophy

December 2011

CERTIFICATE OF ORIGINALITY

I hereby declare that this thesis is my own work and that, to the best of my knowledge and belief, it reproduces no material previously published or written, nor material that has been accepted for the award of any other degree or diploma, except where due acknowledgement has been made in the text.

_____

___XU Yi___

Abstract

China's economic reform since the late 1970s and the expansion of global capitalism have turned the country into the biggest "world factory", as well as the biggest "sweatshop". In global supply chains, Chinese workers, particularly migrant workers, suffer poor working conditions and a lack of labor protection. Countering "hegemonic globalization", activists and transnational NGOs participate in a variety of labor rights activism. This thesis looks into trans-border pro-labor activism across the border between Hong Kong and Mainland China, with a specific focus on anti-sweatshop campaigns. A multi-sited ethnographic method is used to document six anti-sweatshop campaigns to strive for better working conditions and fairer labor practices. Using these cases, this study examines the mechanisms and processes of trans-border anti-sweatshop campaigns and networks involving NGOs, student groups, and workers. The study also analyzes how the mechanisms work at a micro level and to what extent they are effective. The author argues that anti-sweatshop activism in Greater China has experienced several evolving patterns — from marketplace/consumer-centered to producing-sites-centered, and has moved domestic actors (including workers, students, scholars, media and consumers) "from the margin to the center". Such shifting patterns have catalyzed the formation of a "Mainland-Hong Kong-global" anti-sweatshop network to further address China's labor issues. Trans-border anti-sweatshop activism faces many obstacles such as limited political opportunities and restricted capacity in mobilizing the mass participation of domestic actors. The author further suggests that the potential of such activism lies in the possibilities to build deeper solidarity with workers and to form greater unity with other pro-labor actors and resources.

Acknowledgements

Table of Contents

Chapter Six

Trans-border anti-sweatshop campaigns: Trajectory, repertoire, framing, and outcomes

Chapter Seven

Conclusion: Changing Anti-sweatshop Activism and Implications for an Emerging Labor Movement in China

Illustrations

Figures:

Tables:

Abbreviations

ACFTU	All China Federation of Trade Unions
AMRC	Asia Monitor Resource Centre
CCP	Chinese Communist Party
CCSG	Coca-Cola Concerned Student Group
CM	Contract Manufacturer
CPPCC	Chinese People's Political Consultative Conference
CSR	Corporate Social Responsibility
EMS	Electronic Manufacturer Service
FDI	Foreign Direct Investment
GDFTU	Guangdong Federation of Trade Unions
GP	Gold Peak Battery International Limited
HKCIC	Hong Kong Industrial Committee
HKCTU	Hong Kong Confederation of Trade Unions
ICTI	International Council of Toy Industries
LAC	Labor Action China
MOC	Ministry of Commerce of P.R.China
NBSC	National Bureau of Statistics of China
NDP	Nine-Dragon Paper
NGO	Non-governmental Organization
NWC	New World China Land Limited
NWSC	Neighborhood and Workers' Service Centre
SACOM	Students and Scholars Against Corporate Misbehavior
SAR	Special Administrative Region
SDW	Student Disney Watch
SOE	State Owned Enterprise
SZFTU	Shenzhen Municipal Federation of Trade Unions
TAN	Transnational Advocacy Network
TNC	Transnational Corporation
USAS	United Students Against Sweatshops

Chapter One

Introduction: the research topic, literature review and research strategy

The Research Topic

Background

On 19 November 1993, a factory named *Zhili* in Shenzhen, China, producing toys for Italian brand company Chicoo, and run by a Hong Kong subcontractor, was engulfed in fire. A total of 87 workers were killed in the blaze; a further 50 were seriously burned or injured. The factory was bankrupted and the factory owner was sent to jail, but the victims and their families did not receive any compensation. Labor, charity and student groups in Hong Kong then targeted Chicoo and launched a trans-border campaign against the brand both in Hong Kong and Rome; later Italian trade unions joined the campaign. In 1997, Chicoo finally pledged to pay around US$150,000 to the victims.[1]

In 2010, at least 18 workers in Foxconn factories across China attempted committed suicide, and only four survived.[2] Many media reports suspect that the workers had attempted suicide because of work pressure and *quasi-military* management. On 8 June 2010, a Hong Kong labor NGO — Students and Scholars Against Corporate Misbehavior (SACOM henceforth), initiated a "Global Day of Remembrance for Victims of Foxconn" to mourn the 12 workers who had committed suicide since early January of that year, and to protest against Foxconn and one of its biggest customers — Apple. In the following weeks, citizens and civil society groups responded to the call from Hong Kong and held commemorations and protests in Taiwan, German, United States, and Mexico. Other national or international groups also issued public statements or launched petition letter to condemn Foxconn for its harsh management and called for improvements; more than five thousand signatories from over one hundred countries were collected. Further action was taken in July and

---

[1] *China Youth Daily*, 17 January 2001. "Jiannan de xunzhao" (A difficult search).

[2] Some news reports stated that 18 Foxconn workers attempted suicide, or quote an even higher figure. Meanwhile official counts tend to be 15 or less. The exact number remains uncertain; the media have been banned from reporting the issues since the "thirteen jump" in late May, 2010.

August when a group of scholars and students from mainland China, Hong Kong and Taiwan started to investigate workers' conditions at 12 Foxconn facilities in nine cities of China. Actions are continuing.

As global capital spreads into China, the above cases are only the most typical of hundreds which reveal the great transformation of labor-capital relations and its cost in terms of thousands of broken lives and crippled bodies. The reform and open door policy which began in 1978 was a watershed moment in the economic and political transformation of China, and hence has changed the lives of millions of Chinese workers and peasants. From 1978, foreign capital has been introduced into China. According to Gallagher (2005), in the 1980s and 1990s, China has attracted more foreign direct investment (FDI) than any other developing country in the world. And since 2003 China has surpassed the US as the top FDI inflow country. Statistics from the Ministry of Commerce also indicate that FDI utilized in China rose from US$0.916 billion in 1983 to US$108.8 billion in 2010, one-hundred fold increased. Foreign invested companies engaged in manufacturing first established their facilities in several coastal "special economic zones", and gradually expanded to the whole Pearl River Delta and Yangtse River Delta. Currently, growing numbers of corporations are spreading into the inland provinces of China.

The process of economic liberalization (in which FDI is very important) has been accompanied by great demand in the labor market and great transformation of labor relations (Gallagher, 2005). Labor relations are challenged as capital meets the socialist country. Pun (2005) uses the term *Dagong* to describe this kind of relationship. Rural migrant workers begin to *Dagong*, which means they start to work for the capitalist "boss". *Dagong* also means casual labor, no longer under the protection of the state. The marketization of employment and labor flexibility are in part due to the reform of the socialist state, and in part to the power of foreign capital in catalysing new institutions through the legal system (Gallagher, 2005). The impact of this transformation on labor is obvious: labor conflicts have been a continuous feature of China in the past three decades. Thirty years of "reform and openness" has also been portrayed as the Trojan horse of exploitative global capitalism by some critics (A. Chan, 2001; O'Leary, 1998), involving workers' sweat and blood.

Different parties, including researchers, media, government departments and social organizations have investigated the *Dagong* people, most of whom are migrant or peasant workers. Much research has focused on its various aspects (ACFTU, 2010;

A. Chan, 2001; Jacka, 2006; Li, 2004; Pun & Li, 2006; Solinger, 1999; State Council of PRC, 2006). From such work, we can summarize the general situation of *Dagong* people: poor working and living conditions, excessive overtime work, low wages which are frequently in arrears,[3] risky occupational environment, denial of citizenship, discrimination, among other issues. Some of these conditions have gradually improved while others remain serious.

When the socialist state opens the door to foreign capital for investment and profit in its territory, it also shifts policy regarding rural peasants travelling to cities to make a living. Meanwhile, the state also deregulates the labor practices of foreign and private firms. As a result, the work-unit (*danwei*) system, including lifelong employment, welfare and security, can no longer be adapted to these foreign and private firms. Labor protection languishes far behind the open door policy, as the Shenzhen *Zhili Fire* in 1993 demonstrated. In the following decades after the reform, capitalist labor practices have spread, but the two modes of labor protection — a legal regime of labor rights and an effective mode of collective organization — have failed to be implemented (Gallagher, 2005). In 1995, the first national *Labor Law* was released and enacted. Similarly, *Labor Contract Law* was finally enacted in late 2007 after years of argument; it has been suggested that the exposure of slave labor at brick kilns in Shanxi province galvanized passage of the legislation to strengthen labor protection. Notwithstanding these protective laws, workers' rights are still far from being fully protected. Workers' power is fundamentally weak when their rights to freedom of association and the right to strike are not recognised.

Among the foreign capital attracted into China, investment from Hong Kong and Taiwan accounts for the majority of all FDI. Table 1 shows the top five countries or regions investing in China in recent years. Hong Kong capital accounts for the biggest proportion in all the years. Hong Kong enterprises investing in mainland China can leads to closer economic and social connection across the border; meanwhile it also arouses some Hong Kong civil society groups to be concerned about labor practices in mainland China. Several senior labor activists from Hong Kong interviewed for this study argued that Hong Kong society has the responsibility to monitor their own capital investment and labor practices in China. One of these activists was also involved in the campaign over the *Zhili Fire* which sought compensation for victims.

---

[3] The problem of unpaid wages (arrears) most frequently occurs in the construction industry.

Table 1 Foreign Direct Investment: top five countries/regions

Year	Top five countries/regions (calculated by the actual utilized value of foreign capital *U.S $billion*)				
2010	Hong Kong (67.47)	Taiwan (6.7)	Singapore (5.66)	Japan (4.24)	USA (4.05)
2009	Hong Kong (53.99)	Taiwan (6.56)	Japan (4.12)	Singapore (3.89)	USA (3.58)
2008	Hong Kong (41.04)	British Virgin Islands (15.95)	Singapore (4.44)	Japan (3.65)	Cayman Islands (3.15)
2007	Hong Kong (27.7)	British Virgin Islands (16.55)	South Korea (3.67)	Japan (3.59)	Singapore (3.18)
2006	Hong Kong (21.31)	British Virgin Islands (11.68)	Japan (4.76)	South Korea (3.99)	USA (2.99)

Source: China Ministry of Commerce, various years

The research topic

China's economy has been gradually integrated into the global economy, with Hong Kong as an important international trading portal. Such a process of transition is not merely about economic development, but a process that draws millions of Chinese workers into global commodity chains, allowing major global capital to dominate workers' lives and working conditions. With an export processing orientation, factories in China (mostly invested by Hong Kong and Taiwan capital) that supply raw materials and manufacturing branded-products for transnational corporations are at the bottom of global chains, and they only provide poor working conditions and very low wages for workers. The integration of China's economy into the global system has led to a transformation of labor practices from socialist to capitalist; this transition results in grievances, suffering and struggles for thousands of millions of Chinese workers.

As noted by Polanyi (2001), the expansion of global capitalism has spurred "counter-movements" worldwide. When global capital entered China, a counter-movement gradually developed. To counter the invasion of global capital, civil society groups and labor activists have worked across borders to improve labor standards in China. In the Pearl River Delta, the earliest region to establish export processing zones in China, some civil society groups, particularly labor NGOs, have also emerged in response to the dramatic social transition brought by economic reform and global capital. Some of these NGOs were set up spontaneously by local activists, while others were initiated by Hong Kong or overseas labor activists. Many of these NGOs developed with the support of transnational/trans-border networks, in

terms of human resources, funding, values, and a belief in human rights and development (Huang, 2005). Hong Kong civil society has played an important role in assisting the development of labor NGOs in mainland China especially in the Pearl River Delta. There are around ten Hong Kong-registered labor NGOs working on labor issues in China, and over a dozen Chinese local NGOs have direct partnership with these Hong Kong NGOs.[4] These NGOs are working on labor services, education, advocacy and factory training.

With a specific focus on the countering movement of these labor NGOs and activists, this study tries to examine the role of the trans-border activism (Hong Kong-Mainland) in the context of China's economic transition and the transformation of labor practices. These trans-border labor NGOs fall into two main categories — service-oriented, and campaign-oriented — and this study mainly focuses on campaign-oriented activism. However, the interrelation between the two types of activism is also examined, as well as the circumstances in which they have been shaped. The effect of activism in improving labor standards is explored by understanding processes, dynamics and limitations, and future prospects regarding a potential labor movement are also discussed.

Redefining "border"

In traditional understanding, "border" means a boundary separating the territory of one country or state from another. Therefore, most "trans-border" social movement studies, actually focus on "transnational" movements that occur across at least two countries. However, in this study, the traditional meaning of border needs to be redefined in this specific context. "Border" can be also understood as a boundary separating two regions differing in political regime, economic system or cultural aspects due to history and geography; however, these two regions remain in the same country.

Hong Kong and Mainland China comprise such a case. Hong Kong, a small coastal island off the southern coast of China, rapidly became an important port for international trade from the early 19th century. Hong Kong burgeoning commerce was based on geographical location attractive to seaborne transportation. In 1840, the Qing Dynasty of China suffered a defeat in the First Opium War leading to Hong

---

[4] The estimation is based on my interviews with labor activists, attending meetings of labor NGOs, and I also refer to a survey done by a NGO based in Shenzhen.

Kong (including Hong Kong Island, Kowloon, and New Territories) being ceded to the British. In the following over 100 years, Hong Kong was ruled as colony by the British colonial government. Since the 1950s, Hong Kong has enjoyed abundant resources of cheap labor (refugees from the Mainland), skills, capital and foreign investment, and thus experienced unprecedented economic growth. Hong Kong economic growth transformed the city into an industrial and commercial centre of Southeast Asia. In 1997, following negotiations, the sovereignty of Hong Kong was returned to China (now the PRC), based on the 1982 *Sino-British Joint Declaration* and Deng Xiaoping's proposal of "one country, two systems". Hong Kong is now a "Special Administrative Region" (SAR) of P.R.China. After this transition, the region has been governed according to the *Hong Kong Basic Law*, with its Chief Executive elected by a selected committee. The region retains some independence in international affairs, and also retains its market-based and free-trade economic system. Compared with the Mainland, Hong Kong enjoys more political freedoms, such as freedom of speech and press, and freedom of association. The border between Hong Kong and the Mainland continues to be patrolled as before, but it is more convenient for residents from both sides to pass through. Mainland visitors need to obtain permission to visit Hong Kong, and emigration to the region is still strictly regulated.[5]

For over a hundred years, Hong Kong has been an intermediary and a hub of China's trade and capital accumulation and expansion (Meyer, 2000). The connection between Hong Kong and the Mainland has been reactivated and strengthened since the 1978 reform with the Pearl River Delta being integrated into the whole economy. Hong Kong possesses capital, international ties, skilled entrepreneurial resources, international technical and marketing expertise, and a thriving business service industry. Meanwhile, China boasts generous land resources and a large labor force that is young and almost infinitely expandable. Given this combination, the outlook for economic growth is very promising (Rohlen, 2000) . As shown in Table 1, Hong Kong has been the top foreign investor in China over the past three decades, with major investment located in Guangdong Province. In 1995, Hong Kong entrepreneurs operated more than 20,000 factories employing an estimated 4.5-5 million workers in the Pearl River Delta (De Coster, 1996: 96). As Hong Kong factories surged across the border, their management largely remained in Hong Kong,

---

[5] Regarding the history of Hong Kong, see Endacott, 1973; Meyer, 2000; Tsang, 2004.

where higher value-added processes and overall control of operations are maintained (Rohlen, 2000).

Shenzhen, as a neighboring city, is separated from Hong Kong by a river, crossed in five minutes on foot. The centres of the two cities are connected by a 30-minute rail journey. Each day, tens of thousands of Hong Kong residents cross the border to the Mainland for business, leisure, travel, or even dwelling. Meanwhile, Mainland residents rush into Hong Kong for travel or shopping. Some pregnant women from the Mainland also travel to Hong Kong to give birth so that their babies can obtain Hong Kong residency. As a result, custom officers witness thousands of Hong Kong born children travelling to school in Hong Kong and returning home to Shenzhen. These children are called "trans-border children". In a word, Hong Kong is now highly integrated with the Pearl River Delta in terms of geography, economy, culture, and social life. The Delta is inherently a single place (Rohlen, 2000).

Despite cooperation and similarity between China and Hong Kong, the border is also a significant barrier. Hong Kong's system has a number of highly valued aspects such as political freedoms. These circumstances offer Hong Kong activists new opportunities for social services and social movements. Business people can easily travel to Mainland projects and factories and so too can activists to investigate social problems in the Delta caused by Hong Kong investors. Activists can cross the border with little inconvenience; at the same time, the border signifies the freedoms enjoyed by Hong Kong residents. The effect of the border is double-edged: it integrates the two regions in economic cooperation but separates the regimes and political opportunities. In other words, it facilitates Hong Kong investment which can cause exploitative conditions and environmental problems in the Mainland, but it also provides Hong Kong media and civil society groups the opportunity to raise concerns about such issues. In addition, the relations between Taiwan and Mainland indicate a similar trend to Hong Kong and Mainland. A case study in Chapter Five explores these issues.

The border between Hong Kong and Mainland has to be redefined beyond its traditional meaning concerning separate regions distinguished by regime, economic system, language, culture, and other social aspects. Despite the border, Hong Kong is highly integrated in the Pearl River Delta in terms of geographic convenience, close economic connections, a shared language and traditional Cantonese culture. At the same time, the specific political status of Hong Kong endows its people with more

freedom and space regarding media, social movements and collective power, which can be transferred in a "tailored" way to the Mainland in relation to any domestic social problem. "Border" in such a context means not only "bondage" to regulate people' speech and behaviour (according to separate legislation), but it can be also viewed as a conveyor for information, civil society power, and potential social movements.

Throughout this study, the notion of a border involves a wide range of meanings. Regarding Hong Kong, Taiwan and Mainland China (in the Greater China region), the borders can be considered as inter-regional boundaries and more about economic, social and cultural meanings rather than territorial indication. Regarding transnational relations with other countries, borders can be first understood as territorial boundaries separating one country from another and involving sovereignty, political regime, economic system, cultural and social aspects. The term "border", as used in literature concerning transnational social movements, is mostly used in the latter sense. However, in this field study and analysis, there is greater focus on inter-regional relations between Hong Kong and the Mainland.

My approach

From 2006 to 2008 I worked for an International NGO (INGO) in China, one of the earliest INGOs to set up a labor programme to support dozens of labor NGOs in China. This INGO also intervened in labor issues through both research/top-down advocacy and grassroots empowerment. I found the experiences of working with grassroots NGOs most interesting. This experience provided me opportunities to observe and participate in various kinds of activism around different types of labor NGOs. By understanding these NGOs and how they worked, I started to question how effective these NGOs are in improving labor standards, what kind of strategies they use in different circumstances, in what ways they can play an effective role and what obstacles they face.[6]

Since autumn 2008, when I started my PhD studies, I have been a volunteer at a Hong Kong-based labor NGO: SACOM. The NGO defines itself as an

---

[6] I will utilize my working dairies, project reports and field-visit reports during this period as complementary data. In order to update the most recent news of some cross-border NGOs, I kept on attending a sharing meeting held by these NGOs every three months from 2009 to 2010. I also paid return visits to some NGOs for more direct observation. Newsletters from these organization also help me to follow their newly progress. Such data contributes most to my writing about general labor NGO activism in Chapter Three.

"anti-sweatshop campaign group"[7] which aims to monitor corporate mistreatment of labor in mainland China, particularly by transnational corporations (TNCs). SACOM is the earliest and the most famous anti-sweatshop organization in Hong Kong; it is frequently reported by domestic and international media and has become well-known by those concerned with labor issues. Being a volunteer has allowed me to participate in most of their campaigning activities, regular meetings and internet communication, and also allowed me to be involved in a Mainland student network involving similar activism. These experiences constitute the "multi-sited" fieldwork of my study. I will discuss the research approach in more detail in the later section.

By understanding these NGOs, I try to distinguish different types of cross-border activism that promote labor rights. I also argue that a specific type of activism is situated in a complex social and political context with limits on capacity, uncertainty and other constraints. However, an NGO or activist should not be constrained by circumstance and should be able to initiate positive change to counter the constraints: what scholars of development studies call "agency" (e.g. N. Long, 2001:16).

Literature review: shaping external and internal activism

To shape the framework of the research problem, a literature review and discussion of theories related to transnational social movements and domestic activism are necessary. First, theories of transnational social movements form a foundation needed to develop effective analysis of this kind of cross-border activism. Second, an examination of domestic labor-rights activism is important because such activism ties in with the lives of Chinese workers in terms of their locales, concerns, and culture, and forms a most important part of the cross-border network. The extant studies regarding labor NGOs are reviewed, involving the most relevant literature available. Finally, what is particularly worth noting is the specific context faced by Chinese workers which spurs the rise of activism and influences prospects. This area is more comprehensively discussed in the next chapter.

---

[7] According to the organization's internal documents and field notes of executive council meetings.

Transnational social movements in globalization

Early researchers of social movements mostly focused on movements in single nations and they conceptualized the "political process" using certain theories: mobilization structure (McAdam, McCarthy, & Zald, 1996), political opportunity structure (Eisinger, 1973; McAdam et al., 1996; Tilly, 2004) and framing process (Snow & Benford, 1988). Although these theories involve different views of social movements, they are not independent. It is more suitable to treat them as three broad sets of factors in analyzing social movements. And the importance of these three sets of factors has been recognized by scholars of movements from various backgrounds. Moreover, scholars have been trying to synthesize the theories, seeking to view social movements using a comparative perspective (McAdam et al., 1996) or what is called "dynamics of contention" (McAdam, Tarrow, & Tilly, 2001).

Along with accelerating globalization since the late twentieth century, a range of social issues have developed across borders including, for example environmental problems, sweatshop practices of transnational corporations, peasants losing land, trade agreements, among others. Some scholars assert that increasingly economic, social and political injustice in the world is directly related to prevailing neoliberal globalization (Della Porta, 2007; Evans, 2005; 2008). In response to this unjust globalization, scholars and activists have developed concepts such as *counter-hegemonic globalization* (Evans, 2005; 2008), *global justice movement* (Della Porta, 2007), *globalization from below*, or more radically the *anti-globalization movement* and *anti-capitalism movement* (Callinicos, 2003). Although there are subtle differences among these definitions involving different meanings in different contexts, they share a common value: discontent with (and resistance to) the prevailing model of globalization: neoliberal globalization. (Chapter Two discusses neoliberal globalization in the Chinese context and how it affects Chinese workers.)

As Polanyi noted many decades ago, the expansion of global capitalism can arouse "counter-movements" from society worldwide to push back against the market system (Polanyi, 2001). From a similar standpoint but specifically concerned with globalization and its countering social movements, Peter Evan uses the concept of "counter-hegemonic globalization". This study borrows this concept to guide analysis of trans-border labor rights activism in the following chapters. "Counter-hegemonic globalization" means "building a global political economy that

uses the shrinking of space and facility of cross-border communication to enhance equity, justice, and sustainability rather than to intensify existing forms of domination." To call movements "counter-hegemonic" implies that they have the potential to undermine the existing hegemony and threaten the established distribution of privilege, and they also seek a world where distributions of wealth and power are more equal and are more socially and ecologically sustainable (Evans, 2005).

Neoliberal globalization generates various kinds of injustice and fails to deliver social protection and collective goods to the most vulnerable people; this has aroused social protest and activism worldwide and on a transnational basis. It is true that neoliberal globalization has created a set of conditions to enhance the potential for counter-hegemonic globalization (Evans, 2008). In terms of material conditions, the development of information technology, convenient internet connection and cheaper transport has allowed activists to mobilize and organize more easily beyond borders. Along with people's protests worldwide against neoliberalism and relevant practice, there has also been a rapid grow of literature on transnational social movements (Bandy & Smith, 2005; Della Porta & Tarrow, 2005; Della Porta, 2007; Keck & Sikkink, 1998; Khagram, Riker, & Sikkink, 2002; Munck, 2007). This literature has expanded our knowledge and understanding of transnational social movement mainly in three aspects: the operational mechanisms and processes of transnational social movements or networks (Armbruster, 2005; Keck & Sikkink, 1998; Reitan, 2007; Rodriguez, 2007; Tarrow, 2005); the composition and characteristics of the movements or networks (Bennett, 2005; Reitan, 2007); and assessing outcomes of the movements (specifically regarding the anti-sweatshop movement) (Armbruster, 2005; Rodriguez, 2007). In the following sections I will discuss relevant viewpoints and contributions from different scholars to help shape the framework of my research problem.

Models, mechanisms and processes
One of the earliest and most influential works on transnational social movements is Keck and Sikkink's (1998) *Activists Beyond the Borders: Advocacy Network in International Politics*. The authors' main argument is how the emergence of transnational advocacy networks (TANs) and how TANs work to influence international politics. The analysis is very policy/politics oriented and the authors list

four types of strategies: (i) information politics; (ii) symbolic politics; (iii) leverage politics; and (iv) accountability politics. The "boomerang pattern" model further describes the position of different stakeholders. This model illustrates that, regarding most TANs, when channels between the state and domestic actors are blocked, domestic NGOs bypass the state and directly seek international allies to apply pressure on their states from outside (Keck & Sikkink, 1998:12). See Figure 1.
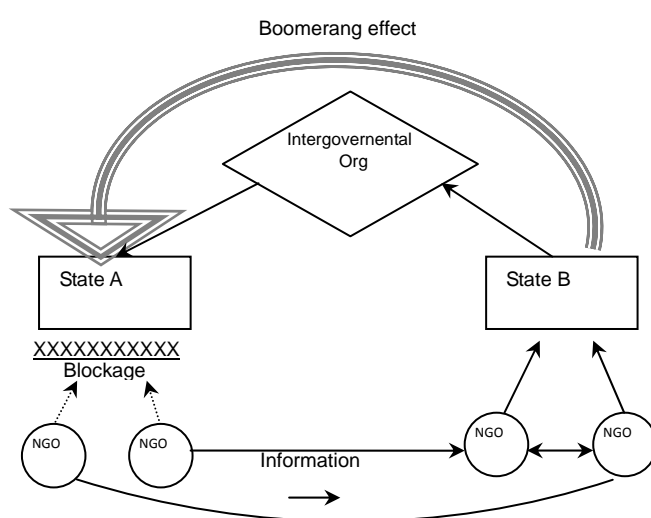
Figure 1   Boomerang pattern (Source: Keck and Sikkink ,1998)

The boomerang model of TANs is innovative and useful in explaining most kinds of trans-border social movement. However, the model also has some weaknesses. First, the model is oversimplified and cannot reflect the very complex dynamics within the network and among different actors. To adapt it to detailed cases, the model needs to be modified (see the next paragraph for a modified model). Moreover, the model has also been criticized for valorizing the activists and organizations within the networks (Armbruster, 2005). The boomerang effect occurs when claimants come up against blockages when seeking redress for their grievances within a domestic context, and then seek help from foreign organizations or "external elites" in a different national setting. In the model, external pressure from the foreign network is most useful in resolving the domestic grievance, but it neglects domestic actors' agency or efforts for local mobilization. This is why Brooks (2002) regards

such practice by some first world activists as "quasi-paternalist".

Armbruster (2005) modifies the model to analyze several cross-border labor solidarity campaigns. One modified model is illustrated in Figure 2. In this model, the author replaces the institutions with relative sectors or activist groups such as corporations (TNCs and contractor), unions (company union and independent union), NGOs, universities, among others. A noticeable modification is that information dissemination becomes *bidirectional* between domestic actors and external actors (in this case: workers and TAN). This involves more communication, interaction or even collective action between the two sides. In the author's other cases, the process or dynamics of the network is more complex. Sometimes other powerful "targets" are involved (TNCs, contractors, government agency, free trade zone owner). On the other side, the TAN may also involve both non-state actors and a powerful state (U.S government) to create trade pressure as leverage.
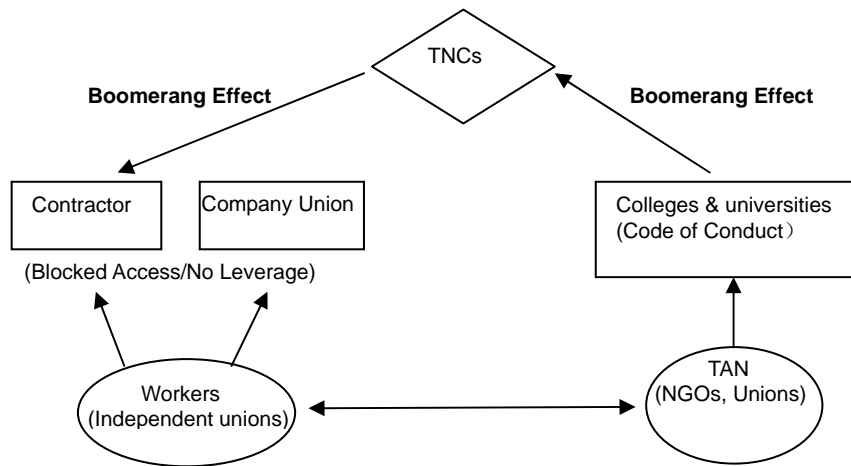
Figure 2   The boomerang effect in American cross-border labor solidarity campaigns
Source: adapted from Armbruster (2005:24)

For more complex cross-border anti-sweatshop activism, Rodriguez (2007) argues that transnational anti-sweatshop mobilization is rooted in specific *mechanisms* and *processes,* which constitute the transnational repertoire of contention and mobilizing frame. Drawing on Tarrow's (2005) work on transnational contention, Rodriguez highlights two mechanisms (*brokerage* and *diffusion*) and three processes (*scale shift*, *transnational coalition formation*, and *global framing*). Following McAdam, Tarrow and Tilly (2001), mechanism can be understood as "a delimited class of events that alter relations among specified sets of elements in identical or closely similar ways over a variety of situations"; While processes are "regular sequences of such mechanisms that produce similar transformations of those

elements" (Rodriguez, 2007). These innovative concepts provide useful means to analyze various forms of trans-border activism. These concepts are used in this study to explain and analyze cases in the following chapters.

A final cluster of works that contribute to the study of trans-border activism stems from the growing field of transnational labor studies. Some of these studies address the general issue of "new labor internationalism" or the rise of "transnational unionism" (Bronfenbrenner, 2007; Kay, 2010; Munck, 2002; Waterman, 2001). These scholars often start from a trade-union perspective and put trade unionism in the center of cross-border labor solidarity. They call for transnational collective action among local, regional or national trade unions, or by organizing labor through "global unions". Noticeably, some scholars note exclusive labor internationalism and argue for activism that builds alliances to span the divide between *trade unions* and *NGOs* as well as the divide between the *North* and *South* (Evans & Anner, 2004; Evans, 2010).

The anti-sweatshop movement and corporate social responsibility

The trans-border anti-sweatshop movement belongs to a sub-field of transnational labor studies and has been an icon of counter-hegemonic globalization. The contemporary anti-sweatshop movement emerged in the 1990s, coordinated among various civil society groups: consumers, trade unions, human rights groups, university and college students, religious groups, and women's groups. All of these groups addressed a common concern, that they tried to expose the detrimental effects of economic globalization on labor standards. They demanded that brand-name corporations who dominate supply chains operate with corporate social responsibility and respect workers' rights at their overseas supplier factories (Yu, 2006). The movement has raised public concern and generated widespread consumers' outrage at sweatshop labor abuses. It has successfully urged major brand-name corporations that outsource production to low-wage and labor-intensive countries to adopt codes of conduct and take socially responsible as regards labor practices in their global supply chains (Yu, 2006).

As noted before, some studies analyze the anti-sweatshop movement from a transnational perspective, discussing the movement using Keck and Sikkink's boomerang effect model. And there is also fruitful work regarding other aspects of

anti-sweatshop movement studies, such as the tactics and strategies of contention (Appelbaum & Dreier, 1999; Johns & Vural, 2000; Klein, 2000; A. Ross, 2004), the rise and fall of specific campaigns (Anner, 2000), organizing models (Frundt, 2000), comparative studies of campaigns in Americas (Armbruster, 2005; Rodriguez, 2007), and detailed case studies of iconic campaigns (R. Ross, 2006). From an overall view, Yu (2006) summarizes anti-sweatshop strategies and tactics in four types of initiatives: 1) media exposure of sweatshop; 2) anti-branding cultural activism; 3) ethical consumption and consumer activism against sweatshops; and 4) investor activism.

This study looks closely at the literature on the most critical issues of the movement and asks why some campaigns are more successful than the others. Moreover, what factors facilitate or limit the improvement of labor standards? Is the CSR industry a solution to sweatshop labor practices?

Explaining the campaigns

Despite the growth of literature on transnational social movements, very few scholars have examined the outcomes of movements. However, this does not mean that no one has studied this topic. As Armbruster (2005: 137) notes, "because social movements and campaigns often occur over time (longitudinally) and take place in dynamic, ever-changing environments, assessment and evaluation can be rather complicated." In the field of anti-sweatshop studies, there are more studies into the effectiveness of corporate codes of conducts and social auditing (Kim, 2007; Seidman, 2007; Wetterberg, 2009; Yu, 2006) rather than the outcomes of movements/campaigns. Although outcomes can rarely be neatly classified into a either "successes" or "failures", Armbruster (2005) identifies three explanatory factors help assess outcomes in two aspects: wages and working conditions.

As illustrated in Table 2, the degree of union strength, TAN unity and corporate vulnerability can affect the outcomes of a cross-border labor solidarity campaign in the short-term (i.e. working conditions) and long-term outcome (i.e. better wages or factory moves away). The cases of Phillips-Van Heusen workers in Guatemala (Case A) and the Kimi factory in Honduras (Case B) at some points appeared to be major victories in which the companies were forced to bargain with the unions and improve working conditions and wages. Yet both factories were later shut down just as the unions were making such achievements. In the other two cases, factories remained

open but the activists were unable to make significant gains. The Gap campaign in EI Salvador (Case C) led to an independent monitoring project, with working conditions improved, but it did not raise wages. Regarding the Chentex campaign in Nicaragua (Case D), a previously strong union was destroyed by the management and wages remained low. The four cases show that a high degree of union strength and TAN unity are important conditions for far-reaching results. The conjunction of these factors may result in better wages, as well as factories being shut down. In addition, TAN can independently create positive results, but more substantive and long-term outcomes strongly depend on the strength of local unions. The degree of corporate vulnerability often plays a vital role because companies with a "socially responsible image" are especially susceptible to any disclosure of sweatshop practice.

Table 2   Explanatory Factors and Outcomes

Campaign	Degree of union strength	Degree of TAN unity	Degree of corporate vulnerability	Better wages	Better working conditions	Factory closed
Case A	High	High	High	Yes	Yes	Yes
Case B	High	Moderate	Moderate	Yes	Yes	Yes
Case C	Low	Moderate	High	No	Yes	No
Case D	High	High	Low	No	Yes	No

Source: Armbruster (2005:145-148)

With a different approach, Rodriguez has used a quantitative method to systematically examine whether economic, institutional and organizational variables have significant impact on campaign outcomes in terms of union formation, collective contract, improved working conditions and improved wages (2007:242). The results of his studies show that economic (capital type, brand type) and organizational factors (of a TAN) do not appear to be significantly associated with variations in campaign outcomes; while favorable private and public institutional frameworks (codes of conducts, domestic and transnational political opportunities) increase the chances for coalition success.

To assess the ultimate outcomes of any anti-sweatshop campaign in China is difficult not only because approaches to measure the outcomes are complicated but also because the history of this kind of activism is short and the number of cases is too limited for systematic review. However, the above studies provide several indicators to assess short-term outcomes and to evaluate whether the campaigns have potential for long-term success. For the Chinese nascent anti-sweatshop movement, it

is extremely important to examine its possible impact and identify its own explanatory factors rooted in specific contexts.

Corporate social responsibility

The anti-sweatshop movement has in turn spurred a burgeoning industry of codes of conduct, social auditing, factory certificating, and "corporate social responsibility" consultancy, which aims to portray major brand-name corporations as upholders of labor rights and sustainable development (Bartley, 2005; 2009; Esbenshade, 2004; O'Rourke, 2003; Rodriguez, 2007). The 1990s and 2000s witnessed the emergence and evolution of the CSR industry from individual brands/retailers' codes of conduct, to industry-based collective standards with Multi-Stakeholder Initiatives (MSI). These initiatives include a range of codes of conduct regulating corporate labor and environmental practices, and layers of compliance monitoring systems. These initiatives have made some progress by "forging a path toward the establishment of ground rules for fair labor in the global economy" (A. Ross, 2004:18).

However, all of these initiatives rely highly on voluntary, "soft" standards and private governance by corporations, and therefore can be criticized. Studies have found that such voluntary codes of conduct are hardly useful in transforming working conditions or altering power asymmetries at the point of production (Bartley, 2009; Esbenshade, 2004; Sum & Pun, 2005). When it comes to empowering workers and changing the power relationships in the workplace, researchers agree that voluntary standards have proven to be helpful only in a rare confluence of other factors, such as strong union movements, united cross-border advocacy networks, and rigorous and publicly transparent monitoring (Armbruster, 2005; Bartley, 2009; O'Rourke, 2003; Rodriguez, 2007). But in some studies, critics fear that monitoring may impede unionization or "crowd out" the efforts of local worker organizations (Compa, 2001; O'Rourke, 2003), or even hurt workers when the factories performed poorly in front of monitors (Esbenshade, 2004; Sum & Pun, 2005).

The limited impact of such CSR practices in improving labor standards is due to the following reasons. First, CSR practices fail to tackle the inequalities and price pressures that underlie many sweatshop practices and labor rights abuses. Participation in CSR does not require companies to restructure their purchasing practices or explore alternatives to "lean and mean" production models (Bartley, 2009; Sum & Pun, 2005). TNCs adopt such codes of conduct and monitoring system

17

merely as a response to pressure from consumers, trade unions, activists and governments, so as to rescue their "reputational capital" or as a kind of branding investment. Intense competition among TNCs continues to facilitate sweatshop labor — by imposing long working hours and low wages.

Second, weaknesses in monitoring and enforcement also hamper substantial effects of these systems (Bartley, 2009). Critics have noted that auditing can hardly collect accurate data related to non-compliance. Many NGOs have also reported cases of corruption and falsification of auditing. Even without corruption, monitors may lack training or professional capacity and may visit factories too infrequently to evaluate day-to-day operations (O'Rourke, 2003) . Falsification by factories is common — factory management coach workers to give "standardized" answers to auditors, otherwise workers can be punished or dismissed (Bartley, 2009; Sum & Pun, 2005).

Third, a major concern related to CSR initiatives is the lack of worker participation and efforts to empower workers. These systems have "prioritized consumer-centered market-based anti-sweatshop activism over worker empowerment activities, posing no real threat to marketing-driven business model" (Yu, 2006:14). The fact that codes of conduct are set up and implemented by TNCs means that the codes focus on "protective rights" (health and safety, overtime work, payment, etc) rather than "enabling rights" (freedom of association and right to collective bargaining) is one example (Rodriguez, 2007). This does not only happen among TNCs dominated CSR practices but also among most transnational advocacy networks. Some scholars argue that transnational support from first world or global north activists may lead to *paternalism* and dependence rather than empowerment of activists or workers from the global south (Brooks, 2002; Friedman, 2009). C.K.Chan (2010:162) also notes that short-term CSR projects do not have solid legal and ultimate political grounds to support worker organization in authoritarian China.

Based on the above academic and practical insights, is it possible to explore a different solidarity between workers and anti-sweatshop activists? What kind of dynamics among different stakeholders will be apparent when the movement operates in the Chinese economic and political context? This is one of the issues explored in this study.

Despite the fruitful literature on transnational activism, particularly regarding anti-sweatshop practice, there are still some empirical and analytical limitations that

call for further and deeper research. Studying anti-sweatshop activism across the mainland China and Hong Kong border is important for the following reasons. First, most existing studies select cases in the Americas and therefore analysis and theories are constructed based on that specific context. Most studies focus on movements and networks initiated by actors from the global north, and pay limited attention to those from the south. Both activism and research have been focused on the north. Labor activism in the global south has been marginalized in such literature. Therefore this study attempted to fill the empirical gap by researching China and Hong Kong with a particular focus on the interaction between Hong Kong activists and Mainland activists and workers. The researcher, based in Hong Kong, is in good position to frequently communicate with both sides.

Secondly, as noted before, Chinese anti-sweatshop activism is embedded in a specific economic, political and social context that deserves insightful study. In the next section, previous studies regarding to this specific context are examined. Such work has contributed to vivid, complex Chinese anti-sweatshop activism.

Labor NGOs and civil society in China

Over the past decade, there has been a growing interest from academics regarding non-governmental organizations (NGOs) and civil society in China. There has been rapid growth in the number, scale and scope of NGOs in China. In this kind of literature, an important approach to the study of civil society is the interactive theory between the state and civil society. This view emphasizes that state intervention in society should be limited and that civil society should have an optimum interactive relationship with the state (Zhu, 2009). Based on this understanding, scholars focus on the legitimization of NGOs, their survival strategies, and attitudes from the government, among other aspects. For example, Ma's (2006) studies show that NGOs in contemporary China are still vulnerable. NGO growth in China is highly unbalanced, with the non-governmental sector playing an increasingly active role in economic and social development while processing no voice in political and religious issues. Moreover, Chinese NGOs are not yet integrated into a dynamic third sector able to exert a strong role in balancing or supervising governmental behavior. Zhu and Chen (2009) researched on civil society groups involved in work regarding the 2008 China Wenchuan Earthquake and argue that different types of civil society groups have different development space. They predict that service-oriented groups

have larger space whereas campaign groups are still highly restricted by the state.

Activism as distinguished from civil society

Neither activism nor social movements are popular terms or notions among Chinese academics due to the sensitivity of the social or political issues they refer to; these activities are usually under strict surveillance by the state. Instead, the usage of NGOs and civil society are popular terms and to some extent cover or replace research on social movements. However, one must distinguish between *activism* (or social movements) from *NGOs* or *civil society* because they take distinctive perspectives to view even the same social phenomenon. *Activism* places more weight on the proactive process and activists' agency in challenging some social problems; while *NGOs* or *civil society* often refers to the stock-still status of a matured society.

A general understanding of civil society is that it "commonly embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy and power…[and is] often populated by organizations such as registered charities, development non-governmental organizations, community groups, women's organizations, faith-based organizations, professional associations, trades unions, self-help groups, social movements, business associations, coalitions and advocacy group" (CCS, 2004).

However, the problem with such a broad definition is that it seems to gloss over the very real tensions and conflicting interests among non-state actors (Reitan, 2007) such as labor groups and trade unions versus business associations. Therefore it is better to understand civil society as Keck and Sikkick (1998) conceptualize it: "an arena of struggle, a fragmented and contested area…" More importantly, Cohen and Arato (1994) note that "the success of social movements on the level of civil society should be conceived not in terms of certain substantive goals or the perpetuation of the movement, but rather in terms of the democratization of values, norms, and institutions that are rooted ultimately in a political culture."

Using the framework of counter-hegemonic globalization, this study focuses on *activism* rather than *civil society* or organizational features of *NGOs*. The former term refers to specific actors within civil society which constitute the protagonists of counter-hegemonic movements. *Activists*, as Reitan (2007: 5) notes, are "individuals or collective actors that either resist what they consider to be a political wrong or act to bring about political change, through either contained or transgressive tactics,

excluding political violence." An activist may be a member of a social movement, popular struggle, trade union, network, NGO, or civic or religious group, a scholar or student, or an individual unaffiliated with any group (Reitan, 2007). To focus on activism also recognizes the mass participation of ordinary people while NGO studies focus specifically on some organizations. In this research, some activists are not NGO staffers; they are students, scholars, or individuals. In the case of internet mobilization, many activists are anonymous people who frequently use the internet.

In the following part, literature on Chinese labor NGOs is discussed in relation to articulating labor rights activism and explaining my shift from organizational studies of NGOs to activism or what Hilhorst (2003) calls "NGOing".

Labor NGOs

Literature on Chinese labor NGOs is limited, but some work provides a general picture of these organizations, such as organizational structure, services provided, survival issues, funding resources, and relationship with government (Deng & Wang, 2004; He & Huang, 2008; Huang, 2005; Yue & Qu, 2007; Zhan & Han, 2005). These studies delineate the following common features of labor NGOs: (i) they are mostly service-oriented and are primarily engaged in legal advice and legal training (Friedman, 2009; Huang, 2006; Yue & Qu, 2007); (ii) many are supported by transnational networks such as international NGOs, TNCs, foundations and charity groups in terms of funding, human resources, capacity training, direct cooperation, and building networks (Huang, 2006); (iii) they are subject to constant surveillance by the state and as a result the scope of their activities is limited (Friedman & Lee, 2010; He, Huang, & Huang, 2009).

However, there are problems with much of this literature. Firstly, most literature focuses on the survival and legitimization of labor NGOs and therefore emphasizes survival tactics, with little focus on mobilization tactics regarding mission and goals. Secondly, the description of NGOs mostly involves a simple list of their services, while neglecting the values and beliefs behind the services, and why NGOs provide such services. Thirdly, most studies fail to explore the role of labor NGOs in relation to Chinese workers and a potential labor movement. All these shortcomings relate to the reliance on an "organizational" perspective rather than a "social process" perspective. In their view, NGOs are fixed things with fixed structures, staff members, activities and so on. They prefer not to view them as social processes in

social change.

In summary, organizational features constitute the main focus of most of these studies. There have been few studies on how NGOs operate, how actors transform beliefs and values into social action, how action develops and is shaped in the social context, and how they interact with the people and influence people's consciousness. As a result, the studies do not view labor NGOs as being significantly different from other Chinese NGOs such as environmental, or women's, or AIDS/HIV NGOs which are similarly sensitive in the same social context. As a result, many NGO research projects cannot precisely reflect real NGO practice. Hilhorst (2003) completed *The Real World of NGOs* based on her three years ethnographic work in a Philippine NGO, and suggests that students of NGOs must shift their attention away from organizational features, structures and reports to the everyday practice of social actors in and around the organization (in other words, *activism*). Therefore, there is a theoretical and empirical gap in NGO research which calls for deeper research using an alternative perspective.

Studies of Chinese labor NGOs also mostly use interviews or participant observation to collect data, often over a short-term period and as a one-off. Therefore, the findings usually cannot reflect the dynamic situation. NGOs are not "fixed things" but ongoing and open-ended processes, as is state policy towards NGOs. To address this theoretical and empirical void, this study explores NGO labor rights activism in and around organizations and focuses on long-term concerns and participation. The aim is to shed light on the dynamics of activism and "NGOing".

Research strategy

This dissertation examines the processes, dynamics, and limitations of trans-border labor rights activism in Greater China with a special focus on anti-sweatshop activism. Regarding anti-sweatshop activism of SACOM and its network — two domestic student groups, one joint research group, and some informal networks for specific campaigns — are studied in detail. The representativeness of the cases in understanding activism relates to the fact that SACOM is one of the major anti-sweatshop organizations based in Hong Kong which initiate campaigns against specific TNCs across the border. In consumer-oriented anti-sweatshop movements,

most organizations and mobilizing efforts focus on western countries, while organizations or individuals from the third world are usually informants in researching sweatshops. In the light of this, SACOM is very unique: it not only cooperates with, and informs, overseas anti-sweatshop networks, but also initiates trans-border campaigns and galvanizes domestic concerned student groups.

As noted by Roy Ellen (1996), social life is a provisional, "work-in-progress", a never completed process, and this study adopts a *constructionist* approach. Constructionism is "principally concerned with understanding the processes by which specific actors and networks of actors engage with and thus co-produce their own (inter)personal and collective social worlds" (N. Long, 2001). To understand the "work-in-progress" processes of trans-border anti-sweatshop activism and other NGO activism, a qualitative approach based on ethnographic methods and an actor-oriented perspective are used.

Multi-sited ethnography

Rather than fully adopt a conventional ethnographic approach, a newly emerged area of ethnography — multi-sited ethnography — is used. Since a study of trans-border issues to some extent must involve trans-border field work, I have tailored multi-sited ethnography as my research methodology. Multi-sited ethnography is designed for research problems which are "significantly translocal, not to be confined within some single place" (Hannerz, 2003). George Marcus (1995; 1998), who developed this methodology, also notes that it "moves out from the singles and local situations of conventional ethnographic research designs to examine the circulation of cultural meanings, objects, and identities in diffuse time-space". It arises "in response to empirical changes in the world", and "the thread of cultural process itself impels the move toward multi-sited ethnography".

> Multi-sited research is designed around chains, paths, threads, conjunctions, or juxtapositions of locations in which ethnographer establishes some form of literal, physical presence, with an explicit, posited logic of association or connection among sites that in fact defines the argument of the ethnography. (Marcus, 1995:105)

Marcus (1995; 1998) further argues that multi-sited ethnographies define their objects of study through several different modes or techniques. These techniques

might be understood as practices of construction through tracing different settings of a complex cultural phenomenon. In his statement, the techniques include: 1) follow the people; 2) follow the thing; 3) follow the metaphor; 4) follow the plot, story, or allegory; 5) follow the life or biography; 6) follow the conflict.

These basic ideas of multi-sited ethnography exactly fit the trans-local and mobile processes that are the focus of this study. Regarding SACOM and other anti-sweatshop networks, there are two chains which are followed and which crossover with each other. One is following the people (what I call actors or activists here), which is a geographic chain, and the other is following the campaigns. A campaign not only includes explicit forms such as protests or demonstrations, exhibitions and performances, but also includes much inherent work such as planning, communicating, mobilizing, organizing, media reports and other activities. Such work is not confined by geographic sites but through various forms.

Regarding the geographic chain, activist work locations are rather mobile and trans-local. The staff deal with documentary jobs such as writing proposals and reports in a Hong Kong based office, and quite often travel to Mainland to meet workers, working partners and brand companies; they give speaking tours at universities all over the country including Hong Kong; they pass domestic campaign information to overseas partners or concerned groups through the internet or sometimes by travelling abroad in person.

The sites are not fixed sites; they move as the actors move. Sites are often made by the actors themselves (Appadurai 1996, cited from Hannerz, 2003), therefore the multiple sites in my study are mostly temporary sites: workshops, field trip meeting, workplaces, conferences, demonstrations, exhibitions, among others. Temporary sites are obviously important because they are part of the whole process of cross-border activism and thus construct my study of these issues.

The second chain, following the campaigns, is not confined by geographic sites. The complexity of campaigns means data collection must include various methods within and outside of sites. Multi-sited research can be combined with other kinds of sources and materials. Gusterson (1997:116) describes contemporary ethnography as a matter of "polymorphous engagements", that is, interaction with informants across a number of dispersed sites (participant observation), and also collecting data electronically in many different ways (email, telephone and internet), with careful attention to popular culture, and reading newspapers and official documents.

Time must be considered when following the campaigns as a multi-sited chain. During my over one year of field work, a campaign may (or may not) finish, or it may just be starting. It is not feasible for the researcher to fully participate in a complete circle of a campaign. Therefore, an integrated data collection method must be adopted, including interviews, reviewing documents of various kinds. Participant observation and/or relatively informal conversations are usually the main methods used.

An actor-oriented approach

Following the people (actors/activists) involves a chain for mobile geographic sites; however, an actor-oriented perspective means more than that. An actor-oriented perspective is derived from N.Long's (1992; 2001) development theories of rural development and aims to facilitate analysis of social action and interpretation. Hilhorst (2003) suggests that an actor orientation has important methodological implications for studying NGOs as this notion recognizes the mutuality of actors and structures, and that people have agency and operate within structural constraints.

In rural development studies, social actors usually include various categories: peasants, development workers, officials, capitalist enterprise, among others. Unlike development studies or programme evaluation, social actors in this study are the actors engaged in the labor-rights promoting activism. The most important group of actors in this study is SACOM staff, Mainland student groups, media and other individuals participating in the processes.

Methods of data collection

Ethnography and actor-oriented approaches share some common methods of data collection, some of which are mentioned above. Ethnography, participant observation and/or relatively informal conversations are the main methodological approaches used, involving a range of sources, such as documents, as well as other forms of communication and artifacts. Regarding participant observation, observers commonly gather information through casual conversations, in-depth, informal, and unstructured interviews, as well as formally structured interviews and questionnaires (Jorgensen, 1989:22); meanwhile, multi-sited ethnography relies more on electronic methods to collect information across dispersed sites, such as email and telephone. An actor-oriented approach requires documenting data in more detailed terms — "the

situated social practices of actors, and the ways in which social relationships, technologies, material and other resources, discourses and texts (such as policy documents and arguments) are deployed" (N. Long, 2001).

In my fieldwork, the most common method used to collect data was participant observation. This occurred in a variety of occasions, such as meetings, workshops, field-visits and street protests. Information was usually gathered through observing, informal conversation and discussion in the natural settings. Field notes and recordings were used. Supplementary methods of data collection involved document reviews, including organizational archives, records and media reports. Interviews were also used as a supplementary method to gather information outside of the fieldwork period or regarding aspects missed using participant observation.

Chapter overview

This thesis consists of seven chapters. Chapter Two explores the transformation of labor relations in China since the 1978 reform, and identifies global capital as a major factor affecting workers' lives. Foxconn is discussed as an example in relation these issues. Chapter Three discusses "counter-movements" responding to the expansion of global capitalism in China: party-state legislation concerning labor, the reactivation of trade unions, and the activism of NGOs. Analysis of state actions and general NGO activism indicates a practical gap to be filled by other social movements. Chapter Four provides a brief history of early Hong Kong-Mainland China trans-border anti-sweatshop activism and introduces the "first-phase" anti-sweatshop activism by focusing on two SACOM campaigns. Chapter Five continues to describe four SACOM campaigns and SACOM and its partners moving into the "second-phase" anti-sweatshop activism. In Chapter Six, there is further exploration of the models of transnational activism (a middle level analysis) and the key elements of trans-border activism in the Chinese context (a micro level analysis): campaign trajectory, mobilization tactics, the process of "reframing", and an evaluation of outcomes. By viewing anti-sweatshop activism in two phases, Chapter Six further examines two aspects of trans-border actions — "external pressure" and "local mobilization" — that distinguish the two phases of activism. Chapter Seven, the concluding chapter, discusses the influence of trans-border pro-labor activism

across the Hong Kong-Mainland border, and its implications for a potential labor movement.

Chapter Two

Extended labor conflicts: from employers to transnational capital

The 1978 reform spurred China's great economic transformation. Meanwhile, the U.S and main European countries embarked on an era of economic globalization, guided by a neoliberal outlook. As noted by David Harvey (2005), transformations of this scope and depth do not occur by accident. This ideology or doctrine proposes that "human well-being can be best advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade" (Harvey, 2005:2). Under this agenda, the power of the working class has been greatly declined, and to a large extent labor movements and trade union rights have been confined. Similarly, in post-socialist China, labor relations were challenged significantly with the massive influx of foreign investment and as the public sector was restructured.

In this chapter, changing labor relations in China since the 1978 reform and the various impacts on workers are explored. This chapter also discusses the factors affecting China's workers: visible factory employers and invisible global capital (characterized with TNCs, international trade and foreign investment), which do not seem to directly act on domestic labor relations. Many scholars have recognized the connection between the global economy and labor rights in developing countries, but very few studies use detailed cases to explain how these factors operate and are interconnected. Therefore, this chapter explores how the indwelling relations of labor-capital-state affect workers' lives, in terms of both the domestic and global perspective and economic to social realms. Regarding the "invisible hands" in labor conflicts and workers' lives, a detailed case is explored in the final part to illustrate how capital works in the contemporary Chinese context.

Toward a market economy

Transformation of labor relations

The transformation of labor relations in China in the past three decades has undergone two processes: commodification and casualization (Friedman & Lee, 2010; Gallagher, 2005). Through commodification of labor, employment relations have been transformed from the notion of a social contract involving lifetime employment with extensive social benefits, to a legal contract or no contract, which is highly dependent on the labor market and employees' own bargaining power (Friedman & Lee, 2010). Lifetime employment was engendered under Mao, also called "iron rice bowl", and was gradually dismantled in the reforms, starting with private enterprises and then to collective or state-owned enterprises. The earliest practice of capitalist or "pre-capitalist" labor relations[8] was adopted by private enterprises in south-eastern coastal cities (usually those with foreign investment), and where migrant workers from poorer inland regions made up the bulk of the production workforce (Gallagher, 2005:14-18).

Casualization of employment has become significant across nearly all sectors since the mid 1990s, prompted by increasingly rapid urbanization which attracts millions of self-employed workers or unregistered small enterprises in the service sector. Moreover, employment in the manufacturing sector is increasingly informalized; that is, employment has informal and casual aspects in many foreign-invested sectors. In most foreign-invested and private factories, signed contracts are relatively rare; contracts or oral agreements are often temporary and liable to be terminated; workers' rights are often violated regarding overtime hours and pay, social insurance, severance pay, and so on. Moreover, there is also a growing trend of "creative" labor practices to counter new labor laws, such as "labor dispatch", subcontracting, and student labor. Such practices result in more causal employment in manufacturing and undermine efforts to formalize labor relations by legislation.

Capitalist labor practices — the commodification and casualization of labor — are not only typical in private and foreign-invested enterprises, but have spread to the state and collective sectors (Friedman & Lee, 2010; Gallagher, 2005). In tandem with the reform of state-own enterprises (SOEs), many SOE workers have been laid off

---

[8] According to Gallagher (2005), capitalist labor practices are defined as measures that commodify labor power and marketize the labor relationship. The practices are also founded on a hierarchical relationship between employer and employee, entailing various modes of control. "Pre-capitalist" labor practice is discussed by Ching Kwan Lee (2007: 164) to refer to a labor relation which is underscored by lack of contractual and legal guarantees for the market exchange of free labor power.

(*Xiagang*) since the late 1990s. From 1997 to 2001, the number of laid off workers reached between 7 million to 10 million per year, and the total number of laid off workers in the above five year period was more than 44 million (NBSC, various years). In addition, many positions in SOEs and other parts of the public sector were subcontracted to private firms, or were replaced by temporary and "dispatch workers". As a result, the socialist working class has been undermined by reform of state-owned enterprises and subcontracting positions to the private sector.

The Chinese economy does not seem to have been affected by the disruption of state-owned and collective enterprises, maintaining an average 8% GDP growth rate during the period of public enterprise reform, with 8 to 10% growth rate in secondary industry, which contributes over 45% of GDP each year.[9] In particular, the export-processing industry contributed 37% of GDP by 2008, a relatively high rate. Meanwhile, the migrant labor population has grown from 50 million in 1995 to 145 million in 2009 (NBSC, 2010; Zhang, 2008); around 39% of migrants find jobs in manufacturing. As an older generation of workers is disrupted, a new generation of migrant workers has been created.

Institutional exploitation and discrimination

In contrast to traditional workers, migrant labor in the market became a commodity at the beginning of the reform era. While real commodity prices should be decided by supply and demand, migrant labor involves institutional exploitation and discrimination. Such processes result in relatively low wages and a lack of legal and social guarantees in real market exchange. Examples can be pinpointed to illustrate how institutional exploitation and discrimination affect the lives of migrant workers.

One of the most serious forms of institutional discrimination is the household registration system (*Hukou*). In socialist China, a person's collective consumption, such as housing, medical care, education, retirement pension, were highly dependent on *Hukou* (Cheng & Selden, 1994). Under the *Hukou* system, the governments of particular geographical areas take responsibility for the collective consumption of residents in these areas. In post-socialist China, although many policies relating to *Hukou* have been deregulated, migrant workers' rights to become equal citizens where they work are still deprived by the *Hukou* system. They cannot apply for

---

[9] See National Bureau of Statistics of China, various years: http://www.stats.gov.cn

public housing; they lack social medical care; and *Hukou* is also a barrier to their children's education. Long-term reproduction in a city is seriously hampered by institutional discrimination (Solinger, 1999).

Institutional discrimination in the *Hukou* system also enables further exploitation by employers of migrant labor. The wages they provide can only support workers' long-term reproduction in the countryside rather than in urban areas. For example, a national survey indicated that, in 2009, the average monthly wage of migrant workers was 1417 *yuan,* working for 58.4 hours a week (NBSC, 2010). From this data it can be concluded that most workers are paid the local minimum wage. Moreover, "same job, different wage" is also frequently reported by the media. In some SOEs, employees with urban citizenship are paid a different wage compared to those who do not have a city *Hukou*, even though they are doing the same job in the same position. Urban employees can earn double (or more) of the salaries of migrant workers who are only offered temporary contracts.[10]

With such fundamental institutional barriers, even a policy that involves goodwill may do harm to migrant worker benefits. For example, in Guangdong Province, it was only in the year 2000 that a law was enacted stipulating that all employees, including migrant workers, should join the social insurance program to help guarantee retirement pensions, medical care and occupational insurance. However, the rate of migrant workers joining the program is extremely low. This is partly due to employers' unwillingness to pay the cost, and partly due to migrant workers' concerns that they will not benefit from the program after they retire. Fees for endowment insurance have to be paid for at least fifteen years before retirement pensions can be received. However, to keep a job in the same city for over fifteen years is often unrealistic for migrant workers. Every year, millions of migrant workers visit the social insurance bureau to quit the insurance program and get their money back. However, the insurance fees paid by employers remain in the bureau's public account, while nothing is paid to migrant workers.

The transition to capitalist labor relations and institutional exploitation and discrimination provide a fertile soil for capital, and naked exploitation by employers drive workers' grievances. As noted by Lee (2007), migrant workers face three types of violations that often lead to labor arbitration, litigation, and protests. They are (i)

---

[10] XinhuaNet, 2008. Available from: http://news.xinhuanet.com/forum/2008-03/23/content_7838105.htm

unpaid wages, illegal wage deductions, or substandard wage rates; (ii) disciplinary violence and dignity violations; and (iii) industrial injuries and lack of compensation. A common understanding of these frequent labor rights violations is that employers fail to fully observe laws and local governments do not strictly enforce laws and thereby law-breakers can operate with impunity.

In summary, Chinese workers face big challenge when the state is part of two processes: the commodification and casualization of labor relations. In particular, migrant workers suffer from institutional exploitation and discrimination, and their grievances are exacerbated by employers' violations of basic labor rights. Migrant workers are caught in a stalled process of proletarianization hampered by institutional barriers and violations by employers. Having nowhere to go and nowhere to stay is the most realistic portrayal of migrant workers' lives (Pun & Lu, 2010).

Extended conflicts: hands beyond borders

The predicament of Chinese migrant workers is not only the result of domestic economic transition. There are clear indications that their plight is highly link with foreign capital and the global economy. As Mosley (2011) has indicated, changing technology and policy means that developing nations increasingly participate in global production networks: they receive substantial amounts of FDI and participate as subcontracting partners, importing and exporting a variety of commodities. Global production is characterized by three elements: FDI, international trade and subcontracting. In order to analyze the linkage between global production and the plight of China' workers, the influence of the global economy role on China, in relation to impacts on workers, can now be explored.

FDI, export-processing and labor conflicts

In the past three decades of the reform era, China have introduced more FDI than any other developing country, with utilized value increasing from US$0.916 billion in 1983 to US$108.8 billion in 2010. China has also witnessed rapid growth in its international trade, particularly exports, which rose from US$13.7 billion in 1979 to

US\$1577.9 billion in 2010.[11] Meanwhile, there has also been a significant growth in labor disputes since 1995 when the national *Labor Law* and related laws were enacted. Figure 3 shows the general trend of labor disputes registered by governments, the actual utilized value of FDI and total value of exports from 1990 to 2010 (the latest official statistics available). The rise in the number of labor disputes shows a similar trend to FDI, while total exports grew aggressively from 2002, shortly after China entered the WTO.
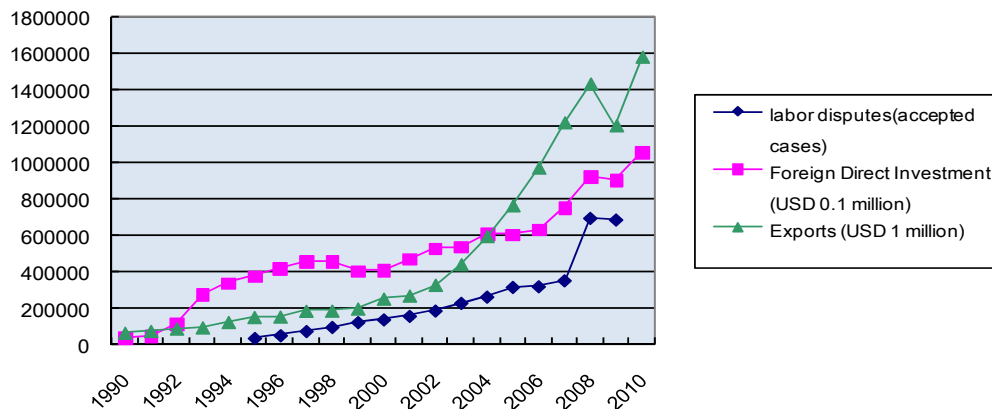
Figure 3   Labor disputes, Foreign Direct Investment and Total Exports 1990-2010

(Source: MOC, various years; China Labor Statistical Yearbook, 2010; China Data Online: http://chinadataonline.org/member/macroy/index.asp)

The relationship between labor disputes, FDI and the export-oriented economy becomes clearer when we look at the example of Guangdong Province, China's major link to the global marketplace. In 2008, the Guangdong's share of FDI and exports was for 20.7% and 28.3% of the nation's total respectively, the leading region of China's 31 mainland provinces (excluding the SARs). Although many transnational and foreign-invested firms have relocated to inland locations in search of cheaper land and labor, the province has witnessed persistent growth in foreign investment and exports. Meanwhile, the number of registered labor disputes in the province stood at 150,023, 21.6% of the country's total, and the first placed region in China in terms of labor disputes.

Different types of enterprises have varying rates of labor disputes. As seen in Table 3, foreign-invested enterprises had a much higher number of disputes (on

---

[11] See Ministry of Commerce, various years; China Data online: http://chinadataonline.org

average) compared to other type of enterprises, with averagely 340 disputes for every 100,000 workers each year. Private enterprises had the second highest rates for several years but was surpassed by joint-owned/shareholding and collectively owned enterprises undergoing restructuring and reform. Nearly all types of firms tend to have increasing numbers of labor disputes year on year, particularly joint-owned/shareholdings and collective-owned enterprises; here, disputes have increased dramatically.

Despite relatively numerous disputes in private enterprises and increasing numbers of disputes in collective and shareholding firms, the high level of labor disputes at foreign-invested firms is still outstanding. These figures indicate the tense, antagonistic labor relations at many foreign-invested firms, which also increasingly prevail at collective and joint-owned/shareholding firms. Moreover, these figures also suggest that not only have capitalist labor practices spread to other types of enterprises, labor conflicts have also spread and increased.

Table 3　Labor Disputes per 100,000 Employees by Ownership Type, 1998-2003

Type of Enterprises		1998	1999	2000	2001	2002	2003
State-owned		24.5	31.2	40.4	56.1	63.1	70.9
Collectives-owned	Urban	69.2	106.2	154.7	197.9	242.9	302.2
	Rural	9.6	7.9	3.1	1.8		
Joint-owned /Shareholding		42	54.8	108	171	214	344
Foreign-invested		384	456	326	300.7	302.5	271
Private		111	132	159	156.6	153.2	123.9
Individually-owned		7.0	10.2	19.1	30.1	28.9	40.4

(Source: calculated from NBSC, various years; *China Labor Statistical Yearbook*, *China Statistical Yearbook*, various years)
Note: 1. The calculation method is based on Gallagher's table (2005: 125);
　　　2. The number of private/individually-owned employees only includes urban employment;
　　　3. Since 2004, labor disputes in the *China Labor Statistical Yearbook* have no longer been listed by ownership type.

Besides official data on registered labor disputes brought to labor arbitration committees by workers, China has also witnessed a dramatic increase in labor protests, or "mass incidents" as they are called by the government. According to official figures, the number of "mass incidents" increased from 8,700 in 1993 to 58,000 in 2003 (Lee, 2007:5). In 2003, among the 58,000 incidents, the largest groups consisted of 1.44 million workers, accounting for 46.9% of the total number of participants (Qiao & Jiang, 2004:300). In Shenzhen, China's most developed

global export city with its eight million migrant workers, the Labor Bureau officially registered about 600 "incidents" each year from 1998 to 2001, most of which were about wages and working conditions (Lee, 2007:6). Labor observers also note that labor unrest has increased since China joined the WTO which spurred rapid growth in FDI and export-processing trade (Qiao & Jiang, 2004).

The above figures and examples exactly tally with Silver's (2003) notion, "where capital goes, labor-capital conflict follows." China's economy has been gradually integrated with the global market through a massive influx of foreign capital and burgeoning international trade. Capitalist or pre-capitalist labor practices began in FDI firms or export-processing zones and later spread to other sectors of industry, resulting in a deepening process of labor commodification and a rising tide of labor unrest.

However, labor-capital conflicts presenting as labor disputes, strikes, petitions, or even suicides or murders are not simply contentions or antagonistic relations between local employees and the employers. Labor conflicts are not only about local or domestic issues, but are also embedded in a broader production relationship characterized by transnational capital behind the scenes having the upper hand over local or foreign-invested capital (which directly deals with conflicts). As well as global production, the labor-capital relationship is ultimately shaped along multinational lines, with arm's length control exerted by global capital.

Deconstructing labor-capital conflicts

Before the mid-1980s, it was commonly understood in the corporate world that the primary concern of manufacturers was production of goods. "Production" was at the heart of all industrialized economies. For centuries that meant making good quality products that can be sold: the principle of successful business. However, by the 1980s, two kinds of economic activities emerged and quickly became part of a consensus among entrepreneurs and management theorists in America. The idea formed that corporations employed too many people to produce their own products — and these workers began to look like a "clunky liability" to employers, particularly during recessions. A second element was that successful corporations must focus on marketing and producing renowned brands rather than manufacturing. To pursue this strategy, corporations attempted to outsource production to contractors (mostly overseas) and branded the finished goods with their own logo. Pioneers such

as Nike and Microsoft proved that such an approach was enormously profitable and became big winners. The new formula for successful business was gradually adopted: to maintain competitiveness in the market, it is necessary for corporations to throw off the "burdens" — the manufacturing parts and workers, and look for contractors or suppliers who can reduce the cost of production; at the same time, corporations also need to reinforce the profitable parts: design, marketing and branding (Klein, 2000). Hence, the system of contemporary global production was formed.

Contemporary global production is characterized by its multinational nature (Mosley, 2011). Through international production, TNCs organize economic activities via exports or by investing to produce abroad (UNCTAD, 1993). International production helps a firm to reduce the costs of raw material, labor, land and other elements of production. As summarized by Mosley (2011), there are three elements in international production: FDI, trade and subcontracting. TNCs either choose to invest abroad and produce through their own subsidiaries or subcontract/outsource the production to local suppliers or partners. These two types of global production generate two distinct global commodity chains — producer-driven and buyer-driven global commodity chains (Gereffi, 1999). In recent decades, the buyer-driven global sourcing/subcontracting system has become more widely used in many labor-intensive, consumer goods industries such as garments, textiles, footwear, toys, consumer electronics, and various handicrafts (Gereffi, 1999).

Buyer-driven commodity chains are operated through a global sourcing and subcontracting system. By subcontracting, a principal firm (buyer) places an order with another firm (the sub-contractor) for the manufacture of parts, components, sub-assemblies or assemblies to be incorporated into a product which the principal firm will sell (Ietto-Gillies, 2005:36). Such international production is organized through complex tiered networks and complicated techniques and management of global sourcing. These global commodity chains are usually driven by big branded corporations and retailers, which are the principal firms and exist at the top of chains. These chains are also segmented into high and low profit ones: high-profit steps including innovation, marketing and retailing are tightly controlled by TNCs; in contrast, low-profit steps, such as sourcing raw materials, production, assembly and packaging are outsourced to tiers of suppliers and producers in low-cost locations. Through some mid-chain suppliers, a widely dispersed chain of dozens of firms can

be tightly integrated into the process of making and delivering a single product (Oxfam, 2004).

The contemporary pattern of global production has not only altered traditional ways of production, but also transformed labor-employer relations. By subcontracting the production of goods, large retailers and branded companies have also subcontracted the majority labor-capital relations, as well as labor-capital conflicts. Many branded companies like Liz Claiborne, Nike and Rebook are called "manufacturers without factories", and subsequently they do not hire workers. They just need to place orders with their contracted suppliers, and let suppliers to deal with manufacturing, including labor control. All they need to do is to design, coordinate and integrate the different tiers of suppliers and contractors and then market the finished products.

Indeed, the subcontracting system or global commodity chains have created new opportunities for labor-intensive exports from low-cost locations, especially in many developing countries (Oxfam, 2004). In China and many other developing countries, a number of producers or factories have been established to compete for the orders from brands and retailers which hold the main market share. The mobility of capital towards low-cost and labor-intensive locations cause intense competition among producers worldwide and even a "race to the bottom" in workers' wages and working conditions. Such power asymmetry between multinational buyers and their suppliers means that big buyers have the upper hand: these buyers have more bargaining power with suppliers in deciding the price, quality, delivery time, and other aspects of production. Mosley's study (2011) details these relations. She argues that arm's length subcontracting relationships may have negative consequences for workers due to cost competition, while TNCs' directly own investments (producer-driven commodity chains) are more likely to respect labor rights.

Notwithstanding shedding the production of goods, as well workers who make goods, large buyers actually place "invisible hands" over commodity chains and the working conditions of those producing goods. As large buyers, they actually decide the price, delivery time and technical aspects of the products, and hence decide workers' wages, working hours and other working conditions in the supplier factories. For example, the "just-in-time" production strategy, driven by many electronic brands, also transfers risk and delivery pressure onto suppliers and contractors. With this "just-in-time" strategy, suppliers are pressed to accomplish orders in less time

and face tight shipping schedules. Labor scholar Ching Kwan Lee also observed that "as the Chinese economy becomes more integrated with global capitalism, manufacturers are confronted with ever more intense competition and shrinking margins of profit…these competition pressures turn into longer production shifts, declining real wages, neglect of production safety, consolidation of production sites, and subsequent mass layoffs" (Lee, 2007:164). As a result, workers at the bottom of supply chains become the final victims in global competition driven by multinational brands and retailers.

In the following part, a giant electronic contractor producing for the world's leading brands expands in the specific context of China is used as an example to illustrate how its operations affect workers' daily lives. Appelbaum (2008) has argued that the growth of large contractors may partially address the power asymmetry between "big buyers" and their suppliers, and tend to provide advanced equipment and better working conditions for workers. In contrast, my study argues that the reality can be more complex: with comparatively higher wages and better conditions than "sweatshops", workers are actually suffering from more intense work-related stress and militaristic and Taylorist management patterns.

Foxconn: global capital meets the state

Background

In 2010, eighteen young workers attempted suicide at Foxconn production facilities in China, attracting worldwide attention. In what the media called "serial jumps" or "suicide express", fourteen workers died, and only four survived with injuries. Many media reports suggested that work-related pressures quasi-military management were behind the suicides. The tragedy aroused the concern of civil society groups and academics. Between June and November 2010, I joined an independent joint research group formed by scholars and students from 20 universities in mainland China, Hong Kong and Taiwan[12]. This research group aims to independently investigate general working and living conditions of workers and patterns of management so as to understand the roots of worker grievances. In this part, the Foxconn case is used to explore the following questions: how does the subcontracting system operate through

---

[12] Unless otherwise stated, the data of this sector is drawn from the field research carried out by the joint research group.

global supply chains? How are TNCs and the state involved in the process? What consequences are there for workers and their grievances?

Hon Hai Precision Industry Company, more commonly known by its trade name Foxconn, was founded in Taiwan in 1974. In 1988, driven by China's favorable investment policy, Hon Hai set up its first production facility named Foxconn in Shenzhen, one of China's earliest "special economic zones". During 1990s, Foxconn evolved as a kind of contract manufacturers (CM), which tend to be very large and global in scope and provide integrated manufacturing services for brand-name companies (Luthje, 2004). The company has benefited from the rapid growth of the global market of personal computers and other electronic products, and it has expanded quickly and started to build up more facilities in the Pearl River Delta and the Yangtze River Delta. Since 2000, running in tandem with China's go-west development strategy, Foxconn also has started to expand and relocate facilities in more inland regions of China. Since 2003, the Taiwan-invested company has become China's biggest exporter. By the end of 2010, Foxconn has more than 28 production facilities diversely located in the south, east, north and middle-west part of China, with more than 900,000 employees, most of whom are migrant workers.

Position in global supply chains

Foxconn is now the world's largest contracted electronics manufacturers, providing electronic products to leading brands such as Apple, HP, Dell, Nokia, Motorola, Sony and Samsung. As a contract manufacturer, the company churns out a wide array of low-end to technologically sophisticated products for its customers. The most well-established service it provides is molding and tooling. The company has also expanded its "3C" product range—computers, communications equipments, and consumer products—to include four more "C"s: cars, channels, content, and health-care. As Foxconn claims, the company strives to achieve "large scale/high efficiency/low cost/high quality" for its customers.[13]

Foxconn relies heavily on its made-to-order business from top technology firms (and increasingly auto brands). Benefiting from massive orders following economic recovery, Foxconn shipped over 6 million notebooks in the first half of 2010.[14]

---

[13] Foxconn Technology Group, 2010. 2009 CSER Annual Report, p7-8. Available from: http://www.foxconn.com/CSR_REPORT.html

[14] *Digitimes.* 5 August 2010. "Foxconn ships over 6 million notebooks in 1H10".

Foxconn's laptop shipments to HP could reach 10 to 12 million units by the end of 2010, and total shipments to HP will increase to 20 million units in 2011.[15] As of July 2010, Foxconn surpassed Quanta Computer to become Dell's third largest supplier of notebooks (behind only Wistron and Compal Electronics). Foxconn will fulfill 4 to 5 million notebook orders for Dell in 2011.[16] The hot sale of Apple's products — iPad and iPhone4 has also brought massive increase of orders to Foxconn, leading it to take more than half of global electronic manufacturer service (EMS) industry revenue by 2011.[17]

Foxconn's annual revenue has been increasing so rapidly that it was ranked 112th in the 2010 Fortune Global 500; however, its gross profit margin is comparatively low compared to competitors and has been decreasing in recent years. The company's gross profit margin was 9.2%, 6.9% and 5.9% from 2007 to 2009.[18] In the first half year of 2010, the company's gross profit margin fell to 2.8%.[19] To illustrate this, we can look at one of Apple's best selling products, the iPad, manufactured by Foxconn. A market research institute carried out a cost analysis of an iPad. In a teardown of the product, the analyst estimated that the cost of materials of a $499 iPad was $219.35 with another $10 for manufacturing and assembling. As shown in Figure 4, Apple obtained more than 50% of the value by maintaining the design, delivery and retail of the product while outsourcing the production of every component to various suppliers. Among its suppliers, those who produce the core components with proprietary technology can gain more through the supply chain. For example, the iPad's display and touch-screen is the most expensive element of the product and costs around $80. These high-tech components are outsourced to high-tech companies such as LG or Samsung. In contrast, the production of low-tech components and final assembly only account for small proportion of costs: for example, Foxconn only gets $10 for the manufacturing cost.[20]

---

[15] *Reuters*. 22 July 2010. "Hon Hai's 2011 laptop shipments seen up over 70 pct".

[16]*Digitimes*. 22 July 2010. "Wistron, Compal still top-2 notebook suppliers for Dell in 2011; Foxconn advances to third".

[17]iSuppli. 27 July 2010. "Foxconn Rides Partnership with Apple to Take 50 Percent of EMS Market in 2011". http://www.isuppli.com/Manufacturing-and-Pricing/News/Pages/Foxconn-Rides-Partnership-with-Apple-to-Take-50-Percent-of-EMS-Market-in-2011.aspx

[18]Diyi Caijing Ribao(1st Financial Daily), 19 April 2010. "Fushikang xiang neidi zhuanyi channeng, yuangong chengben jiang1⁄3" (Foxconn relocatingto inland, labor cost reduced by 1⁄3).

[19]Diyi Caijing Ribao (1st Financial Daily), 31 August 2010. "Fushikang shangbannian kuisun kuoda, maoli dafu xiahua" (Foxconn was at a loss in the first-half year, with gross profit margin greatly fell).

[20] iSuppli. 10 Feb 2010. "Mid-Range iPad to Generate Maximum Profits for Apple, iSuppli Estimates". http://www.isuppli.com/Teardowns/News/Pages/Mid-RangeiPadtoGenerateMaximumProfitsforApple,iSuppliEstimates.aspx; *Lianhe Zaobao* (United Morning Post), 19 May 2010. "Apple chanpinlian zuididuan weishenme shi
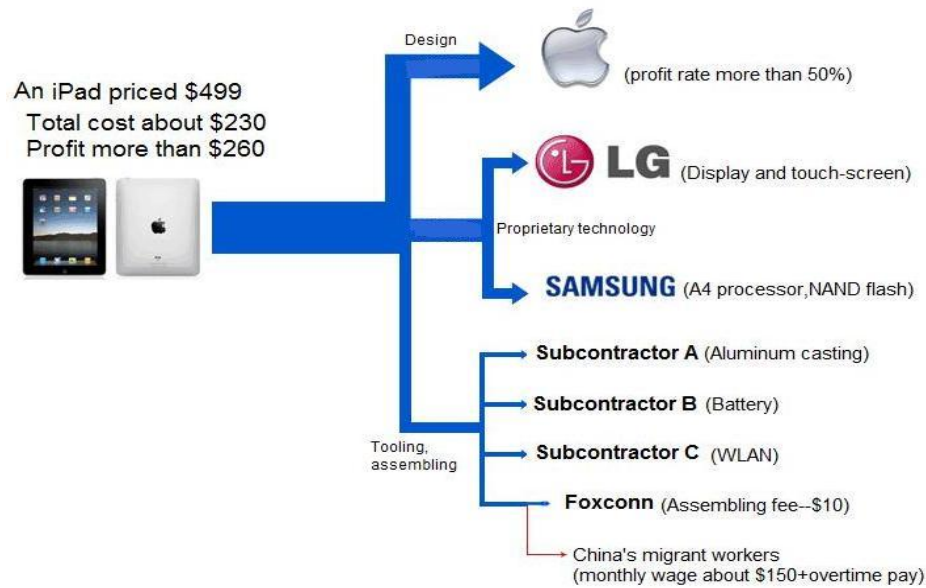
Figure 4   Apple iPad supply chain and cost analysis

(Source: adapted from iSuppli, 10 Feb 2010.)

Capital "fixes"

How does Foxconn succeed in generating high revenue with such a low rate of profit? As noted by earlier studies of electronic contract manufacturing, major CM firms pursue global standardization of work procedures so that they can easily relocate high-end elements of the CM value chain to low-cost locations (Luthje, 2004). Driven by cost-efficiency demands, electronic production has gradually moved from developed countries to the third world. Foxconn has been "fixing capital" from Taiwan to coastal cities in mainland China where abundant cheap labor is found.

Foxconn now has an estimated one million strong workforce worldwide, with more than 900,000 in China alone. By August of 2010, monthly wages of workers were 1200 *yuan* ($176) for standard working hours plus overtime pay in Shenzhen production facilities, only 100 *yuan* above the local legal minimum wage. In the past few years, however, standard wages have been no more than local legal minimums. This is usual among all manufacturing sectors in China. Chinese manufacturing wages as a percentage of US wages, compared to such wages in Japan and the East Asian Tigers like South Korea and Taiwan in the early years of their economic takeoffs, have remained consistently low. The Economist stated that, as of July 2010, the Chinese migrant workforce "is still cheap…just 2.7% of the cost of their

zhongguo?" (Why China at the bottom of Apple supply chains?).

American counterparts."[21]

To meet increasing demand and to combat falling profit margins, the company expanded its scale largely to increase total production output and maintain high revenues. Therefore, expansion and relocation into China's inland regions in search of cheaper labor have become important for the company in the past few years. Table 4 shows the differing legal minimum wages among cities where Foxconn facilities are located. In general, labor costs in the eastern and coastal cities are higher than those of central and western cities in China. Foxconn's 2009 financial report notes that the company's employees increased by 9.7% during that year, but total labor costs were cut by 28%.[22] Cheaper labor costs in inland China have become a company priority, generating a "race to the bottom" in the country.

Table 4   Legal minimum wage by selected Chinese cities, 2010

City	Wage (RMB/month)
Chongqing 重庆	680
Zhengzhou, Henan Province 河南郑州	600 or 700 or 800 [location-specific]
Chengdu, Sichuan Province 四川成都	780 or 850 [location-specific]
Taiyuan, Shanxi Province 山西太原	850
Beijing 北京	900
Langfang, Hebei Province 河北廊坊	900
Wuhan, Hubei Province 湖北武汉	900
Tianjin 天津	920
Yantai, Shandong Province 山东烟台	920
Kunshan, Jiangsu Province 江苏昆山	960
Hangzhou, Zhejiang Province 浙江杭州	1,100
Shenzhen 深圳	1,100
Shanghai 上海	1,120

(Source: China's Ministry of Human Resources and Social Security, 2010.)

Relocation and expansion is just one of Foxconn's strategies in response to customer pressure to reduce purchasing price; another important strategy is to enhance productivity with sophisticated "industrial engineering" management, which results in increasing work intensity and high pressure on workers. The Foxconn Research Group found that there was a clear increase in production intensity after the basic wage increase to 1,200 *yuan* in June 2010. The survey carried out by the research group shows that around 40% of workers felt that work intensity had been

---

[21] *The Economist*. 29 July 2010. "The Next China".
[22] Diyi Caijing Ribao(1st Financial Daily), 19 April 2010. "Fushikang xiang neidi zhuanyi channeng, yuangong chengben jiang1/3" (Foxconn relocatingto inland, labor cost reduced by 1/3).

strengthened in three months. Management use stop-watches and computerized industrial engineering devices to test the capacity of workers. If workers finish the quota, the target is increased until the capacity of the workers is maximized.

In search of young, strong and good-quality workers, student labor in the name of "internships" has become another lucrative option for Foxconn. By signing cooperation agreements with hundreds of vocational schools, students are sent to Foxconn's factories to work as assembly line workers or other frontline workers. Initially, students were only supplementary labor during summer vocations to end of the year, meeting the needs of international buyers at peaks of production. After a few years of trials, student labor has become more attractive because they help satisfy global just-in-time production and seasonal changes and are also cheaper, better qualified, and more docile. The joint research group found that student labor in Foxconn's facilities is more widespread and involves longer periods of internship since the suicides and the company's relocation. In some workshops, student labor comprise up to 50% of the workforce. These student internships can last two months to two years, with a majority lasting for six months.

To cope with Foxconn's relocation plans, some provincial and city-level governments and educational departments eagerly facilitate cooperation between vocational schools and Foxconn. In Chongqing municipality, 119 vocational schools promised to send students to work in Foxconn.[23] In June 2010, the Henan Provincial Department of Education released an urgent administrative order requiring vocational school students to leave for Shenzhen for three-month internships at Foxconn. Up to 100,000 students were coerced to work in Foxconn's facilities; failure to do so meant exclusion from school.[24] The Shanxi Provincial Department of Education and the Department of Human Resources and Social Security also requested vocational schools supply students for an internship program in Foxconn's Shanxi facilities to fill 20,0000 vacancies created by expansion.[25]

The expansion of Foxconn is driven by global capital and international buyers and illustrates three aspects of capital fixes. As Silver (2003) notes, during the past 150 years, capital has experienced "spatial fixes" (geographical relocation of

---

[23] *People's Daily*, 29 June 2010, "Foxconn Mulls Move Northward."

[24] *China Daily*, 26 June 2010. "Students 'Forced' to Work at Foxconn".

[25] *Caing.com*, 12 Oct 2010. "Fushikang shexian lanyong xueshenggong suyuan" (Foxconn abusing student workers). http://policy.caing.com/2010-10-12/100187537_1.htm

production in search of cheaper or more docile labor) and "technological fixes" (to introduce technological/organizational changes in the process of production). These two trends of global capital in the past 150 years also summarize the twenty-year expansion of Foxconn. Regarding "spatial fixes", Foxconn relocated its production sites from Taiwan to coastal cities in mainland China, and now is moving to more inland regions. In terms of "technological fixes", the adoption of machine-controlled assembly lines and scientific industrial engineering management means that every worker is controllable and replaceable and workers' bargaining power has been greatly weakened.

Regarding the third fix, Foxconn's use of student labor (which may be occurring too in many other labor-intensive enterprises), is what I call a "labor fix". "Labor fixes" have undergone three typical periods. During late 1980s and 1990s when labor was in surplus in China, the majority of the labor supply was young (aged between 18 to 25) and healthy rural women usually with nine-year's of compulsory education. Deft, docile and hardworking, these workers were able to meet the demands of manufacturing production. Since early 2000s, there have been frequent shortages of migrant workers (*Mingong Huang*) particularly in the Pearl River Delta. [26] Labor-intensive enterprises had to modify their demands in recruiting workers. For example, the proportion of male workers has increased; the maximum accepted age can now be over 25; and diplomas are seldom required for general workers. For the third trend, the most recent "labor fix" is the abuse of student labor. Since normally recruited labor can no longer satisfy the rapid expansion and seasonal changes of production, using under-age student labor as a newly created "labor fix" has become popular. In contrast to ordinary migrant labor, student labor is younger, cheaper, more qualified and disciplined (under school management), and most importantly, they can more flexibly adapt to just-in-time global production and seasonal changes. Under-age labor has proportionately increased due to the massive usage of student workers who are usually under eighteen. Foxconn's "labor fixes" testify to the fact that capital is always seeking the most appropriate labor for production if the supply channel is feasible and state-approved.

Impacts on workers

---

[26] Ministry of Labor and Social Security, 2004, "Guangyu mingong duanque de diaocha baogao" (Report on shortage of migrant labor). http://news.xinhuanet.com/zhengfu/2004-09/14/content_1979817.htm

The deaths of Foxconn workers demonstrate their enormous suffering and grievances, as these suicides are also cries for help. Although it is impossible to reveal the reasons behind suicide on a case by case basis, it is possible to investigate the common living and working conditions of workers, and listen to workers' own voices about their lives, and their opinions on the company. The joint research group of Mainland, Hong Kong and Taiwan students and scholars has produced many papers describing the various aspects of the findings: student labor, factory management, occupational health and safety, workers' living space and workers' stories. Without giving details in every aspect, this study argues that the production pattern at Foxconn is decided by its position in global supply chains, with subtle differences according to buyers. As a result, workers' working patterns and even living styles are affected. Examples can be used to illustrate these relations.

The factory management pattern in Foxconn's facilities is commonly regarded as militarized. Workers are requested to be disciplined and obedient to superiors. On the shop floor, workers are organized by commands and hundreds of rules and they must behave like an army. Some workers say that in their department they have to stand all day long as they work; indeed, they must stand like soldiers with legs and back very straight. Those who can sit must sit in a straight line. Rest time between shifts is tightly controlled and can be cancelled in peak periods. On assembly lines, operations are highly standardized: workers' actions are timed in seconds to control speed. The military pattern is not only derived from Taiwanese tradition (most male Taiwanese receive army training), it is also tailored to rigorously control the shop floor and emphasize fast, faultless and tightly-planned global production. Saving inventory costs and reducing the risk of overstocking are priorities. The buyer driven just-in-time strategy of global production sophisticatedly transfers the risk to layers of suppliers along supply chains. To assure production tasks can be finished in shorter delivery times, suppliers must organize production processes rigorously and tightly, keeping control over every element of processes and most importantly, workers' behavior.

So called "business confidentiality" also influences harsh management. The rigorous entry assess system at Foxconn is an example. For business and security reasons, every gate of the campus and every factory building and dormitory has checkpoints with guards standing by 24 hours. In order to enter the factory, workers must pass through layers of electronic inspection systems, and unauthorized persons

are prohibited from entering factory areas. Many assembly workers are not allowed to bring their own cell phones or other electronic devices onto shop floors, or they will be punished. Some line-leaders can bring cell phones onto shop floors to receive orders from superiors but the cameras of the phones are sealed to avoid industrial espionage. Body searches are common. For some departments, workers wearing anything metal (such as belts, buckles, and underwear) are not allowed to pass the inspection system. The workers interviewed said they "get no respect", "have no privacy", and the environment is "like in a prison".

The death of Sun Danyong at Foxconn's Longhua plant on 16 July 2009 is another tragic example caused by such business confidentiality. Sun, a 25-year-old graduate from Harbin Institute of Technology, was held responsible for losing one of sixteen Apple fourth-generation iPhone prototypes. Before he jumped from the 12th floor of his apartment building, he had been interrogated, held in solitary confinement, and had his home searched. His final online chat with his friends revealed both his agony and relief. He said: "Thinking that I won't be bullied tomorrow, won't have to be the scapegoat, I feel much better."[27]

To maintain strict confidentiality for buyers like Apple, HP, Nokia and Motorola, Foxconn seems to endorse the behavior of its private security officers. Any leak of "business secrets" will result in serious financial losses and all relevant staff must take responsibility. In this way, technology TNCs transmit extreme pressure along the supply chains and down to the Chinese shop floor. Foxconn workers are being watched on and off the shop floor, from the production line to their daily lives.

When control is extended from the shop floor to daily life, workers' living space becomes quite limited and is also under surveillance. In order to provide "convenience" for workers, there are collective dormitories, canteens, entertainment facilities, laundry and other services offered in the industrial campuses of Foxconn. However, the system actually incorporates the entire living space into factory management, serving the needs of global production. Many workers being interviewed only had twenty minutes for meals between every work shift, excluding the time spent on the way to (and queuing at) canteens. Collective laundry is compulsory; workers who washed their clothes by hand are punished for "wasting water". In May 2010, additional security guards were recruited to patrol dormitory

---

[27] *Nanfang Dushi Bao* (Southern Metropolis Daily), 21 July 2009. "25 sui yuangong yizao gaoguan jujin oudahou tiaolou shenwang (25-year-old employee jumped to his death, allegedly detained and assaulted by senior staff).

buildings to check whether workers were disobeying regulations (such as cooking, washing clothes, or making noise) and whether anyone had attempted to commit suicide.

The factory-dormitory labor regime integrates production and workers' reproduction activities into a self-contained all-encompassing locality, blurring the distinction between "home" and "work" (Pun & Smith, 2007). It facilitates flexible production by imposing overtime work and irregular shifts on workers. Such socio-spatial arrangement strengthens managerial domination; labor control is extended from factory shop floor to everyday life. Whether on or off duty, workers experience suppressed and fragmented lives. These practices stem from the pressure exerted by large buyers to lower costs and achieve just-in-time service, as well as manufacturers' own "capital fixes". This leads to militaristic and Taylorist management and the burgeoning grievances of students and other young workers. Young workers, such as those who committed suicide, are the most typical victims under such a regime.

Concluding remarks

In this chapter, transformation of labor relations in China during the past three decades is reviewed. Current labor relations are based on a market-oriented mechanism but migrant workers suffer more institutional exploitation. I also argue that there are two levels of factors which jointly configure current labor relations in China: the domestic level — the state policy and employers' pre-capitalist labor practice; and the international level— global capital such as TNC control over global supply chains, boosted by various trade agreements. In order to better survive in the global economy and serve global production, industrial capital in China is undergoing three fixes: spacial fixes, technological fixes and labor fixes. Workers therefore have various grievances. At Foxconn, this involves harsh, militaristic management, high work intensity, extended control over daily life, violations of privacy and dignity, and in extreme cases, assault and battery. In Chapter 3, counter-movements that respond to capital's increasing invasion of social life are discussed.

Chapter Three

Counter-movements for labor rights in China

The expansion of global capitalism has prompted counter-movements across the world to protect societies against "the perils inherent in a self-regulating market system" (Polanyi, 2001:80). Powerful social movements and institutions have emerged (and are emerging) in a "double-movement" responding to the actions of the market and to reinstate human interests over those of a globalizing market economy (Munck, 2007). Movements contesting the global economy are concerned with trade, labor, agriculture and the environment, and emerge from the global north to the global south.

In China, counter-movements against the changing labor relations basically appear in three aspects. First, the most direct reaction must be from workers themselves to protest against the commodification of labor (workers in the public sector) or poor labor conditions and rights violations (migrant workers). Second, the party-state and its affiliates—Department of Labor and All China Federation of Trade Unions (ACFTU) — focus on labor legislation and set up levels of trade unions in response to increasing labor-capital conflict. Third, a growing number of NGOs and actors from civil society are concerned and engage in labor issues using various types of intervention. This chapter, therefore, aims to critically examine the latter two counter-movements and their effects, with a specific focus on NGOs engaged in what is described as "labor rights activism" in the first chapter.

Responses by the state

China has significantly benefited from marketization which has spurred a booming economy. However, the state neglected the costs of sweatshop labor until it was faced with increasing numbers of labor disputes, strikes, protests and workers self-organizing in the past decades. Labor-capital conflict dramatically intensified during the reform and is now a most serious and frequently occurring form of social conflict. The transition from socialist labor relationships to capitalist ones also demands corresponding legislation and institutions to regulate labor-capital relations. By retreating from areas of workers' reproduction and social protection (Pun, Chan,

& Chan, 2010), the state responds to the new situation with labor legislation and reactivation of trade unions.

Labor legislation

Labor legislation in China has gone through several stages since the 1949 liberation. The first era is the socialist period of 1949-1978. The basic standpoint of party-state, enterprises and the working class was considered the same: no class divisions between labor and capital were deemed to exist. Employment was generally handled through administrative measures but not labor laws. In 1950, the first *Trade Union Law* was enacted. Trade unions at different levels were quickly established to organize workers. Later, a *Labor Insurance Regulation* was also enacted to guarantee social security for workers. Moreover, the working class was regarded as the "master class", as stated in the *Constitution* in 1954 (Wei, 2009). Workers were not only protected in terms of their basic rights but they also had the opportunity to participate in factory management, in both public and private sectors.

The second era is the reform era: from 1978 to 1994. As Polanyi notes, after the formation of a free labor market, regulation of a new type had to be introduced to protect labor. A clear signal of the decreasing social status of the working class was that the "right to strike" was taken away from the *Constitution* in 1982. At the same time, forms of foreign or private invested enterprises were also acknowledged in the *Constitution*. New labor relations were introduced mainly in the private and foreign invested sector, and several laws and regulations were legislated to guide their operation and employment. These laws and regulations include: the *Law of Chinese-foreign Joint Ventures* (1979), the *Law of Foreign-capital Enterprises* (1986), the *Law of Chinese-foreign Co-operative Enterprises* (1988).[28] A common feature of these laws is the fact that they grant foreign firms autonomy and flexibility in almost all areas of personnel management, such as in hiring, firing, terms of employment, non-wage benefits, among others (Gallagher, 2005). These laws aimed to introduce market logic, including notions of contract and autonomy, but there were no detailed rules of implementation. Employment in the private sector at that time was quite informal, and migrant workers seldom had real contracts and encountered various violations of rights. During this period, employment in SOEs was still guided

---

[28] China Law Yearbook, various years.

by public sector labor regulations, such as *Law of Industrial Enterprises Owned by the Whole People* (1988). However, the drive to profits and efficiency in public enterprises increasingly spurred management to adopt *contractual* and *hierarchical* employment relations.

The third era began after 1995 when the *Labor Law* came into effect. A series of relevant laws were enacted to protect labor rights. The main legislation included: the *National Labor Law* (1995), the *Arbitration Law* (1995), the revised *Trade Union Law* (1992 and 2002), *Code of Occupational Diseases Prevention* (2001), the *Production Safety Law* (2002), *Regulation on Work-related Injury Insurance* (2004), the *Labor Contract Law* (2008), the *Employment Promotion Law* (2008), and the *Labor Dispute Mediation and Arbitration Law* (2008).[29]

The *National Labor Law* is regarded as the first real law to regulate labor-capital relations, a landmark measure to legally recognize contractual and commodified employment, covering almost every sector and replacing socialist life-time employment. Scholars note that, over the past sixty-years, workers have moved "from master to employed labor" (Wei, 2009). Labor laws since 1995 have on one level been a "social reaction" against expanded capital but have also consolidated the labor market, suggesting socialist employment is now a thing of the past.

The state has focused on legislation to facilitate labor-capital relationship, and yet we witness growing numbers of labor conflicts as indicated in the figures in Chapter Two. Local governments with big industrial sectors often have little motivation to enforce the laws because of their joint interest with local capital. The judiciary departments are quite dependent on local governments for financing and personnel appointments, and therefore are under enormous pressure in dealing with labor litigation. Despite capital's frequent violations of laws and an unsatisfactory judicial system, the state has still been attempting to promote "rule by law" to channel conflicts into the bureaucratic and judicial apparatus controlled by the state (Friedman & Lee, 2010).

The state's strategy of "rule by law", regarding workers, has been presented as the promulgation and dissemination of labor laws, exhorting workers to "use the law as your weapon". This emphasis on legal institutions reflects "both the importance

---

[29] China Law Yearbook, various years.

that the state places on law as well as the increasingly contentious and even violent state of labor politics" (Gallagher, 2005:98). To "use the law as weapon" becomes the only legal way to defend one's rights, and any other means may be considered as illegal or at least "not permitted by law". This strategy results in both the "sporadic" and "cellular" workers' struggles (Lee, 2007) and long lasting suppression of workers' collective rights and actions. Since workers' collective rights are not sanctioned by law, the "rule by law" strategy succeeds in channeling most conflicts into the bureaucratic and judicial system and also hampers any potentially large-scale and powerful labor movement. This strategy has also successfully shaped the scope of most labor NGOs: law promulgation and consultation become their major activities, while other forms of activism seem much more risky or are even prohibited by governments. A more detailed discussion of these issues follows later.

Trade Unions

The ACFTU and its subordinate unions, the only officially recognized and monopolistic trade unions in China, are commonly regarded as bureaucratic agencies under the control of the Chinese Communist Party (CCP) which prioritize party and economic interests over workers' interests (A. Chan, 2002; Howell, 2008; Lau, 2003). By monopolizing the representation of worker interests, the ACFTU excludes all other types of worker self-organizing. Meanwhile, the ACFTU's close relationship with the CCP and lack of independence has greatly crippled its motivation and capacity to represent workers and protect workers' rights. At the local level, a survey even shows that most chairs of enterprise-level trade unions are from management.[30] In some worst cases, the chairs in foreign-invested or private enterprises are frequently relatives or friends appointed by factory owners, who in no way can prioritize worker interests.

Trade unions in China have not always been weak and subordinated to the CCP. The ACFTU was once powerful and made considerable effort to protect workers' rights in its early years. In the early 1950s, trade unions were allowed to represent workers in "production management and administration".[31] Beyond the basic role of protecting workers' rights, trades unions also played a vital role in representing

---

[30]*Zhongguo Gongyun* (Chinese Workers Movement), 2010/4, "Guangyu gonghui zhuxi jianzhi qingkuang de diaocha" (A survey on the issue of part-time chairmen of trade unions).
[31] See Trade Union Law (1950)

workers to participate in democratic management. There were also some debates concerning the relationships among trade unions, workers, the party and enterprises. Several top leaders of the ACFTU, such as Li Lisan and Lai Ruoyu, emphasized the organization's autonomy from the party-state (F. Chen, 2004). They argued that the fundamental interests of workers and public enterprises should be identical in the long-term, but they might be different in detailed cases, and trade unions were mass organizations of workers and hence should be more responsible for workers' daily interests (Han, 2001; Wei, 2009). This view was criticized twice by other party members later, and the ACFTU was seriously suppressed after 1958 when the Chair of the ACFTU passed away.[32] The whole system of the ACFTU and its subordinates was almost paralyzed for more than ten years (Han, 2001). Since then, the ACFTU has become totally obedient to the party's leadership.

After the 1978 reform, the functions of the trade unions were partly reactivated. The unions faced a severe dilemma due to a "double identity" — a state apparatus and a labor organization (F. Chen, 2003). The interests of the state, enterprises and workers were no longer "fundamentally identical" but are separate. If the trade unions take workers' interests too seriously, they can be regarded as challenging the party-state's central task of economic construction. The very function to which it is assigned can inherently contradict the state's economic goal (A. Chan, 2002). In many newly registered enterprises, upper trade unions often fail to set up enterprise-level unions. A more extreme case involved the dismissal of a chair of a trade union in a Zhejiang shirt factory by the manager; the union was suppressed. Trade unions' previous role "representing workers to participate in democratic management" has been undermined. Their sole purpose is to "protect workers' rights", but even that aim is difficult to achieve.

In the past decade, the state has faced a rising number of workers' strikes, protests and workers self-organizing. The CCP is concerned about threats to social stability and therefore the CCP urged the ACFTU to play a more prominent role in protecting workers' rights (Howell, 2008). Since the mid-1990s, some reformist trade union leaders in Zhejiang, Guangdong and other coastal provinces have been introducing "direct election" for grass-root trade union cadres. Their goal is to cultivate grass-root trade union cadres who prioritize worker interests over the

---

[32] The chairman of the ACFTU at that time was Lai Ruoyu, he passed away in May, 1958. A party group meeting of ACFTU was hold soon after he died to criticize Lai and trade unions.

party/state interests and democratize the trade union from within. However, such measures have been so slowly implemented that they have not significantly benefitted workers. Conservative leaders in the ACFTU and CCP have blocked such moves, insisting on the Party's leaderships; they are concerned about the risk of uncontrollable directly elected trade union cadres. Local governments and enterprise owners have also colluded to ensure that local development is prioritized over worker interests. Without mass education and active promotion of ideas such as direct election or democracy, such obstacles mean that newly elected union cadres are often managers or existing chairs, and they are soon incorporated into existing trade union structures and working style, prioritizing production over worker interests (Howell, 2008). Direct election then becomes a kind of formalistic action.

The ACFTU has made some efforts to favor worker interests. In early 1950s, it successfully promulgated the first *Trade Union Law*, set up various levels of trade unions and represented workers in factory management and administration. Even in the reform era, it has been effective in securing pro-labor legislation at the national and sometimes provincial and municipal levels (Friedman & Lee, 2010). Moreover, trade unions have represented workers in solving individual labor disputes and mediating collective disputes through legal procedures (F. Chen, 2003; 2004). However, trade unions remain incredibly weak and incapable of actively enforcing laws and contracts, or mobilizing workers, or securing their collective rights or actions. When faced with independent organizing by workers, trade unions strongly pre-empt these efforts and prevent them (F. Chen, 2003). At local levels, enterprise unions mostly back off from protecting their members' rights but can be quite active in any issue that do not involve labor-capital conflicts, such as arranging collective amusements and festivities and so-called "welfare" issues.[33] Due to these poor practices, trade unions have gradually lost credit and even legitimacy among workers (Friedman & Lee, 2010). In some surveys on trade unions, a high percentage of workers in factories with trade unions do not know what a trade union is or what it does.[34] Other national surveys in the 1990s found that more than half of workers were dissatisfied with union performance. Some local surveys have found as much as 80% of workers are dissatisfied with unions (F. Chen, 2003).

To facilitate the state's strategy of "rule by law" in handling labor relations, new

---

[33] See for example: Pun, Lu, et al, (eds.), 2011; and many other news reports.
[34] See for example: Pun, Lu, et al, (eds.), 2011; Xu & Li, 2006.

legislation on collective negotiation or collective bargaining, initiated by the ACFTU, has been put on the agenda. This legislation aims to regulate collective negotiation through consultations between to two equal parties: the employer and the trade union. An early regulation regarding this system is being set up in Shenzhen City (by the end of 2011).[35] Being granted some collective rights, the trade unions are expected to actually fulfill their mission in future. Although the legislation for collective bargaining is still a top-down attempt, there is hope that there will be mass participation by workers from the bottom. When there is an incentive for workers to get higher wages and better working conditions if they can negotiate with their bosses through trade unions, democratic and direct elections in trade unions may become possible.

Labor right activism: Labor NGOs

As demonstrated in Chapter One, this study focuses on "activism" rather than "civil society" or the organizational features of NGOs. Activism emphasizes resistance against what activists consider to be a political wrong or is about taking action to bring about social change (Reitan, 2007). "Resistance" and "change" are two key elements that counter-movements or counter-hegemonic globalization should involve. Therefore, rather than broadly describing the organizational features of labor NGOs, I explore their labor-rights activism relating to resistance or change. In this part, the following questions are addressed: what are the strategies or tactics of NGO activism? How do these strategies work regarding worker predicaments or a potential labor movement? What are the dynamics of this activism in the political and social context of contemporary China?

General information

Labor NGOs, in this paper, are defined as non-governmental and non-profit organizations that aim to promote labor rights and workers' well-being using various forms of intervention. In some Chinese literature, these organizations are often termed "peasant worker NGO" (*Nongminggong Feizhengfu Zuzhi*) (Yue & Qu, 2007;

---

[35] See for example: *Shenzhen shangbao (Shenzhen Economic Daily)*, 19 March 2011, "Jiti xieshang tiaoli youwang niannei chutai" (Regulation on collective negotiation is about to release within 2011).

Zhan & Han, 2005), "migrant worker organizations" (*Wailaigong Zuzhi*) (Huang, 2006), or "peasant worker rights-defending NGO" (*Nongmingong Weiquan NGO*) (J. W. He & Huang, 2008; J. W. He, Huang, & Huang, 2009). Some of the definitions emphasize the organization's function of "rights-defending". Most of them are described in relation to the target group—migrant/peasant workers. This is for two reasons. First, it reflects the reality that most labor NGOs are concerned only with migrant/peasant worker related issues. Second, it also implies the problematic and contentious situation of migrant/peasant workers.

The earliest labor NGOs started to emerge from the mid-1990s onwards in Beijing and the Pearl River Delta. The growth of domestic civil society and transnational support contribute to their emergence and development. Howell notes that a new phase of civil society began to develop in the mid-1990s, with "the rapid growth of associations concerned with providing services on behalf of and/or representing the interests of groups marginalized in the reform process" (2004:145). The World Conference on Women held in Beijing in 1995 is often regarded as a landmark for the booming of social organizations. Soon after that, the earliest indigenous labor NGOs were set up in Beijing in 1996. In the Pearl River Delta, a number of labor NGOs also emerged against the backdrop of growing labor conflicts and increasing demands for labor services. Among these NGOs, some of them were set up by Hong Kong labor activists. Hong Kong activists have made important contribution in bringing experiences, organizing tactics, resources, as well as funding to the development of these labor NGOs. In fact, Hong Kong's labor groups started to look into the situation of migrant workers as early as 1992 when Hong Kong capitalists rapidly increased their investments in the Pearl River Delta (Chan, 2012). Huang (2006) also notes that most labor NGOs in Southern China were supported by transnational network (including Hong Kong resources).

Generally speaking, there are mainly three types of labor NGOs working around Chinese labor issues in terms of their backgrounds or geographical locations. The first type is Hong Kong-based labor NGOs concerning China labor issues, such as the Hong Kong Christian Industrial Committee (HKCIC),[36] Chinese Working Women Network, China Labor Support Network, Labor Education and Service Network, China Labor Bulletin, among others. These NGOs have started to emerge

---

[36] The Hong Kong Christian Industrial Committee primarily focused on Hong Kong labor issues and started to concern on migrant workers in China since mid 1990s. This organization was closed down in 2005.

against the backdrop of growing labor conflicts in the Pearl River Delta since the mid-late 1990s. Some of these Hong Kong-based NGOs set up labor centers in industrial communities in Mainland China, and some others run up projects (such as research, training, and advocacy) with local partners without setting up a center. These Mainland-China-based NGOs set up by Hong Kong NGOs are categorized as the second type of labor NGOs. They are locally registered. At the same time, they are usually technically supported and financially funded by their Hong Kong "parent" NGOs. Staff members are locally recruited, who may be factory workers or university graduates. These NGOs are normally located in the Pearl River Delta because of the close connection between the region and Hong Kong. The third type of labor NGOs are indigenously-grown organizations, and they are usually set up by talented workers and professionals (such as lawyers and scholars). The most famous and earliest indigenous labor NGOs include: Migrant Women's Club (Beijing), Migrant Workers' Home (Beijing), Panyu Dagongzu Service Center (Guangzhou) and Xiao Chen Hotline (Qingdao). Regardless of their background differences, the Mainland-based labor NGOs share many common strategies with the others and they all face a similar dilemma.

The Mainland-based labor NGOs are now located across the country and particularly in the most developed cities. According to observers, these labor NGOs mainly congregate in the Pearl River Delta, one of the earliest areas to implement economic liberalization and develop export-processing industries (J. W. He & Huang, 2008). Some scholars estimated that, as of 2007, about 30 to 50 of such NGOs existed across China (Yue & Qu, 2007), while others estimate the number was between 30 to 35 (up to 2008) in the Pearl River Delta only (J. W. He et al., 2009). According to both public and internal documents, there are more than 50 labor NGOs. However, this number does not count several undocumented NGOs or those unknown among the fraternity.[37]

Two ways of mobilizing

To understand NGOs, we can take two points into account: an organization's mission/objectives and the forms of interventions/services it provides. An organization's claimed mission refers to its ideology while the services reflect how it

---

[37] See Appendix for a list of recorded labor NGOs based in mainland China.

transfers its objectives into practice. For most of the documented labor NGOs in Appendix, their claimed mission or objectives can be categorized three groups. The first group of NGOs clearly state their aim as "promoting or defending legitimate labor rights", and they also claim to strengthen workers' awareness of rights and capacity for self-defending and autonomy. The second group of organizations claims to "promote a harmonious labor-capital relationship", "to advocate fair and equal employment". The third group emphasizes cultural education and a cultured life for workers. Clearly, most labor NGOs are trying to cultivate a mild, harmonious image through mission statements. Even the most radical organizations choose use "legitimate terms", such as "legitimate labor rights", "awareness of law". This indicates that they have no intention to challenge the existing legal framework, and they will not mobilize workers to struggle for rights that are not sanctioned by the state (such as many collective rights). Some organizations even shift their position from a "rights-defending" image to "promoting a harmonious labor-capital relationship", reflecting the popular slogans of local authorities. Such statements to the public (and more likely the party-state), is a kind of "exchange" between organization mission and survival. Nonetheless, a few NGO leaders informed this study that they actually have a higher vision, and hope that migrant workers can be organized as a working class to develop stronger collective power to balance the power of capital.

In terms of services or mobilization, a previous study (J. W. He & Huang, 2008) categorized NGOs into two types: core services and auxiliary services. Core services include legal services such as consultancy, training, paperwork and being *citizen agents.*[38] Auxiliary services refer to those that are mostly not necessary but have equal importance, such as cultural and entertainment activities, visits to occupational victims, and labor rights research. According to a survey by a labor NGO in Shenzhen, 24 of 28 recorded organizations listed "legal services" as their main activity, while 18 organizations provided culture and entertainment activities. Legal services usually include two types: "popularizing the law" (*pufa*) and legal aid in individual cases. For the two purposes, NGOs conduct activities such as lectures/training on labor laws, person to person consultancy or hotlines, litigation/civil agent work, delivering leaflets, among other work.

---

[38] A general understanding of citizen agent is the organizations or individuals who make profits from litigant or non-litigant activities for one party as agents but without any qualification for lawyer.

Instead of looking at NGOs with such "fixed" activities, this study argues that it would be more fruitful to look at "processes". How is mobilization embedded in activities and how do activities fulfill organizations' mission and goals? How are workers engaged in processes and hence can enhance their capacity in labor-capital relations? How should NGOs amend their activities through workers' feedback and reactions from authorities? These questions can only be understood through a "work-in-progress" approach (Ellen, 1996). For Mainland-based NGOs intervene in worker communities and factories, they mainly adapt two major strategies of mobilizing workers — legal mobilizing and cultural mobilizing. The following sections will discuss these two strategies in details — by discussing their respective potentials and limits. Then, three types of difficulties faced by labor NGOs in the specific political context are discussed.

Legal mobilizing

By legal mobilizing, I not only refer to providing legal services to those who seek help, but also mean to mobilize workers to utilize legal channels and learn the law to actively improve working conditions and protect themselves. By using the term "mobilizing" rather than "services", the active role of workers is emphasized and encouraged by activists. In legal mobilizing, it is not activists who should be playing a major role (such as representing workers as their litigant agents), but workers should be the main actors utilizing the legal framework to defend their own rights. NGO activists, however, are better considered as facilitators or disseminators of knowledge, consciousness and techniques. In practice, some NGOs focus more on services, while others focus on mobilizing, but in NGO language, all use the term "legal services" or "legal aids" rather than "mobilizing" or "mobilization".

My interviews with NGO activists indicate the most frequent "legal problems" that migrant workers come to seek help for. These include deduction of wages or overtime pay, occupational injuries and diseases, illegal dismissal, social insurance, among others. The demand for legal services from workers is huge, particularly from those who find their rights have been violated, and NGOs involved in legal mobilizing have indeed made great effort. For example, a legal aid center in the Pearl River Delta received more than 300 labor dispute cases each year, and pursued more than 4,000,000 *yuan* in compensation for workers. Another legal aid center in the Yangtze River Delta provided consultation for over 5, 800 people in 2010 and

pursued about 4,000,000 *yuan* for litigants.[39] Most of the interviewed activists say that many workers come to know their organizations when they seek legal aid or consultation. Some workers build trust with the organizations and later participate in other activities and even become volunteers. They may help organizations to deliver leaflets, participate in cultural activities, or even go on hospital visits to see the victims of work-related accidents.

Legal mobilizing and services have also helped to strengthen worker's knowledge and awareness of law to a large degree. Most workers think that legal services are useful. *Li*, whose hand was injured during work, met the activists from a NGO — *SQ* (a code) when he was in hospital. "*I felt much better when I met them (the activists), because some of them had also suffered from work-related injuries. We are fellow sufferers and have mutual sympathy with each other,*" *Li* said. He also noted the many difficulties in pursuing his compensation. The factory he worked for was very small and he did not have a contract or other evidence to prove his employment relationship with the factory. "*I didn't know what to do, so I sought help from the volunteers and the staff members. They helped me to prepare documents for the Work Injury Certification, and they took me to the court, to the arbitration committee, and negotiated with my boss. Finally I got my compensation.*" *Li* expressed his thankfulness when he was interviewed.[40] A lot of injured workers like *Li* do not know the legal procedure needed to secure work injury compensation, and some are even afraid that they would be scolded by bosses for carelessness in getting injured. Visits to these workers not only help them to feel better psychologically but also develop knowledge of law on occupational injury and the legal proceedings involved.

In *SQ*, other interviewed workers highlighted the importance of legal services. "*I think legal services are most important... I learned a lot about the law from legal training, so I can not only defend my own rights, but also help my friends when they have problems,*" one worker said. "*SQ is doing well in popularizing the laws. The government seldom does this. Workers usually do not know what legal rights we have, and how we should defend our rights...Now we know what we have, it is granted by the law. We can negotiate with the boss because we have good reasons (daoli 道理),*"

---

[39] Data are collected from the NGO's annual reports.
[40] According to interviews with workers, August, 2008

we don't need to be afraid," another worker commented on *SQ*'s job.[41]

The emphasis of legal mobilizing also change from time to time according to the changing situation. For example, in earlier years, deduction of wages and compensation for work-related injuries were the two main categories of labor violations that activists and workers confronted. Since 2008, when the new *Labor Contract Law* was enacted, some NGOs also switched their focus from conventional labor rights violations to promoting the new law. NGOs distributed many leaflets introducing the new law and arranged many workshops for workers to explain it. Such actions help protect workers in many industrial areas. First, these NGOs have successfully reminded workers of potential dismissal or transfer of employment relations by their employers, because employers are afraid to provide non-fixed-term contract for workers who have been employed for more than ten years. Second, NGOs also encourage workers to strive for a written and formal contract (rather than verbal agreement) from their employers. A written contract can then help to avoid many difficulties when workers need to pursue their rights through legal procedures. Most importantly, these NGO actions also help to supervise factories to implement the new law by informing workers about the law. Although surveys found that the implementation of the law is problematic (Froissart, 2011), NGOs play some role in informing and empowering workers during the process.

According to data from NGOs, legal services seem to be crucial to service-oriented labor NGOs, whatever their claimed objectives are. The great demand actually implies a serious tension between workers and employers in those industrial communities. Numerous NGOs claim to "promote a harmonious labor-capital relationship", but a large number of labor conflicts persist. The only thing they can do is put these conflicts into the legal framework, and the bureaucratic and judicial system. Providing legal services not only fits into the state strategy of "rule by law", but also reduces the risk of any independent organizing by workers — both the party-state and trade unions would spare no effort in pre-empting and preventing such actions.

Comment: atomization of labor rights

Free legal services have undoubtedly helped those from rural areas with little

---

[41] According to interviews with workers, August, 2008

knowledge on the law and have solved their most realistic problems in labor disputes. The services also increase workers' knowledge and consciousness of labor laws and thus enhance their capacity to defend themselves. This is an effective strategy to mobilize workers to protect themselves at the individual level. However, there are issues regarding the strategy of "legal mobilizing". The biggest one is that to defend one's rights through legal proceedings is a very individual solution. It costs a lot on the part of the worker (in time and money), but little to the employer. For example, a 2005 survey of 8000 workers in eight provinces indicates that in order to claim 1,000 *yuan* in wages, one has to spend at least 920 *yuan* and devote 11 to 21 days (Froissart, 2011:22). This time and money consuming process of "rights-defending" can only solve an individual's problem but not a group of workers. When activists receive labor dispute cases day after day, some of them feel that "what we can do is to help individuals, the cases, but we cannot change the fate of the group." In the opinion of some activists, collective consciousness and organizing is more important than knowledge of law; only when workers can be organized on a collective base can they be empowered to improve their own lives.

In fact, labor laws only guarantee the "protective rights" of workers but not "enabling rights". Legal mobilizing only refers to the "protective rights" of workers, such as health and safety, limits to overtime work, payment of a legal minimum wage, and so on. "Enabling rights" involve freedom of association and the right to collective bargaining (Rodriguez, 2007). Without "enabling rights", legal mobilizing can only mobilize workers to defend themselves when their rights are violated, but it cannot "enable" workers to initiatively and collectively bargain for better working conditions. The strategy of legal mobilizing has actually atomized workers' rights and separated workers rather than organized them. In this sense, legal mobilizing can only offer "cellular" services to "cellular" struggles of individual workers.

To confront the drawbacks of legal mobilizing, some labor NGOs have attempted to develop a "worker volunteers' network". Since workplace organizing is impossible for NGOs, so developing a "worker volunteers' network" is a strategy to build up mutual help and enhance collective consciousness. Moreover, it is also expected that legal knowledge, techniques and consciousness can be spread through the network, just like sowing seeds. Worker volunteers are absorbed in various activities and are provided training on labor laws, communication skills, voluntary services, among other skills. The volunteers may help to facilitate daily activities for

organizations, but they are expected to play a more active role at their workplaces in terms of disseminating knowledge about labor laws and organizing their fellows in case of any collective action. However, it is hard to evaluate the effectiveness of this strategy. According to these NGO activists, the turnover rate of these worker volunteers is very high, in part due to the high turnover in many factories, and in part due to relocation of factories. As one activist said, "*we have provided training for over 300 worker volunteers in the past five years, but now only 30 volunteers are still involved in our activities. The others have left the community and we cannot track them.*" Therefore, workers' struggles are still quite dispersed and cellular when "enabling rights" are actually banned by the state.

Some other NGOs have expected to deepen the impact of legal mobilizing by being involved into legislative and enforcement processes. For instance, when the *Social Insurance Law* was being drafted and reviewed in and before 2010, several NGOs were active in discussing the drafted articles and collecting feedback from workers during the "public consultation" process. These NGOs discussed the intricacies of the draft law with migrant workers in meetings, and then compiled their thoughts in a common proposition and finally submitted it to the legislative committee (Froissart, 2011). Although not all of these demands were accepted, NGOs did contribute to the convergence of advocates (sympathetic scholars, lawyers and media) who promote equal treatment of migrant worker interests.

In terms of watching the law enforcement, one Shenzhen-based NGO — *DG* (a code) has made some trials. After the new *Labor Contract Law* was enacted in 2008, *DG* carried out three yearly surveys from 2008 to 2010 on the ways in which factories contravene the new law. The surveys reveal many problems during the implementation of the law, for example, most contracts were fraudulent, incomplete or unreadable for workers; more than 60% of workers failed to obtain a copy of their labor contract; stratagems were used by employers to cut overtime payment, and so on (Froissart, 2011). Publication of these survey results were first held up by local authorities, but were finally reported by some media.

From the above description, it seems that the strategy of legal mobilizing is not wholly recognized by the state as some scholars put it. The "rule by law" policy still seems to be a top-down policy that should be carried out by state departments or state recognized law firms rather than civil society groups. Labor NGOs who try to fill the gap left by the state and provide legal services for migrant workers sometimes may

risk "inciting workers", notwithstanding their declaration about promoting legitimate labor rights or harmonious labor-capital relations. These issues will be discussed in detail in the section concerning "limited political opportunities" in this chapter.

Cultural mobilizing

Cultural mobilizing involves a strategy that integrates cultural activities, such as literature, drama, music, and library service into NGO daily practice. The very basic function of cultural activities is to provide workers with relaxation, amusement and a platform to communicate with others after work. It is understandable that cultural activities have become so popular among labor NGOs and worker communities. In most industrial areas and migrant worker communities, public infrastructure and services (such as parks, libraries, and community centers) are scarce (in contrast to commercial activities), so there are very few services or activities provided by local authorities for life after work. The lack of public services and social cultural activities hampers migrant workers' normal reproduction and their emotional lives, interpersonal communication and social integration into urban life.[42]

Cultural activities provided by labor NGOs usually include facilities (such as libraries, table tennis, chess, video and projection), performance activities (such as music and drama), group activities (such as poetry, language or music groups), publication (publishing workers' writings), excursions and other activities.[43] These activities have two main functions in general. First they fulfill a need in migrant workers' leisure lives. In entertainment and in socializing, migrant workers can relax, make friends and learn new knowledge and skills. Therefore, cultural activities are very popular with migrant workers.

However, a more important function of cultural activities, in the minds of some activists, is mobilization rather than mere entertainment. According to some NGOs, cultural activities can "express workers' own voices", "build workers' identity", "construct workers' own culture", and "arouse workers' class consciousness". A good strategy is to integrate entertainment and mobilization into cultural activities, but this largely depends on the objectives and operations of individual NGOs. Some NGOs focus only on entertainment in cultural activities, while others pay more attention to mobilizing workers.

---

[42] See ACFTU, 2010; SZFTU & Labor and Social Security law center of Shenzhen University, 2010.
[43] According to interviews, and NGOs' publications and internal documents.

An important means of cultural mobilization are publications. Through publication of workers' writings, workers can express their own voice and gradually build up identification. When workers are encouraged to write down their own experiences (including rights-defending experiences), their feelings or expectations, readers will share the experiences and garner sympathetic responses, thereby building up the identification of a working class. Here is some feedback from workers regarding two NGO publications: *The workers' journal reflects our real life, it is our workers' own publication.* "*It is about workers' feelings, and I have the same feelings with many authors.*" "*The sharing of rights-defending experiences is very useful to me, and I can learn what to do if I face the same problem.*"[44]

Another interesting aspect of cultural mobilization is music. *WH* (a code) was one of the earliest labor NGOs to promote workers' culture through songs and stage performances. Songs about migrant workers' lives are composed and freely performed in workers' communities, construction sites and even TV shows. The organization produces non-copyrighted CDs to broadly popularize songs among labor activists and workers. With the slogan of "singing out our voices, defending our rights with literature", *WH* successfully popularizes songs and builds a worker audience. These songs help to shape workers' identification and advocate a society that respects labor.

From these examples, we can see that shaping a collective worker identity is a primary aim of cultural mobilizing. In social movement theory, collective identity is defined as "an individual's cognitive, moral, and emotional connection with a broader community, category, practice, or institution". It is "a perception of a shared status or relation", distinct from personal identities (Polletta & Jasper, 2001:285). Collective identity is crucial in worker mobilization and the remaking of a new Chinese working class. This is particularly important because migrant/peasant workers in China still face a dilemma concerning identity: are they peasants or workers? To construct worker identity, some NGOs use cultural forms such as music, literature and drama.

NGOs' choice of cultural activities may vary: some aim to construct workers' identity through cultural mobilizing, while some consider cultural activities mild and politically accepted. Others may think that cultural activities are practical and

---

[44] According to my interviews in August 2008.

attractive for running a labor center. To distinguish these approaches, the field researcher needs to settle into NGO labor centers for long-term observation of NGO daily practices. To better utilize cultural activities to enhance workers' awareness, activists need to carefully use cultural work to share with workers, such as poems or movies about workers' struggles, and labor history. But in some NGO labor centers, cultural activities are just a form of amusement. NGO staff members may play amusing movies, or arrange dances or karaoke.

There are varying approaches to cultural mobilizing by different NGOs, but a pertinent observation is that there is no evidence that indicates such efforts directly relate to the emergence of any collective action or labor movement. However, cultural mobilizing has played a positive role in the long-term development of the movement in the following aspects. First, cultural mobilizing is a good way to enhance workers' class consciousness and awareness of their identity and their situation. In terms of specific types of activities, those involving literature, drama and songs have a stronger effect in mobilizing than amusement, sports and other activities. Second, by proper arrangement of cultural activities, workers may have opportunities to participate in the process. They can become the host or core participants of such activities with the assistance of NGO staff. The degree of participation is highly important to cultivate workers' capacity, autonomy and collective consciousness. When workers actively participate in the process, they feel they are not commanded or controlled by others and then build their own agency. Third, cultural activities have great potential in developing labor activists and collective action. The history of working class formation in many countries indicates their great impact. However, even the most well-known culture-oriented labor NGOs are unwilling to be involved in any direct linkage to collective action. Instead, many NGOs prefer to shape cultural activities to be "mild" and "amusing" for relaxation and leisure, away from workers' real struggles.

The impact of current cultural practices is mild and this explains why NGOs are allowed to organize them without being banned. What political factors constrain NGO practice? In the following section, these factors are discussed.

Limited political opportunities

Political opportunity structure, a concept developed by social movement theorists, involves a group of state and political variables which affect the actions of activists.

The emergence, failure or success of social movements depend on the existence of (or lack of) a specific political opportunity and social context (Eisinger, 1973; M. X. He, 2005; Tilly, 2004). In an extremely closed political system where government is not responsive to protestors' claims and may even react with violence, social movements are unlikely to occur. As the openness of a political opportunity structure increases (that is, the government is more likely to listen and respond to public voices), social movements can grow. As the structure becomes a highly open system where government is not only responsive but also anticipates needs and meets them, protests are unnecessary, so social movements will decrease (Eisinger, 1973).

The strategy of labor NGOs providing legal services and cultural services actually fits in with the state's "rule by law" policy — a political opportunity. However, as the political system in China lacks openness, total political opportunities are still quite limited. Therefore, the strategy of utilizing available opportunity cannot guarantee labor NGOs entire safety and legitimacy, and many are under surveillance or are even repressed by local authorities.

Previous studies have been paid much attention to NGOs' legitimization, survival strategies (in order to avoid being banned by government), and attitudes of the state (Ma, 2006; Wang, 2007; Zhao, 2004), and similar concerns have been raised regarding labor NGOs as well (Deng & Wang, 2004; J. W. He et al., 2009; Yue & Qu, 2007). From a social movement perspective, the above issues can be regarded as political opportunity structure. These studies mostly believe that NGOs in China are still vulnerable, with little legitimacy and social space approved by government. "Rights-defending" NGOs are under much stricter surveillance and are sometimes disturbed by local authorities. In the following part, three patterns of labor NGO experience are discussed to explore how limited these political opportunities are. Reactions by the state prompt adjustments by NGOs to their daily operations and activities. To track this process, examples are used to describe how labor NGOs respond and interact with limited political opportunities.

Surveillance

Daily surveillance of labor NGOs by state security departments is quite common. Many NGOs say they had face regular and casual visits or supervision by local or municipal authorities. The authorities' surveillance and scrutiny can be both formal and informal, using a variety of methods. State security departments are some of the

state bodies that supervise and report labor NGOs' daily behavior and trends. Security officials usually have regular meeting with NGO principals to know about the work of the organizations; meanwhile, they may also use informal channels. For example,[45] some NGOs report that they are monitored as they are holding activities; some staff are photographed and their identities are recorded by local police and community committees as they hold staff meetings; some NGOs are checked by local tax bureaus and all their financial reports and bank accounts are examined; some NGO activists are tracked by security officials during "sensitive periods" (such as during the Olympic Games, Asian Games, Universiade, May Day, or National Day) or even warned not to attend conferences. To fully grasp NGO trends and keep control over any "impermissible behavior",[46] security departments sometimes collaborate with local governmental departments using a number of methods to scrutinize NGOs.

This combination of formal and informal methods of surveillance and scrutiny implies a tense, distrustful relationship between the state (especially local authorities) and NGOs. Such scrutiny has put much pressure on NGOs and affects organizations' strategies and even daily operations. Some NGOs react with compliance. For example, they shift their aims from "promoting labor rights" to "alleviating labor-capital conflicts" or "promoting harmonious labor-capital relationship". In other cases, some NGOs also shift their priority from "rights-defending" intervention to less risky cultural activities. Some NGOs have been making efforts to be better known among the media, public and academia so as to be better protected by the society.

Repression

In January 2009, a report on "professional civil agents" in Guangdong Province was released by the Guangdong Politics and Law Committee of the Chinese Communist Party. This report was later leaked onto the internet. In this report, labor NGOs were categorized as "professional citizen agents": organizations or individuals who make profits from litigant or non-litigant activities as agents but without any qualifications

---

[45] These examples were mostly collected through my conversation with the NGO activists in many occasions.
[46] According to the NGO activists, there is no clear guideline for "impermissible behavior". It is an empirical judgment that any involvement or organizing of workers' collective actions is impermissible. There are more restrictions during some important events or holidays, for example, a gathering of workers facilitated by NGOs is not allowed, visits or exchange among organizations could be given a warning.

as lawyers. Although the labor NGOs discussed were non-profit organizations, the report mentions them with profit-driven agents. The report asserts that these citizen agents intensify labor conflicts, conduct covert investigations of factories, some receive funding from overseas foundations to intervene in "internal conflicts of people" (renmin neibu maodun,人民内部矛盾). The report concludes that these citizen agents endanger the stability of society and harm the state's security and image. Therefore, local governments should crack down on these agents and strictly control them.

This was not the first warning to labor NGOs. As early as 2007, there was a joint action by eight functioning departments of Shenzhen government against citizen agents and some labor NGOs involved in legal mobilizing. Many citizen agents were barred from operating as litigant agents; some even had their business licenses withdrawn.

From the above response, we can see that local governments hold an antagonistic attitude towards civil agents, including labor NGOs. Even the rights-defending legal services of NGOs can be understood as "intensifying labor conflicts" and "disturbing the legal service market" as noted in the report. This narrative seems to contradict the state's "rule by law" policy. However, "rule by law" is a conditional strategy according to the state' logic: only state-approved and controllable legal services (such as state judiciary departments and lawyers with qualifications) are legitimate and permitted. In this sense, the political opportunity structure is quite closed for labor and NGO activism in the current situation. Labor NGOs are under great pressure: they either choose to endure continuous repression or are bought off by local authorities.

Tax inspection is also a way for local authorities to repress labor NGOs. Since NGOs are not yet institutionalized in China, most labor NGOs are only allowed to register as business organizations rather than non-profit or social organizations. These business-registered NGOs are still required to pay taxes despite the fact they do not make profits. To pay the required taxes, some NGOs apply to funders for support; others succeed in negotiating with the tax bureau to reduce taxes; while others try to evade payment. In July 2009, *CF* (a code)— a labor NGO based in Shenzhen — was inspected by the local tax bureau and was later given a fine of over RMB 63,000 *yuan*, a heavy burden for a small NGO. *CF*'s principal also said that their organization had been banned as an illegal organization by the local civil affairs

bureau three years before. The reason for banning the organization, in the principal's view, was that they had organized a petition among workers to reduce the charge of labor disputes. After being banned, they succeeded in registering as a business organization. However, before long, the business bureau again refused to renew their license.

Co-option

If restrictions and repression are not the only state measures to deal with labor NGOs, the institutionalization and incorporation of NGOs into the bureaucratic system is another strategy. As reported by the *Southern Metropolis Daily* and other newspapers, the Shenzhen Municipal Federation of Trade Unions (SZFTU) recognized the positive effects of labor NGOs: "(the civil agents) have done many things that the government is responsible for. They push the government to improve labor rights protection and the legal system…" The SZFTU, rather than participating in the repression of labor NGOs, has started a dialogue with them and has attempted to institutionalize these civil agents and NGOs. It plans to set up trade union legal service centers in its sub-districts and incorporate qualified civil agents and NGO staff to work in these centers. However, the SZFTU has also issued conditions to "rectify" NGOs' "illegal" status: these NGOs must no longer receive overseas funding and should not contact the overseas media.[47] The SZFTU's plan to institutionalize civil agents and labor NGOs has made some progress and there are far fewer profit-driven civil agents. The SZFTU has been supporting many more legal aids quotas for law firms so that they can provide free litigant services for migrant workers.[48] With these quotas, law firms can receive governmental funding by providing litigant services for migrant workers. Some individual citizen agents have also been incorporated into these legal aids projects and receive local governmental funding. Such measures have deprived the space for NGOs providing legal services. A few labor NGOs have also started to receive some funding from the SZFTU and report their plans to it,[49] but there is no evidence that these NGOs have suspended overseas funding or connections.

---

[47] *Southern Metropolis Daily,* 16 December 2007, "Huang Qingnan beikan shijian"(The issue of Huang Qingnan being chopped); *Beijing News,* 21 February 2008, "Zhusanjiao laogong weiquan NGO jiannan xianzhuang" (The predicaments of labor NGOs in Pearl River Delta).
[48] *21st Century Business Herald*, 18 Aprial 2008, "Shenzhenshi zonggonghui yicheng yusuan goumai weiquan fuwu" (SZFTU use 10% budget to buy off legal services).
[49] See J.W.He & huang, 2009, there was an interview with principal of Organization E.

The SZFTU's attempt to institutionalize labor NGOs is designed to regularize and better control NGO activism, but indicates some progress compared to the strategy of repression. This attempt opens some space in the political opportunity structure and may allow labor NGOs to be better sustained over a longer period of time. However, the opportunities are still quite limited and overseas funding and connections are still an issue. NGO activism is confined to a few "legitimate" and "harmonious" activities. In this sense, NGOs are losing independence and autonomy, and their mission to "promote labor rights" should be questioned if they only rely on state pro-labor policy.

Concluding remarks

In second part of this chapter, the activism of Mainland-based labor NGOs and the political opportunity structure in which NGOs are operating were both examined. Notwithstanding my aim to study activism from a social movement perspective, most of their activities are less action-oriented and more service-oriented. The dynamic between NGOs and the political opportunity structure plays a major role in dominating the direction of NGOs' activism. Many of these NGOs face limited political opportunities and daily surveillance, repression and co-option. Willingly or unwillingly, they have been gradually domesticated. They have been weak in mobilizing workers for collective action because this is not allowed by the authorities. They engage in tactics involving legal mobilizing and cultural mobilizing which are seemingly acceptable to the state. However, legal mobilizing has only been effective in offering "cellular" services to the "cellular" (atomized) struggles of individual workers. The strategy has not built workers' power on a collective basis. Regarding cultural mobilizing, although some NGOs are doing well in constructing workers' collective identity, they are unable to develop this feeling or consciousness into collective action.

The repression and domestication by the state have successfully transformed some labor NGOs into fully service-oriented organizations, focusing on entertainment, psychological consultation and so on. NGOs that insist on their "labor rights promotion" mission are often unable to maintain actions in accordance with their mission. They have to retreat from some radical actions and pretend to be conservative and service-oriented. In some occasions, a few NGOs choose to work

covertly to support workers' collective actions. These actions are risky, without legal protection, and often small in scale.

According to political opportunity theory, the degree of openness in a political system is crucial to the emergence and success of social movements or protests. The openness of political opportunity structure to a certain degree gives rise to the possibility of social movements, but when the structure is fully closed there is no possibility that protests or social movements will emerge, The study of labor NGOs in contemporary China shows that political opportunities are quite limited for NGOs to participate in or mobilize potential labor movements. Recent trends show that the political opportunity structure is tightening for social movement organizations and other social protests. These responsive actions from the state further reduce the possibility of social movements lead by NGOs. For NGOs, there is an inevitable struggle between their survival and a movement to promote labor rights.

Despite the various limitations of labor NGOs in terms of mobilizing activism, they are still of great importance. Even service-based NGOs provide migrant workers with necessary legal and cultural services to help them adapt to urban life and help them better protect themselves regarding basic labor rights. Although it is not possible to build workers' collective power with a collective basis at present, NGOs have made great efforts to enhance individual worker knowledge and capacity.

Some activists also realize the limitations of these Mainland-based labor NGOs that they are unable to challenge the existing political system. However, a gap is left to be filled by social movements. The trans-border pro-labor NGOs based in Hong Kong play an important role in filling this gap and seeking for more progressive changes in labor conditions and policies by launching an anti-sweatshop movement. Is this approach able to bypass the existing political system? In the next three chapters, a different strategy adopted by trans-border activists to promote labor rights will be discussed.

Chapter Four

Anti-sweatshop activism in China: from historical cases to "first-phase" trans-border campaigns

In Chapter Three, labor NGO practices in Mainland China were examined. Most of these practices aim to empower workers or provide labor services to promote labor rights. This approach can be considered as traditional working-class mobilization conceptualized through a Marxist lens. However, since these NGOs are strongly restricted by the state, the effect of empowerment and mobilization has been weak and slow. Some trans-border activists have realized that there is a gap to be filled by other social movements. These activists have envisioned a different approach to promote labor rights. This approach, rather than mobilizing workers, focuses on "naming and shaming" transnational brand-name corporations and manufacturers that have been dominant in global supply chains. This is the contemporary "anti-sweatshop" or "anti-corporate" movement.

The anti-sweatshop movement and the Nike Campaign

The anti-sweatshop movement is characterized by its strategy of disclosing sweatshops linked to brand-name corporations. The movement urges those corporations to respect labor rights at their overseas supplier factories. Distinct from the traditional working-class movement, the contemporary anti-sweatshop movement shares many similarities with New Social Movements and has become an icon of the counter-hegemonic globalization. The contemporary anti-sweatshop movement emerged in mid-1990s and high-profile brand-name corporations and retailers, such as Nike, Disney and Wal-Mart became primary targets of anti-sweatshop campaigns. The campaigns were organized by various civil society groups— trade unions, and human rights, religious, student, and consumer NGOs— in developed countries, particularly the United States, Canada, Australia, and some European countries (Yu, 2006). All these campaigns addressed a common issue — TNCs are primarily responsible for rampant labor abuses at their supplier factories, and they should take corporate social responsibility seriously and respect workers' rights along supply chains. The movement was later important in the emergence of corporate social

responsibility (CSR) and in the formation and implementation of various codes of conduct involving labor standards.

The Nike Campaign is one of the most extensive and long-lasting global anti-sweatshop campaigns. It is also one of the earliest contemporary campaigns and has created far-reaching impact on the anti-sweatshop movement. The Nike Company became a target of anti-sweatshop activists in the early 1990s, not only because it was at that time one of the most high-profile and profitable brand-name companies, but also because of the frequent labor abuses and poor labor conditions of workers in its supplier chains in many Third World countries.

The Nike Campaign started as a small initiative and an individual's concern. From 1989, U.S labor rights activist Jeffrey Ballinger, who worked as a program director of the Asian American Free Labor Institute in Jakarta, started to pay attention to and document the labor conditions in Nike's supplier factories. Ballinger, who had been keeping a close eye on Nike' labor practices in Indonesia, later became the major source of Nike's sweatshop information for media exposure. Between 1992 to 1995, when Ballinger left Indonesia (actually he was forced to leave by the Indonesia government), he started to promote the campaign to journalists and NGOs (mostly in Europe). He called journalist frequently and sent emails of information about the issue to journalists and human rights organizations (Connor, 2007: 125). It was during that period when anti-sweatshop organizations/network such as the Clean Cloth Campaign became involved in the Nike Campaign.

The campaign didn't gained momentum until the mid-late 1990s when media interest in the issue increased significantly in the U.S. because of Ballinger's continual efforts and other sweatshop issues. The campaign finally became a publicly-known and broadly-involved movement. Evidence shows that more than 2,000 articles referred to Nike's labor conditions in its supply network and the issue often became front-page news between 1996 and 1997 (Conner, 2007: 124). Later, poor labor conditions in Nike's supplier factories in Vietnam were also exposed across the U.S. The campaign received a bigger boost then. The intensive media coverage facilitated the circulation of information to a mass audience and the increasing awareness over the issue. Activists also used worker tours and campaign actions to draw more attention. Nike then received hundreds and thousands of letters from protesters, and had to face hundreds of demonstrations in front of the Nike stores (Klein, 2000). During this period, more and more U.S-based NGOs and labor

organizations became involved in the campaign, such as Global Exchange, National Labor Committee, United Students Against Sweatshops. Students also became actively involved by launching campus-based protests, posing pressure on the collegiate licensing industry.

The Nike Campaign had been so successful during the mid-late 1990s that it not only created a "cultural jam" on the Nike brand but also affected consumers' purchasing practice and hence the sales of Nike-branded products. In 1998, Nike's fiscal year earning dropped 49 percent from the previous year (Shaw, 1999: 91). An important reason of this was the consumers' awareness of Nike's labor practices in Asia — to purchase Nike-branded products became a kind of unethical consumption. The company decided to seize the campaign so as to reclaim its market as well as image. In late 1997 the company employed a team of public relations professionals. They formulated a plan for Nike to "become the industry leader in sweatshop reform" and to promote this new image to the media (Conner, 2007: 129; Emerson, 2001). The company announced a series of reform initiatives, including raising the minimum wage and providing after-hours educational opportunities to workers (Bullert, 1999; Conner, 2007). The company thought that its "war of public relations" should gain victory. However, later factory research conducted by activists proved that Nike's commitment lacked sincerity.

Since 2000, the Nike Campaign has become globally transmitted and has arrived at a new stage. Continual exposure on sweatshop scandals in Thailand, Mexico and other producing countries broke Nike's confidence to reclaim its image. The company's factory monitoring system was seriously suspected by media and public. As the Sydney Olympics approached in September 2000, Australian civil society groups organized a campaign targeting at Nike and other sports brands. Since Nike was a key Olympic sponsor, Australian campaigners used the event to contrast Nike's labor practices with the Olympic Charter's call to respect human dignity (Conner, 2007). At that moment, the campaign targeting Nike and other sports brands began to link to important sports events such as the football World Cup and the Athens Olympics. Campaign actions spread widely from Europe, Americas, Australia, Asia, to Africa. In 2004 only, the campaign involved more than 500 local campaign events in more than 28 countries (Conner, 2007: 137-138).

There is no doubt that the global anti-sweatshop campaign has generated great pressure on Nike as well as other sports brands. Its impact on Nike's labor practices

is significant. By 2002, Nike had publicly committed that workers' trade union rights and other core labor rights would be ensured in the company's supplier chains. The company was also employing 100 staff in its corporate responsibility department, many of whom were responsible for monitoring suppliers' compliance with labor rights. Nike also became a member of Fair Labor Association and agreed to publicly-reported, independent audits of a proportion of its supplier factories (Connor, 2007: 166). The company also announced on its annual CSR reports that it had spent significant resources on the improvement of labor conditions and had collaborated with NGOs for better implementation of its codes of conducts (Nike, 2011). However, it is unclear whether these efforts are adequate and effective to ensure workers' rights are respected. The campaign would continue until Nike's contract factory workers can negotiate fairly with their employers without company interference and can earn a real "living wage", which can support a decent life in their home societies.

The Nike Campaign is not only significant in the ways it challenged the regime of labor practices of sports brands; it also aroused an extensive and sustaining network of anti-sweatshop actors and spontaneous protest activities. Actors involved in the network were located across consuming countries such as United States, Canada, Australia, Hong Kong and producing countries such as Indonesia, Vietnam, Thailand and Mexico. The anti-sweatshop network was regard as "loose", "segmentary", "polycentric" while "integrated" (Conner, 2007: 141-146). This character makes the campaign a trans-national and global movement. Hong Kong-based NGOs constituted "vital nodes" in the network as they facilitated the exchange between the Asian NGOs who worked directly with workers and those NGOs in the United States, Europe, and Australia (Garwood, 2011: 44). These Hong Kong NGOs include Asia Monitor Resource Centre (AMRC), Labor Action China (LAC), the Hong Kong Industrial Committee (HKCIC) and Oxfam Hong Kong. These NGOs have conducted research on supply chains, facilitated communication between labor groups in Asia, and appllied pressure to sourcing agents in the region (Conner, 2007; Garwood, 2011). The involvement of Hong Kong NGOs in the global anti-sweatshop movement was just a prelude for subsequent trans-border activism between Hong Kong and Mainland China, but it was linking China with the growing transnational anti-sweatshop network.

The evolution of anti-sweatshop activism

Despite burgeoning academic and journalistic work on anti-sweatshop activism in the Americas and some European countries, there have been few systematic studies of this activism in China's context. The history of contemporary anti-sweatshop activism in Greater China is short but fruitful. By documenting various campaigns against sweatshop labor, it can be seen that the emergence and evolution of the activism in China differs compared the Americas and Europe. To mark the differences as well the significant steps in its development and evolution, the campaigns can be studied in two phases.

As noted in the first chapter, activism or NGO practices are not fixed. Anti-sweatshop activism in China, despite its many critiques and limits, actually modifies itself to fit the changing environment, opens up new space, and bridges the divides that exists between consumer-workers, and the global north and south. Therefore, it is necessary to distinguish evolving activism into different phases. The distinction between different phases of this activism is a way of viewing the movement as a growing process: how it counters existing challenges, how it adapts to new contexts, and how it tries to build deeper solidarity.

The categorization of different phases of the activism must be interpreted with an understanding of detailed campaigns. How these phases are observed and which dimensions are used in categorization can now be discussed. A basic question is: in what way is the activism trans-border and which actors are involved in trans-border actions? From a movement mobilization perspective, a wide range of actors can be mobilized both domestically and externally: NGOs, workers, media, students as main participants, consumers and the public. In the first and second phases of trans-border campaigns, various actors are observed being mobilized during different phases. This process is not selectively decided, but is a gradual evolution of activism. The strategies of mobilizing different actors or resources then generate different models of trans-border anti-sweatshop campaigns. The alliances of different actors operating across borders are at the heart of this complex mobilization matrix.

By categorizing existing anti-sweatshop campaigns into two phases, this chapter sets out to examine the "first-phase", which covers the earlier practice of anti-sweatshop activism across Hong Kong and the Mainland. "First-phase" activism basically refers to campaigns in which Hong Kong activists proactively engage in

contention between Chinese workers and Hong Kong- and transnational capital. This "first-phase" activism will be described and dissected in the following narrative. The next section is a brief introduction of Hong Kong-Mainland anti-sweatshop activism, including specific cases. Two campaigns launched by SACOM are discussed. SACOM is an anti-sweatshop organization which offered me the majority of my ethnographic work.

A brief history of Hong Kong-Mainland anti-sweatshop activism

Attracted by ample land resources and labor, Hong Kong invested factories have spread across the Pearl River Delta in the past decades. As early as 1995, there were more than 20,000 factories run by Hong Kong entrepreneurs in the Delta, employing nearly 5 million workers (De Coster, 1996). During the 1990s and early 2000s, it is generally known and widely documented that labor conditions in Hong Kong invested factories were appalling and labor violations were very common. Such poor health and safety conditions caused numerous industrial accidents in these factories, resulting in life-long suffering and pain for victims and their families. Below, three industrial accidents are discussed. These cases prompted activists to launch a series of trans-border actions.

The Zhili Fire and the Toy Campaign

Hong Kong-Mainland anti-sweatshop activism has a rich but relatively undocumented history. The earliest trans-border activism against sweatshops can be traced back to a story mentioned in the first chapter — the *Zhili Fire* accident in 1993. The accident happened in a Hong Kong invested toy factory — *Zhili* Factory. The fire killed more than eighty workers and injured another fifty locked on the shop floor during the fire. Many Hong Kong civil society groups and activists were stirred to action when they heard of the inhumane treatment by the Hong Kong factory: workers were locked in the shop floor during working hours. They were galvanized by the tragedy. Soon after the accident, a coalition was formed to pursue the issue. This coalition included labor NGOs, trade unions, charity groups and student groups, and it was a major player in campaigns against the factory and its brand-name customer to push for compensation for victims and to demand occupational safety in

the toy industry in China.

The *Zhili Fire* not only reminded many activists of the dangers faced by millions of migrant workers in the costal industrial cities of China, but also demonstrated how the predicament of workers is closely related to Hong Kong capital. Hong Kong capital is invested in tens of thousands of factories in the Pearl River Delta. Since the 1990s, Hong Kong capital has been leading investment in mainland China compared to all other countries or regions. In Guangdong province, Hong Kong investment accounted for 74.2% of total investment from 1991 to 1995. Hong Kong capitalists during the 1990s favored manufacturing industry such as electronics, textiles, apparel, toy and jewellery, mostly in export-processing.[50]

From my interviews, several Hong Kong labor activists pinpointed a common reason why they became concerned about labor rights issues in China; that is, the economic connection across the border was dominated by Hong Kong manufacturers or merchandisers. As one senior activist put it:

"There are many reasons that we focus on Chinese labor. We have a common language, geographical convenience and national sentiment…But most importantly, we realize that Chinese workers have been at the bottom of the global supply chain, and many Hong Kong manufacturers and merchandisers are major players at the upper position of the chain. They have relocated most factories from Hong Kong to the Mainland. It is our responsibility to monitor these capitalists for legal labor practices. And it is convenient for us to do so (compared with some western activists). Therefore, we also need to move our organizations and campaigns to the Mainland to continue our jobs…"

Securing compensation for the victims of the *Zhili Fire* took almost ten years. Hong Kong activists continually pressurized the parent company of the *Zhili* factory, as well as Chicoo— the brand-name corporation purchasing *Zhili* products. Meanwhile, since the list of victims was kept confidential from the public, some mainland scholars and students collected information about the victims and their families through their own effort so as to distribute the compensation[51]. Hong Kong activists also allied with Italian trade unions and charity groups, as the buyer's

---

[50] Hong Kong economy yearbook. 1999. p286-287
[51] *China Youth Daily*, 17 Jan 2001. "Jiannan de xunzhao" (A difficult search).

headquarters are in Rome. The trans-border campaign created tremendous pressure on Chicoo in Europe because the tragedy of *Zhili* workers damaged the image of Chicoo, a renowned toy brand. Finally, Chicoo agreed US$150,000 in compensation, ultimately distributed to the victims and their families through confirming the name list and contact details of victims.

The *Zhili Fire* prompted activists to extend their concern to the whole toy industry, especially those in export-processing zones. In the following years after the fire, Hong Kong activists also investigated the general conditions of other Hong Kong invested toy factories and highlighted "occupational safety" as a serious problem. For example, HKCIC conducted a research in 1995 and studied 16 toy factories in the Pearl River Delta, all found violated the Chinese labor regulations. In 1994, the coalition scaled-up concern for the *Zhili* victims to initiate the Toy Campaign. They drafted a "Charter on the Safe Production of Toys", and lobbied Hong Kong toy manufacturers to improve safety conditions in the whole industry in the Mainland.

The toy campaigners tried to achieve their goals through three kinds of approaches: research, campaign and lobbing.[52] In terms of research, from 1996 to 2002, HKCIC conducted a number of studies and published more than five reports on labor rights and the occupational safety and health conditions of toy factories in southern China, all products labeled with Disney, Hasbro, McDonald's or Mattel. Transnational brand-name corporations that had not properly implemented codes of conducts in supplier factories were highlighted, such as in AMRC's report on *Monitoring Mattel: codes of conduct, workers and toys in Southern China*. As for campaigning and lobbying, the campaigners initiated a series of protests and demonstrations in Hong Kong. As Hong Kong-invested factories are the biggest producers in the toy industry, the campaigners then selected the Hong Kong Toys Council and the International Toys and Game Fair in Hong Kong as their main targets of protests. Tens of protests took place against the Hong Kong Toys Council during the international toys fairs and other circumstances. Mobile exhibitions about the sufferings of Asian toy workers were also conducted in Hong Kong each year.

---

[52] According to a document from Asia Monitor Resource Centre, "The toy campaign: A Strong Commitment to Safeguard the Toy Workers' Rights", September 1996. Available at:
http://list.jca.apc.org/public/asia-apec/1996-September/000128.html

The campaigners finally succeeded to lobby the Hong Kong Toys Councils to draft a charter to be implemented among their own members. Moreover, through the efforts of different groups in different countries, more and more toy manufacturers' associations formulated their own codes of conduct. Some of them are even trying to work out an independent monitoring system. Many transnational toy brands were also pressurized to draft up their own codes of conduct, most of which were applicable to their suppliers. But such corporate-leading practices might not be adequate to protect workers' rights. A previous activist of HKCIC recalled: "*The Toy Campaign originally had three goals: the first is to pressurize the toy companies to take social responsibilities (such as implementing codes of conducts and independent monitoring). The second goal is to organize independent unions among toy workers. However, there is no space to do so. The third goal is to develop workers' representative committee, in which workers' collective power can be built up and hence the workers can negotiate with their employers. However, the attempt to set up worker committee was not quite successful.*"[53] In spite of the achievements, the toy coalition was disbanded a few years after its establishment, but the campaign went on until the early 2000s. In 2005, the major campaigner HKCIC closed down; other campaigners shifted their interest to other fields such as community-intervention and direct organization of workers. Later the Toy Campaign in Hong Kong was taken over by SACOM, who has a special focus on Disney's supplier workers.[54]

The shift in campaigning from a single event to the whole industrial sector built a pattern of anti-sweatshop movement in Hong Kong. The sector-based concern was integrated into some NGOs' daily practice and they started to plan long-term agendas and engage in some specific industrial sectors. This strategy allows them to engage in improving labor rights step by step, brand by brand. More details of the strategy will be discussed later. Meanwhile, campaigns about individual events ran parallel to this work. Events are unexpected and sporadic, and Hong Kong activists and groups decide whether to engage in an event, or to what extent they can engage, on a humanitarian basis. The following two campaigns are the most long-lasting and significant campaigns in the past decade.

---

[53] Interview, April 2011.
[54] Ibid.

The campaign for cadmium-poisoned workers

In 2004, over four hundred workers (mostly women) from four battery factories in Huizhou, Shenzhen and Dongguan in Guangdong province were found to be contaminated with cadmium,[55] a toxic and carcinogenic chemical in battery production. Many of the workers were later diagnosed with excessive levels of cadmium or cadmium poisoning, a chronic disease causing long-term damage to many organs and tissues, especially the kidneys and skeletal structure. These four factories were all run by a Hong Kong-based transnational company— Gold Peak Battery International Limited (GP).

Since there were no regular health checks for workers exposed to the toxic working environment, some workers had to go to hospital by themselves when they began to feel uncomfortable. When these workers were diagnosed with cadmium-related health problems, the news soon spread to other factories. The first thing workers had to do was demand the company to send them to the Provincial Occupational Disease Prevention Hospital for official diagnoses of "occupational disease". Only with these official diagnoses could workers demand further treatment and compensation. However, this was not easy. The factories refused to send workers to the hospital — they even complained that workers might have smoked cigarettes or eaten too many oysters to increase cadmium levels in the body. To strive for health checks, workers tried go-slows, strikes, and appealing to higher-level government. After they got health checks, they did not believe the results — for most workers, the cadmium levels were normal. But the factory management refused to provide original check-up reports, only listing workers with excessive levels of cadmium. Some workers went to hospital to check again and found the results were different — the cadmium levels provided by the factory were much lower. Those sent to hospital for medical treatment were discharged within two weeks and were told their cadmium levels had returned to normal — but it is not possible to remove cadmium from the body in a couple of weeks. The whole process of demanding health checks, getting genuine results and medical treatment was very difficult and time-consuming, and workers were suppressed by factory management and local government. Some workers were desperate when there was no way to recover. The news of the disease outbreak had been censored by local government until July 2004. Before that, the

---

[55] Cadmium is extremely toxic even in low concentrations, and will bioaccumulate in organisms and ecosystems. Cadmium exposure could be very high in a place producing Nickel-cadmium batteries.

workers had no way to draw public attention or attention from higher level governments.

In July 2004, some Hong Kong media outlets started to report this issue — the news was leaked by Globalization Monitor, a Hong Kong-based NGO, who had done some investigation earlier in the year. The journalists went to Guangzhou and Huizhou to interview workers and reports were published widely, specifically targeting the GP Company. Hong Kong Media' coverage of the issue gave a green light to Mainland media outside Huizhou and the latter were able to report the case.[56] Some labor and environmental groups were aware of the issue and began to support the workers. On behalf of the workers, activists demonstrated and protested in front of the Hong Kong headquarters of the GP Company and environmental groups such as Greenpeace also investigated cadmium pollution at the factories. Global Monitor also bought GP stock and protested at the shareholder meeting of the company to raise the concern of shareholders. Students at the Hong Kong Polytechnic University also joined the campaign and put up posters at campus highlighting the behavior of GP and its president, Victor Lo, who was also a board member of the university. More than thirty Hong Kong civil society groups joined the campaign to support the workers, and through these Hong Kong groups, workers also won support from international trade unions, such as the International Trade Unions Confederation, the Netherlands Federation of Trade Unions. These international trade unions wrote letters to the GP Company blaming it and expressing their continuous concern on the issue. A French NGO also started a "one-person one letter" campaign, and sent 3, 000 letters to the company.

Trans-border solidarity actions from Hong Kong and overseas civil society groups put great pressure on the company and encouraged workers to struggle boldly for their own rights. In the following weeks, worker representatives petitioned the Guangdong Provincial government and later they also headed to Beijing to petition the Ministry of Health, Ministry of Labor and Social Security, All China Women's Federation, among others. However, the petition in Beijing received little success but created such anxiety among local officials that they endeavored to stop workers heading to Beijing again. In September 2004, all workers at the Huizhou plant went on a strike for three days and prevented the factory to deliver goods so as to demand

---

[56] Globalization Monitor, 2009. "No choice but to fight". Hong Kong: Globalization Monitor Limited.

for proper medical check-ups. By the end of the year, 65 cadmium-poisoned workers in Huizhou filed a lawsuit against the GP Company, and they lost the lawsuit half a year later. However, workers did not give up their legal actions. In August 2006, a second batch of workers (including 244 persons) filed a lawsuit against the company again. In 2007, 339 ex-GP workers finally won their lawsuit demanding reimbursement of wages, meals, nutrition allowance and transportation, totally 783,321 *yuan* (Globalization Monitor, 2009).

The campaign lasted for more than two years and met with some success, such as annual medical check-ups and reasonable compensation for affected workers. Some children of the women workers, who might have been poisoned or placed under observation for having excessive cadmium levels, also received medical check-ups. However, a far-reaching impact was achieved for workers remaining in the factories: health and safety conditions in the factories were also substantially improved; cadmium was no longer used in battery production; and newly recruited workers have copies of labor contracts and are provided occupational health and safety training. Moreover, many workers in other battery factories are alerted of problems of cadmium poisoning and started their own struggles for their health and dignity. For example, workers at the battery factory in Henan Province started to pay for their own medical checks after they heard the GP case and a total of 1020 workers were found with excessive cadmium.[57] In contrast to the achievement, the involved Hong Kong groups were taking a risk protesting against GP. In June 2006, the midst of the campaign, the GP Company sued Globalization Monitor, Hong Kong Confederation of Trade Unions (HKCTU), and Neighborhood and Workers' Service Centre (NWSC), the three groups who endorsed a postcard with a cartoon of a skull-headed worker holding a GP battery. GP accused them of libel and demanded an official apology with a compensation of 500, 000 HK dollars. Such reaction from the company was a retaliation against the NGOs.

The GP case is significant in the way that its impact has gone beyond the boundaries of a local incident. The company and local government have been suppressive in dealing with workers' demand for check-ups and treatment. In contrast, workers also showed their steadiness and power by keeping up their struggle from the district level of Huizhou City to the Municipal Government, and then spreading

---

[57] Ibid.

upward to the Provincial Government and finally the Ministries of the Central Government. Beyond the borders, Hong Kong groups and overseas civil society groups also made great efforts in supporting the workers and posing pressure on the GP Company, which partly affected the company's image as well as its market performances. The issue also aroused attention to the working environment and pollution problems of battery industry in the whole country. Thus, the struggle of GP workers can also become a model of other battery workers affected by cadmium.

Supporting gemstone workers suffering from silicosis

One other significant trans-border campaign involved supporting gemstone workers who had contracted silicosis, an incurable occupational lung disease. Silicosis, characterized by massive fibrosis of the lungs, is generally caused by prolonged inhalation of dust and results in shortness of breath. The workshops used in processing gemstones were filled with dust from cutting and polishing raw stones. These gemstone-processing workshops, mostly run by Hong Kong entrepreneurs, made little effort to prevent the disease by providing occupational protection (such as masks or ventilation). The latent period of the disease is very long and most workers had no knowledge of silicosis. Workers may not detect problems even after working in the industry for several years. In one of these factories, the factory owner once invited private doctors to carry out health check-up for workers. Silicosis-afflicted workers were told they might have contracted "tuberculosis", which is similar to silicosis in symptoms but is treatable. Workers with "tuberculosis" were asked to return to their hometowns and take rest. However, when the workers returned after several months, the factory no longer existed, it had been relocated to another city and registered with another name. By that time, the workers realized the problem and went for heath check by themselves, and they finally came to know the truth of their disease. The factory owner had intended to evade responsibility.[58] As the latent period of silicosis can be very long (three to twenty years), it is extremely difficult for workers to prove or maintain a labor relationship with the accused employers after the disease is detected. Unaware of the disease, many workers quit the job because they were unable to tolerate the poor working conditions or were too weak

---

[58] For details of these cases, see media reports: *Nan feng chuang (Southern Window)*，12 April 2006. "Cong yichang zhiyebing guansi toushi shehui renben dixian" (A perspective of social humanitarian baseline from a lawsuit of occupational disease).

to work (Leung & Pun, 2009).

The lengthy latent period of silicosis is the obstacle for workers trying to uphold their rights. In addition, the complex diagnosis of the disease and loopholes in the judicial system hamper progress in obtaining occupational-disease certification and compensation for victims. Since 2004, Hong Kong labor NGOs have assisted more than 80 workers with silicosis to pursue fair treatment. Among the involved NGOs, HKCIC and LAC were playing a key role in daily organizing, while other organizations such as AMRC, HKCTU and NWSC provided many supports. At the individual level, Hong Kong activists supported these workers in terms of lawsuits, negotiation with employers, and petitioning to various levels of governments and the Hong Kong parent companies of the gemstone factories. These workers had worked for two to ten years at Hong Kong-invested jewelry processing factories in the Pearl River Delta. Each individual case was very complicated: some workers got the certificates of occupational disease but some did not have; some had evidence to prove labor relations with their employers while some did not have any; some won the lawsuit but employers refused to pay compensation. Although this was a collective case in general, activists had to assist each worker case by case in lawsuits and negotiations with employers. This situation made the process long-lasting and energy-consuming. One activist who had been involved in the issue recalled that "I attended the negotiation meetings with the employers for three times. It took at least six hours each time."[59]

At a higher level, Hong Kong activists launched a long-running "silicosis campaign" using many tactics to raise concern among media, governments, Hong Kong society and transnational jewelry brands. Year after year, activists facilitated delegates of silicosis-afflicted workers to attend and protest at international jewelry exhibitions in both Hong Kong and Basel, complaining to international buyers about the companies' violations of labor rights. Meanwhile, the activists also built solidarity with European civil society groups such as Bread for All and trade unions, which provided great support for protests in Basel and generated international pressure on transnational jewelry brands and manufacturers. Protests at the international level as well as transnational collaboration proved to be effective. As the activist analyzed, *"The power was on the buyers' side. We need to drive away*

---

[59] Interview, April 2011.

their (the Hong Kong jewelry producers) international buyers and affect their sales, otherwise the companies would not pay attention to us."

After years of struggle, the campaign achieved some success. Concretely, silicosis-afflicted workers finally won their "subsidies" through a "private settlement" (*Si liao,*私了) or compensation through litigation. Private settlement was normally for workers who were lack of evidence to prove labor relations (who failed in the lawsuit) or for those whose employers refused to compensate workers according to the verdict (who won the lawsuit but did not get money). Through negotiations, private settlement was made for both kinds of workers: for those who won lawsuit, employers usually agreed to pay 90 percent of the law's standard; for those who failed, they pay with a much lower standard. Workers had to accept the employers' proposal otherwise they might spend more time on the judiciary procedure or get nothing at all.[60] Besides compensation for individual workers, a supplementary compensating standard was built by the provincial government to cover the "continual medical treatment fees" for silicosis victims, which means the compensation a worker can pursue after contracting an occupational disease is additional to work-injury compensation (Leung & Pun, 2009). Moreover, working conditions in those factories were improved with preventative measures implemented to reduce occupational risk.

Another significance of this campaign was that some of these silicosis victims became worker organizers during and after the incident. These workers well understood the difficulty and complexity of pursuing compensation and treatment for victims of occupational diseases. Therefore, they later turned themselves into organizers and started to support other victims to defend their own rights and to assist them in legal procedure. Meanwhile, some Hong Kong NGOs supported these worker organizers with living allowances so that they could survive by doing such non-profit works.

One other significant and inspiring achievement for the activists was that one Hong Kong gemstone company was banned from major international jewelry fairs in both Hong Kong and Switzerland in 2010, because the company failed to ensure fair labor conditions and violated labor rights in China.[61] This was a big victory for the

---

[60] Ibid.

[61] *South China Morning Post*. 3 Mar 2010. "Jeweler banned from fairs over its sick workers".

campaign, and generates greater pressure on jewelry companies to improve health and safety conditions.

There have been many other examples of anti-sweatshop campaigns in the past ten odd years across the Hong Kong-Mainland border, but the above mentioned are the most significant ones and are landmarks for trans-border solidarity with Mainland workers. The events that triggered the campaigns all involve serious occupational hazards or accidents that result in worker distress, illness or even loss of life. These event-triggered campaigns comprise the early history of trans-border anti-sweatshop activism, forming the foundation and pattern for future movements. Despite of the achievements of activism, anti-sweatshop campaigns were only a part of NGO work in those years. NGOs do not wholly define themselves as campaign groups. Trans-border campaigns are not necessary part of many labor NGOs' daily agendas. Labor NGOs, discussed in Chapter Three, mainly focus on labor services and organizing. Against this background, SACOM, a trans-border anti-sweatshop campaign group, was founded in 2005. Hong Kong-Mainland anti-sweatshop activism then moved into a more gutsy and dynamic phase.

SACOM: origins and first-phase campaigns

Appalling examples of workers' suffering prompted many Hong Kong trans-border anti-sweatshop campaigns but SACOM believed these instances were only part of the story of Chinese workers. To uncover more Chinese workers' stories unknown to the developed world, SACOM was founded in June 2005. It is based in Hong Kong and normally has two to three full-time activists. SACOM stemmed from a student action group devoted to improving the working conditions of outsourced cleaning workers and security guards, University students and scholars made up its membership, to monitor corporate (particularly TNC) mistreatment of labor and to promote workers' rights. To put pressure on TNCs, SACOM exposes various sweatshop practices through their contacts on the Mainland and spreads the information to domestic and international society. By putting pressure on TNCs, SACOM encourages them to improve labor standards through their supply chains, carry out in-factory training to empower workers and establish worker committees.

SACOM grew out of three aspects of activism. First and most obviously, previous anti-sweatshop campaigns had demonstrated the necessity and effectiveness of trans-border solidarity and the position of Hong Kong in supporting Mainland workers. However, all previous campaigns were triggered by serious industrial accidents or events involving deaths or injuries of workers. Less obvious abuses are less likely to be covered by media and are less likely to be resolved justly. A proactive anti-sweatshop activism seemed necessary, and it required a specific organization to carry out this agenda.

Second, SACOM realized the limitations of Mainland-based labor NGOs and wanted to use an alternative strategy. In 2005, several Hong Kong labor NGOs had already been working for some years in industrial coastal cities on the Mainland, mainly providing legal services and assistance to migrant workers. As discussed in Chapter Three, some activists realized that workplace support for workers was not enough to challenge unfair profit distribution along global supply chains and unbalanced power relations among transnational buyers, suppliers and workers. *Chen*, one of the initiators of SACOM, said that —

> "*The labor NGOs faced a dilemma — we only helped workers to bargain for more compensation after they got injured, died of occupational accidents or disease. They were unable to generate any pressure on top TNCs...What we want to do is to prevent these tragedies, to prevent these accidents from the 'origins'. We thought of something like an 'anti-sweatshop movement', we can 'name and shame' TNCs in the media if workers in their supplier factories are suffering from serious work injuries or other abuses, and then we can urge them to make changes.*"[62]

The situation also demanded closer collaboration between these NGOs and the anti-sweatshop movement to challenge dominant TNCs from the top. Existing NGOs cannot be anti-sweatshop organizations. A specific organization had to be set up to fulfill this goal. An SACOM activist, *Liang*, analyzed the situation in 2005:

> "*There are restriction on Hong Kong labor NGOs working on the Mainland. If they launch campaigns in Hong Kong or overseas, it will cause trouble, and the state and local governments would keep a close eye on them.*

---

[62] Interview, Oct 2011.

It would be impossible for them to carry out their current jobs on the Mainland, such as worker education, consciousness education or organizing...It would be a good strategy if we collaborate with some reliable NGO partners. We can be campaigners and they can be grassroots organizers."[63]

Besides a strategic choice of SACOM to carry out anti-sweatshop activism, the organization is also rich in collegiate resources, which is a big advantage compared with other labor NGOs. The organization also claims in its name "students and scholars" as it was founded by a group of Hong Kong students and scholars. With such resources, SACOM were able to develop its network in university campuses more easily. For example, staff members can make easy connection with student unions and collaborate with them to conduct a series of activities. To develop collegiate resources remains an important routine even after SACOM entered the second-phase activism.

Finally, western-led anti-sweatshop movements and top-down CSR policy by TNCs prompted reflection on the part of Hong Kong activists. They recognized the achievements of western activists. However, codes of conduct, one of the achievements of the movement, were failing to prevent continuous labor abuses in TNC supplier factories. In their view, codes of conduct had actually brought little benefit to workers, but it made a living for the social auditing industry and CSR departments in TNCs. As *Chen* said, *"The western anti-sweatshop organizations are too far from producing countries, they cannot follow up cases of labor abuses, and they are not able to fully respond to workers' demands."*[64] Such observations on western anti-sweatshop campaigns and the CSR model spurred activists to launch their own actions and explore alternative ways to promote labor rights.

Two SACOM anti-sweatshop campaigns in the period 2005 to 2008 are now examined: the Disney Campaign and the Nine-Dragons Paper Campaign. These two cases are significant. The Disney case was the longest SACOM campaign and involved great effort. The second example, though shorter in duration, was a breakthrough boomerang campaign, and opened up new space for domestic actors.

The Disney Campaign

---

[63] Internal document.

[64] Interview, Oct 2011.

The Disney Campaign originated from a Hong Kong student group called "Disney Hunter" [65]. "Disney Hunter" focused broadly on the negative aspects of Disney: on labor, culture, gender and environment, and sought to educate the public on these issues. Compared with SACOM, "Disney Hunter" had relatively broad concerns regarding various social issues in relation to Disney, but was closely tied with Hong Kong local society. Meanwhile, SACOM has a specific focus on Chinese workers and relevant corporations. The opening of Hong Kong Disneyland galvanized joint action of the two groups. In September 2005, Hong Kong Disneyland opened, and welcomed by many in society as it was hoped that the theme park would bring great economic benefits to Hong Kong. "*When there is only one voice around an issue for a long time, the emergence of an alternative voice is shocking*", said one SACOM activist. Disney's high profile corporate image also implies a high level of vulnerability and therefore SACOM could see the benefits of targeting Disney.

The first report — "Looking for Mickey Mouse's Conscience"

In the summer of 2005, SACOM staff members, together with some members of "Disney Hunter", visited industrial zones in Guangdong province and investigated labor conditions in four supplier factories for Disney. They found dreadful working conditions, low wages and excessive working hours in the four factories. However, the most serious problem involved occupational injuries. Many workers had their fingers cut off as they produced books and cards for Disney. During the investigation, SACOM had strong support from one NGO, *SQ* (a code), located near one of the supplier factories. SQ staff and its worker volunteers became important informants to help collect data. Workers from one of Disney's supplier factories complained to activists about the old machines and the poor working conditions. Important demands of the campaign became the removal of old machines and securing workers' occupational safety.

The abundant evidence and miserable stories of workers became part of the first SACOM report *Looking for Mickey Mouse's Conscience — A Survey of the Working Condition of Disney's Supplier Factories.* The report was published one month before the opening ceremony of Hong Kong Disneyland, and garnered media

---

[65] "Disney Hunter" folded not long after the opening ceremony of Hong Kong Disneyland, partly because of the high turnover rate of its student members and their shift of interests. SACOM then took over the Disney Campaign.

attention in both Hong Kong and overseas. The public was shocked at the misery of workers, particularly as most people had a good impression of Disney. For many children and adults, Disney is associated with innocence, fun cartoons, fairy tales and happiness.

The music festival

The publication of the report was supported by protests. SACOM organized several protests at Hong Kong Disneyland and Disney's Hong Kong headquarters. The repertoire of the protests featured different elements. On the day of Hong Kong Disneyland's opening celebrations, SACOM allied with activists from other student and labor groups to hold the "Appealing for Mickey's Conscience Music Festival" in front of the amusement park. The festival was not a simple action against Disney, but also provided a chance to educate the public on various social problems caused by Disney, such as labor abuses in developing countries and inside Disneyland, cultural hegemony over local culture, environmental issues and government-business collusion. Regarding public education, the tactics are important. Activists planned an interesting, diverse program for the music festival. The music festival program is below.

From Table 5, we can see that many interesting elements were added to the protest, such as self-composed songs, street theater, and other street performances. Using these elements, information about labor abuses and environment pollution was made vivid and impressive, and the public were more likely to be attracted by (and identify with) the campaign.

Although SACOM mainly focuses on labor rights issues, the Disney Campaign also covered issues involving culture, the environment and government-business collusion. According to some activists, it was a strategy to attract and involve the public in issues they care about. Compared with labor conditions in the developing world, many people are more concerned with issues around them. When more people are involved in criticizing a brand-name corporation, the more successful the *image-jamming* strategy is, and the more bargaining power SACOM can have to negotiate with the corporation regarding labor conditions. This is the logic and strategy of SACOM anti-sweatshop activism.[66]

---

[66] According to field notes and conversation with activists (August 2009)

Table 5   Program list of a protest activity

Appealing for Mickey's Conscience Music Festival

Time: 11 Sep 2005, 4-7pm

Venue: In front of Hong Kong Disneyland

Participants: SACOM, Disney Hunter, labor groups (A, B, C, D), student groups (E, F), trade unions (G, H), Other NGOs (I, J, K, L, M).

Program schedule

4:00	Gathering
	Parading and calling for assemblage near the gate of Disneyland
4:15-4:30	Singing the theme song: *Wonderful World*[1]
	Performances: Putting Mickey into a cage; binding up for an injured Mickey
	Performers: SACOM, Disney Hunter
4:30-4:50	Blaming Disney for government-business collusion
	Participants: A, E, K, I, J
4:50-5:00	Performance: singing songs
5:00-5:20	Blaming Disney for **labor abuses** in Hong Kong and the Mainland
	Participants: SACOM, B, C, D, F, G, H
5:20-5:40	Performance: dancing
	Performer: Disney Hunter
5:40-6:00	Blaming Disney for **cultural hegemony** and **gender discrimination**
	Participants: K, L, M
6:00-6:10	Performance: Drama
	Performer: Disney Hunter
6:10-6:20	Blaming Disney for **environmental issues**
	Participants: Disney Hunter
6:20-6:30	Response
6:20-6:30	Declaration
	Sing the theme song again
	Participants: all

These 2005 actions were fruitful. From September 2005 to January 2006, representatives from Disney and SACOM members met in four rounds of negotiations to discuss labor conditions in the four supplier factories investigated. Some improvements were made to working conditions in two factories, in terms of occupational safety, food and accommodation. Help lines were set up and training was also given to workers by a third-party NGO. However, workers' committees to handle working conditions were rejected. The other two factories ceased being authorized to produce Disney-branded products because they rejected inspections and monitoring by the brand.

Notwithstanding these improvements, SACOM was not satisfied as Disney did not commit to any worker-empowering measures and other substantial improvements (such as wages). The negotiations were suspended. In January 2006, SACOM nominated Walt Disney for a "Public Eye Award", which the corporation won. These are international "prizes" name and shame corporations involved in social and environmental misdeeds. This was a significant "symbolic" action that affected the brand's reputation. Such an action is part of *image jamming*.

The second report — "A Second Attempt at Looking for Mickey Mouse's Conscience"

In September 2006, on Hong Kong Disneyland's first anniversary, SACOM released a second report regarding labor conditions in three other supplier factories of Disney. As a second attempt at "looking for Mickey Mouse's conscience", during the summer of 2006, SACOM members again investigated Disney's suppliers. They discovered that the problems exposed in the previous year's report still existed at three other suppliers. These suppliers were also in serious violation of Chinese labor laws and Disney's own code of conduct. To better raise the issue of Disney's sweatshops with Hong Kong local society, SACOM activists decided to link it with a social issue, the expansion of Hong Kong Disneyland. SACOM and Disney Hunter criticized Disney for running a deficit, and Hong Kong government for wasting public funds investing in Disneyland and its expansion. On its first anniversary, the activists demonstrated inside Disneyland and raised concerns over the expansion of Disneyland and labor violations in southern China.

The efforts garnered little media coverage. However, the media suddenly rushed to report one factory (exposed by SACOM) closing soon after the publication of the second SACOM report. The activists discovered that Disney had reduced production orders to the factory since the report. By January 2007, the factory was closed due to lack of production orders. More than 800 workers were dismissed with little compensation. SACOM condemned Disney for irresponsibly "cutting and running". Activists protested outside Disney's Hong Kong headquarters on several occasions, and the issues also attracted much media attention in both Hong Kong and the Mainland. Although the protests did not stop the closure of factories, SACOM finally negotiated with Disney for a higher amount of severance pay for the dismissed workers.

The closure of the factory was a setback for the Disney Campaign. SACOM and anti-sweatshop activism generally were criticized as hundreds of workers lost their job because of the factory's closure. Fortunately, it was a period of labor shortage, so most of the laid-off workers were able to find other jobs easily. However, this case reminded the activists to reflect on campaign tactics and the potential side-effects of the anti-sweatshop movement on workers. One activist, *Liang*, explained the difficulties:

"There is no independent trade union in the factory, and it is hard for us to get consent from all the workers before we disclose the violations of the factory...A better solution is that we involve workers' representatives in the process and decide the campaign strategy together. However, as there are no independent trade unions or workers' committees in most factories, it difficult to develop this approach."[67]

Another member of SACOM, *Chen*, said:

"There is a dilemma for us. We need to select a factory where the majority orders are from one brand, so that we can accuse the brand of using sweatshop labor. If the factory produces for several brands and we accuse each of these brands, I believe all of these brands will try to avoid responsibility. However, if one brand controls the majority of a factory's production orders, we are afraid that the factory will shut down after our exposure of sweatshop labor."[68]

Nevertheless, the activists learned some important lessons from this case to prevent factory shutdowns. The first lesson is to focus campaigns on brand-name corporations rather than supplier factories. Corporations are skilled in evading responsibility. One tactic to avoid this is to frame the sweatshop issue as a main responsibility of TNCs or brand-name corporations. The second lesson is to constantly remind TNCs to avoid "cutting and running", otherwise they might be "named and shamed" and attacked more fiercely. Finally, close contact with workers and closely following up progress in factories is important. This can be a remedial tactic when trade unions or workers' representatives are absent. In the proceeding

---

[67] Field notes, July 2009.
[68] Interview, October 2011.

years of SACOM anti-sweatshop activism, no more factory shutdowns caused by SACOM were reported.

Monthly series of exposures

Continuous labor rights violations at Disney's supplier factories disappointed activists. It seemed to them that violations were epidemic at Disney's suppliers; poignant too was the fact that only sweatshops that had been exposed were improved, while others remained the same. SACOM activists decided to reinforce exposure of Disney's sweatshops. From August to December of 2007, SACOM released a series of factory reports: a "monthly series of exposures". These were successive investigations and exposures of Disney's suppliers on a month-by-month basis to generate continuous pressure on the brand. Meanwhile, SACOM also launched an online global petition concerning Disney: "End sweatshops in China today!" The petition collected more than 1,000 signatures and comments, which were sent to the CEO of Walt Disney Corporation through emails or letters.

Activist-worker solidarity in HW Factory

HW (a code) Factory was a factory in the "monthly series of exposures". Before SACOM investigated the factory, five *HW* factory workers not only wrote letters of complaint to Disney, but also reported *HW* to the local labor bureau for failing to pay the legal minimum wage and overtime premium to workers. Meanwhile, they accused the local labor bureau of negligence in regulating the factory and protecting workers' rights. The Mainland media interviewed the five workers several times; one report described them as "The Brave Five of *HW* Factory".[69] The *HW* case was a milestone of the Disney Campaign and pushed the campaign to another level.

In the *HW* case, the "Brave Five" first complained to the local labor bureau about violations in their factory, but the labor bureau proved to be incapable of solving the problem after several appeals for them to do so. Later, the five workers learned of SACOM when they searched the internet for reports exposing Disney's sweatshops. The workers and SACOM activists built contacts, and SACOM assisted the workers to pass letters of complaint to *HW*'s buyer — Disney. Meanwhile,

---

[69] See for example: *Nan feng chuang (Southern Window),* 1 June 2007, " 'Sanjia Cun' li de weiquan kunjing" (The predicaments of rights defending in "Sanjiacun"); *South Metropolis Daily*, 25 July 2007, "Shenzhen wu gongren chuangchu weiquan xinlu" (Five workers in Shenzhen made their own ways for rights defending).

SACOM also passed information to the media and their overseas network. The online global petition mentioned above was also one of the efforts to support *HW* workers. With the assistance of SACOM, the workers' delegates visited Hong Kong to protest at Disneyland and Disney headquarters. As well as putting pressure on the brand, the "Brave Five" also challenged the local labor bureau. They accused the local labor bureau at local and municipal middle courts and appealed to the higher authorities in Beijing, such as Complaint Office of the State Council, Ministry of Labor and Social Security, Ministry of Supervision, and ACFTU. However, it seemed unlikely that any of these departments would take action.

After over a year of efforts by workers, SACOM and its network, a multilateral negotiation finally took place. The "Brave Five", SACOM, delegates of *HW* Factory, Disney, and a middleman met together and discussed the issues for two days. Finally, a compensation scheme involving back payment of their overtime premium was agreed. Moreover, general working conditions at *HW* Factory were greatly improved; workers were given basic training on labor laws and occupational health and safety; and a confidential worker helpline was set up and operated by a NGO.

The *HW* case is significant not only because of its achievements, but also because it opened up space for an alliance between workers and NGO activists in SACOM anti-sweatshop practices. If workers were victims or passive informants in previous SACOM anti-sweatshop campaigns, then the "Brave Five" have demonstrated the agency and power of workers. Worker participation is crucial in NGO-leading anti-sweatshop campaigns. Without workers' continuous participation, the campaign may be able to bring some one-off or temporary improvements, but these are unlikely to be sustained.

Global alliances

During the Disney Campaign, SACOM built connections with a broad network of overseas anti-sweatshop organizations and labor concerned groups, some of which had been running campaigns against Disney for years. These allies include: the National Labor Committee, United Students Against Sweatshops, Workers Right Consortium in the United States, and Clean Clothes Campaign and People Solidarity in Europe. These groups had been supporting SACOM's Disney Campaign in terms of spreading information through their networks and the media, launching global petitions and directly writing letters to the Disney CEO. In using "information

politics" (Keck & Sikkink, 1998), a global network of alliances is extremely important to target TNCs as globally known brands. The global network helps to spread information to people all over the world about the sweatshop products and hence jam the image of the brand on a global scale. This tactic is also named as "culture jamming" (Klein, 2000) or "image jamming" (Rodriguez, 2007).

Analysis: boomerang effect

During the Disney Campaign, SACOM utilized the boomerang effect by targeting a TNC: Disney (see figure 5). Workers who raised issues in Disney's supplier factories usually had no access to the management at factories, or in some cases, workers strived to appeal but had few initial allies in the factory itself (such as the "Brave Five" in HW Factory). Under such circumstances, SACOM sought for information from workers, and in some cases workers sought assistance from SACOM. Activists realized that image is very important to Disney, so they used it repeatedly by exposing sweatshops: this approach is called "information politics". In this way, "moral leverage" was created over Disney to urge it to ensure labor standards along its supply chain. Therefore the boomerang effect occurred and Disney had to intervene in the labor conditions of its suppliers. The relation between Disney and its suppliers can be understood as "material leverage" because Disney can place or withdraw production orders. In some cases, Disney did withdrawn orders from suppliers to evade responsibility for poor conditions at these factories. However, this kind of response usually resulted in a more fierce response from activists: they accused the company of "cutting and running", another serious setback for the corporation's image.
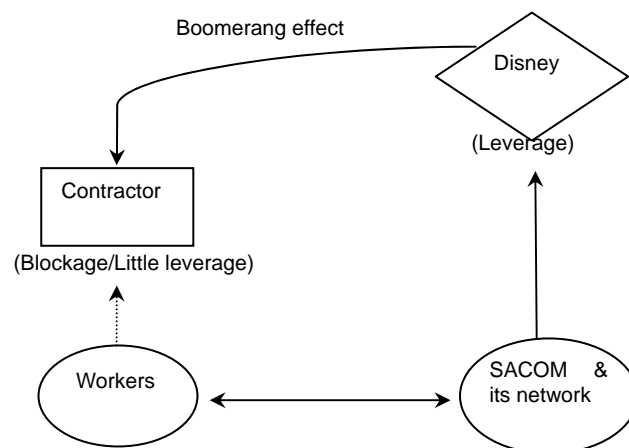
Figure 5   The Disney Campaign and the boomerang effect

In the first round of the campaign, there was a kind of collaboration between SACOM and *SQ*, the labor NGO working locally, in terms of information exchange. If such collaboration could go further, such as in organizing Disney workers on the ground to join the campaign, it will be seen by some scholars as a good example of combining external pressure and local mobilization (Friedman, 2009; Frundt 2000; Mckay, 2006). However, there was no continuous example of this. As evaluated by activists of both organizations, an open collaboration between anti-sweatshop action and locally mobilized workers tends to be adventurous. The thing happened later proved their judgment was right. Although *SQ* covertly supported SACOM in data collection during the first part of investigation, *SQ* encountered some disruption before and after the campaign was launched. In late 2005, the organization was banned by the local authority for "mobilizing workers to defend their rights" and causing trouble for factory owners in the nearby industrial zone, as regarded by local authority. The Disney Campaign may also be part of the reason since the campaign targeted a factory near *SQ,* and Disney considerably reduced orders to the factory. Therefore, to avoid affecting the normal operation of NGOs working locally, SACOM activists decided to keep a distance from NGOs. Further collaboration between the anti-sweatshop group (as external pressure) and a local NGO (as local mobilization) could help boost a worker-engaged movement but it might also be short-lived.

The Disney Campaign lead by SACOM was suspended when the *HW* case was completed in June 2008. However, it was reactivated a year later by a mainland student group, "Students Disney Watch" (SDW), a group influenced by SACOM and other anti-sweatshop paradigms. This group is discussed in further detail in the next chapter.

The Nine-Dragons Campaign — a war with the "richest woman" in China
Nine-Dragons Papers Limited (NDP) is a packing paper manufacturing company listed in Hong Kong and the biggest paper maker in China. Its facilities were located in Dongguan, Guangdong Province and Taicang, Jiangsu Province. The corporate chair, Ms Zhang Yin, was ranked the "first richest woman of China" in the "Huren Top 100 Rich List" in 2006. She is also a member of the Chinese People's Political Consultative Conference (CPPCC). Before the National People's Congress and the

CPC National Congress in 2008, Zhang criticized the new *Labor Contract Law* for over-protecting labor. During the two congresses, she moved a motion to remove the core provisions of the law: labor contracts without fixed terms. There was a fierce debate about Zhang's criticisms in the media and on various internet forums. Even the vice president of the Guangdong Federation of Trade Unions (GDFTU) Kong Xianghong said he would like to debate with Zhang to defend for the new labor law.

Criticizing the "richest woman" for her "bloody fortune"

In such a context, SACOM decided to investigate the facilities of NDP, to explore whether this high-sounding entrepreneur respected basic labor rights at her own factories. In April 2008, SACOM published the *Hong Kong Listed Enterprises in the 1st Quarter 2008 — Report on Sweatshops in Mainland China*, with NDP as the top-line story. The report exposed many problems at NDP facilities, such as poor working conditions and inadequate occupational health and safety, the fining of workers, frequent work injuries, abuse of labor dispatch, among other issues. Moreover, there were two other shocking violations of labor laws. First, when there were work-related accidents, the workers involved would be forced to pay a large penalty, and even the injured worker would be fined. This regulation obviously violated the law that employers should be wholly responsible for work injuries. The behavior was criticized by activists as a "bloody fortune". Second, to avoid the new *Labor Contract Law,* the NDP used a large number of "dispatched workers",[70] and refused to establish fix-term labor relations with them. The abuse of the labor dispatch system exactly tallied with Zhang's criticisms of the *Labor Contract Law*.

After publication of the report, SACOM also sent letters to NDP's main investors such as Fidelity Investments, HSBC Investment and JP Morgan Investment, as well as its international buyers, such as Nike, Coke-Cola and Sony. In the letters, SACOM requested investors and buyers to pay attention to poor working conditions at NDP and cease purchasing NDP products until improvements were made. However, there were few responses to these letters. One buyer, Nike, responded that NDP was not contracted to them and they would not extend their compliance efforts to non Nike-branded products, but they had made efforts to communicate with NDP.

---

[70] Labor dispatch is a type of employment: employees of a "dispatch agency" are sent to "temporary" and "replaceable" positions in another company. The dispatch agency should sign labor contracts with employees and pay social insurance fees.

Letters and reports were also sent to ACFTU, GDFTU, Guangdong Provincial Government, and Guangdong Department of Labor and Social Security. But these bureaucratic agencies were unlikely to respond until significant media attention was focused on the issue.

Participation of media and public

The report was published at good time and caught the attention of many media in both the Mainland and Hong Kong. Those media was interested in Zhang Yin and NDP because of the debate over Zhang's criticisms of the new labor law. After reading the SACOM report, many journalists visited into NDP facilities to carry out covert investigation and obtain pictures, video and interviews with workers. Some journalists also telephoned the local labor bureau and municipal trade unions. They replied that they were not aware of the situation. Meanwhile, there was a war of words between NDP and SACOM regarding the report's validity. NDP denied SACOM's accusation that it ran "sweatshops", and asserted that SACOM was funded by foreign foundations to hamper domestic enterprises.[71] However, other journalistic investigations confirmed the SACOM findings that NDP violated labor laws.

The report and news spreading through the internet prompted discussion from "netizens" and even NPD workers joined online discussion. Some websites had special columns on the topic, with thousands of comments made. Many called on the government to investigate the problems.[72]

Intervention of GDFTU

Before long, the GDFTU spoke up. It formed a group involving several governmental departments to inspect NDP facility in Guangdong Province. Later, Kong, the vice president of GDFTU who had attempted to debate with Zhang over the *Labor Contact Law,* invited SACOM members to a meeting to discuss their ideas on the issue. During the meeting, Kong criticized the SACOM report saying it was not "comprehensive" and "objective" because of the non-scientific sampling of

---

[71] *South People Weekly*, 7 May 2008. "Zhang Yin: Sacom xiang gaokua guonei qiye" (Zhang Yin: Sacom wants to beat down domestic enterprises)".
[72] See for example: *Meiri jingji xinwen (National business daily)*, 17 April 2008, "Nu shoufu Zhangyin beibao dianxue chengjin, wangyou huyu xiangguan bumen diaocha" (The richest woman Zhangyin was exposed to make fortune from sweatshops, netizens call for government to investigate).

workers. An SACOM member responded that "even if NDP violates only one rule of the *Labor Law*, it is illegal behavior." Nevertheless, Kong also admitted that some of the SACOM findings were true, and recognized that SACOM aims to help the workers. However, he denied that NDP ran "sweatshops".[73]

Meanwhile, Nine-Dragons Paper was also busy with public relations and dealing with further inspections by the media and government. In early May 2008, NDP held a press conference to deny it ran "sweatshops" and stated it only used a small amount of dispatched labor. The company invited the media to visit its newly refurbished facilities. The journalists found that the working environment and other conditions had suddenly improved compared with previous investigations, and workers were even offered food subsidies.[74]

By the end of May 2008, GDFTU also held a press conference, trying to bring an end to the issue. The GDFTU spokesman said that NDP was "definitely not a sweatshop" after their "comprehensive and scientific" investigation. Rather, there were some "managerial problems" in factories. Notwithstanding its denial of "sweatshops", GDFTU offered seven proposals to improve NDP management, including requiring dispatched workers to be converted to regular workers for the company.

Analysis: direct effect

The NDP Campaign last for no more than two months but it achieved some significant outcomes, including improved working conditions at NDP. However, the biggest contribution was that SACOM successfully brought the issue of sweatshops to public attention on the Mainland ("information politics"). The media and public were highly-involved in the process and influenced the campaign.

Although activists from SACOM attempted to draw the attention of NDP's overseas investors and international buyers, this effort seemed to create little boomerang effect. The "boomerang effect" highly relies on a transnational network and responses by TNCs, whereas this campaign successfully built up a domestic network that generated direct pressure to the company and local government (see figure 6). The debates among the company, GDFTU and SACOM continually

---

[73] *Nanfang Ribao (South Daily)*, 13 May 2008, "Guangdongsheng zonggonghui PK sacom" (GDFTU PK Sacom).
[74] See for example: Netease Financial column, 7 May 2008, "Meiti canguan jiulong gongchang" (Media visit facilities of Nine-Dragon Papers): http://money.163.com/08/0507/18/4BC1HSD600252G50.html

highlighted the issue and attracted more attention and participation by the media and public. Most public opinion was pro-SACOM, generating great "moral leverage" over NDP. Public opinion urged the company to make rectifications and it did, despite denying that it ran "sweatshops".
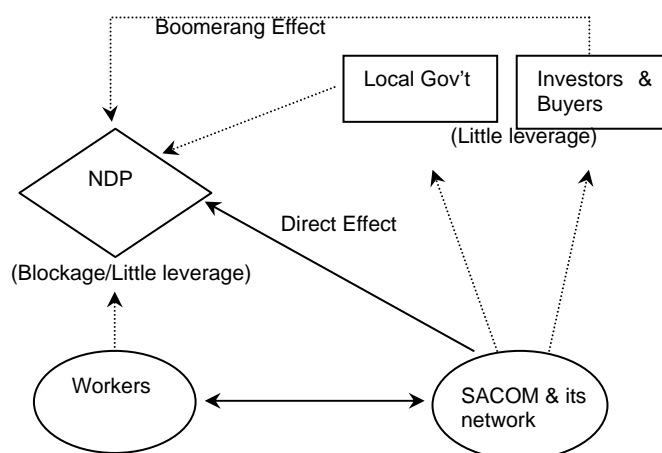
Figure 6   The Nine Dragons Paper Campaign and the effect model

The NDP Campaign was not a brand-based campaign like many other previous anti-sweatshop campaigns. Instead, the campaign's direct target was a non-branded paper manufacturer. However, the campaign achieved success in a short time. "Image jamming", used in many brand-based campaigns was also useful in the NDP campaign. This image involved was Ms Zhang Yin's reputation and social status in both business and the political system. Being well-known as the richest woman in China and as a member of CPPCC, Zhang's image was similar to a brand, and was also vulnerable.

Overall, rather than relying on the boomerang effect, SACOM and public opinion successfully directly influenced the NDP to respond to poor labor conditions. The campaign, as an attempt at domestic advocacy, involved the domestic media and public. The approach was later emulated by new domestic groups to strengthen Chinese anti-sweatshop activism — second phase trans-border activism — discussed in the next chapter.

A controversial attempt

From its establishment in 2005 to 2008, SACOM launched about a dozen campaigns targeting 20 famous transnational brands in the global or regional toy, retailing,

apparel, computer, cell phone and other electronic product markets. Regardless of the scale, duration or achievements of each campaign, the organization has been very fruitful for anti-sweatshop campaigns; these campaigns, categorized as first phase anti-sweatshop activism, share many common features as well as critiques.

There have been many critiques of the contemporary anti-sweatshop movement, including the practices of SACOM in China. First, the movement has been criticized as consumer/marketplace centered activism, unable to challenge "consumerism" and the unbalanced relationship between marking/consumption and production (Yu 2006: 80). Developed countries leading anti-sweatshop activism assumes that consumers have the right to demand decent conditions for workers by taking various consumer/marketplace centered actions, such as consumer boycotts of goods made in sweatshops or "cultural jamming" of brands using sweated labor. However, a consequence of consumer/marketplace centered activism is that workers do not have a voice and do not participate. Regarding SACOM, activists did try to listen to workers' voices and engage workers. However, they were unable to organize the workers to launch their own actions against capital — and neither did they define this as a role for the organization.

Some scholars regard high-profile anti-sweatshop activism as a potentially paternalist approach that highly relies on elites from the global north to "help" workers in the global south (Brooks 2002; Friedman, 2010). As Frank (2003) states:

"The potential weakness lies in how middle-class organizations dovetail with workers' own activities and goals… The risk is a model in which a man on a white horse rides on the oppressed town, exposes exploitative conditions, points to helpless, passive workers, and then rides away. In this approach, strong, wise, U.S. middle-class people help a weak, ill-informed populace at the other end一 which doesn't talk back or make demands on the nature of the solidarity relationship. A worst, this can lead to consumer activists that the workers themselves do not agree with or have power over."

However, it is important to take the context of the time into account, thoroughly discussed in Chapter Three: labor laws are poorly enforced; workers are deprived of the right of association and have no organizational base for collective action; existing trade unions cannot represent workers in protesting against capitalists; NGOs are strictly controlled by the state and can only provide limited services to workers,

among other issues. Once this context is understood, all the critiques and weaknesses of the activism of the time are more easily interpretable and justified: this local context provides little possibility for organized workers to stand up or for anti-sweatshop campaigners to engage in organizing workers. Therefore, trans-border anti-sweatshop activism in contemporary China is a modified attempt, a pilot project with many limitations. It has emerged at a time when all of these limits have existed for many decades. It can help address some drawbacks of other "counter-movements" against capital, but it cannot answer all criticisms and limitations.

Many of the critics of the activism start from a traditional trade union perspective. Trade unionism emphasizes that isolated workers need to organize into unions to balance the power of the capitalistic employers. With collective action as their weapon, trade unions bind workers together to struggle against employers on behalf of workers' interests. Successful or "ideal" models of anti-sweatshop movements also suggest that the movement should build on solidarity between trade unions or labor NGOs (representing workers) in production sites and civil society groups in consuming sites (Armbruster, 2005; Evans & Anner 2004; Frundt 1999; 2000; Mckay 2006). In "cross-border organizing", engaging in union struggle is crucial (Frundt 2000: 38). However, the key element of the ideal model of anti-sweatshop activism — the independent trade union or any other workers' independent organization — is currently absent in China. As noted by many scholars (e.g. F. Chen 2003; Howell 2008; Taylor & Li 2007), independent unions or democratically elected unions will not emerge in China soon. Labor NGOs, an alternative option in some countries to mobilize workers to form independent labor organizations, are also deprived of opportunities to organize workers in China. Neither option is available for trans-border organizing at producing sites in China so far.

In these circumstances, controversial anti-sweatshop activism has emerged in the absence of independent trade unions or other labor organizations. This is also why I call this activism "trans-border anti-sweatshop" but not "trans-border organizing". Workers have not yet autonomously organized themselves to struggle for their own interests, but anti-sweatshop activists go in advance to promote workers' rights and interests. In Chen's words (one of the initiators of SACOM) —

> "*We realize the problem (lack of trade unions and workers' proactive*

actions), ...but we are not patient enough, we cannot wait until the time when independent unions are possible — maybe it is ten or twenty years later! We know that SACOM is not a perfect model. It is a modified and tentative 'experiment', but the truth tells that it is viable and makes changes."[75]

The activism is a modified attempt not only from a trade union perspective, but it is also innovative and distinct from the typical model of transnational social movements. In Keck and Sikkink's (1998) typical model of TAN, claimants are hampered when trying to redress their grievances within a domestic context, and then seek help from overseas organizations in a different national setting. However, in SACOM and other anti-sweatshop campaigns, as described in the above campaigns, the Hong Kong activists are more proactive in seeking the grievances of Chinese workers. In a number of cases, they do not wait for complaints from domestic workers, but are quite active in reaching workers through media reports or field visits. Moreover, they are not geographically distant from production sites or from a totally different national setting. They are from a nearby city separated by a border, a city with a different political regime but actually integrated into the same regional economy. These innovative attempts by activists further modify the model of transnational social movements and provide many insights for scholars of social movements and activists.

As a controversial attempt or pilot model, is this activism logical, viable, and effective? Such questions have been partly answered in discussion of the above cases, and will be further explored in the following chapters.

Conceptualizing "first-phase" activism

There are several common features of SACOM campaigns which suggest a distinct phase. As mentioned earlier, several dimensions can be considered: which actors are to be mobilized and where these actors are mobilized. Firstly, we can look at the initiating NGOs and activists. In the first-phase, the majority of activists involved in the campaigns are from the global north or the developed world: Hong Kong. Hong Kong activists initiate and lead each campaign, and they play key roles in planning,

---

[75] Interview, Oct 2011.

taking actions, contacting workers and negotiating with corporations. Most of the countering actions (such as protests, media exposure, calling upon international support) are organized by Hong Kong activists and take place in Hong Kong or abroad.

Secondly, we can consider social resources or other actors that are mobilized. In first-phase campaigns, social resources such as media, students, and consumers are mostly mobilized in Hong Kong and sometimes at a global level. Many efforts are made to mobilize local Hong Kong students and consumers. SACOM actually spent considerable time and effort mobilizing local Hong Kong university students: a "sweat-free campus" scheme was launched to promote sweat-free shirts and laptops, but the scheme was later suspended as it met with limited success. Notwithstanding Hong Kong as a primary base, Mainland domestic actors were engaged too. In the *Zhili Fire* Campaign, Mainland scholars and students were mobilized and contributed to some degree. In the Nine-Dragons Campaign, domestic media were also mobilized to report the issue. In this dimension, the line between the two phases is blurred and the two campaigns also indicate being a hybrid of the two phases.

Finally, but most importantly, as the original focus of the campaigns, workers have shown various levels of participation. Despite the absence of trade unions or formal worker representatives, the participation and mobilization of workers is always taken into account. When workers are desperate victims of serious occupational accidents or initiators of the contention, they participate to a considerable extent and have collective power. However, in other cases in which Hong Kong activists are the proactive campaigners, workers show a lower degree of participation. It is more easily interpretable when we know that most efforts are put to mobilize Hong Kong and other external resources, while domestic workers might be even unaware of the campaigns. If more efforts could be made in mobilizing domestic resources (as second-phase campaigns do), workers might have more chance to be aware and engaged.

Regarding second-phase activism, major activists emerge at local or domestic level. These domestic activists are mostly students and scholars specifically concerned about the predicament of migrant workers on the Mainland. With their participation, the arena of campaigns extends from the global north/developed world to the Mainland — the developing world. Many more domestic resources are also mobilized to support the activism, such as workers, media, civil society groups and

consumers. All these resources are involved as actors and have the opportunity to raise their voices.

Conceptualizing activism in two phases does not necessarily mean that second-phase activism is more mature or effective than the first phase. In fact, in second-phase campaigns, many domestic activists lack experience, and their earlier actions are embryonic and sometimes unsuccessful. However, the emergence of domestic activists bravely attempting anti-sweatshop campaigns implies a growing civil society and the possibility of deeper activist/consumer-labor solidarity. This breakthrough is significant, a milestone in the process of trans-border anti-sweatshop activism.

Concluding remarks

This chapter discusses the historical pattern of Hong Kong-Mainland anti-sweatshop campaigns and SACOM first-phase trans-border anti-sweatshop activism. Two detailed cases are explored through which the origins and trajectory of Hong Kong-Mainland anti-sweatshop activism are better understood. The two specific cases — the Disney Campaign and the NDP Campaign — illustrate the mechanisms and processes of activism. The tactics and dynamics involved are delineated. The two cases are typical of first-phase anti-sweatshop activism.

Despite attempts to distinguish the two phases of activism using a comparison, it is necessary to view activism as a whole, as an integrated movement. Much of the ideology, and many of the tactics and resources are transferable between the two categories. In some specific campaigns, some elements tend to be a hybrid of the two. Therefore, there is no separate analysis of first-phase activism in terms of its strategies or framing process — the key elements of social movement theories. A comprehensive and comparative analysis will be undertaken in Chapter Six, after second-phase campaigns are discussed in the next chapter. Chapter Five provides four second-phase cases. Mobilizing domestic activists, building deeper solidarity with workers and the dynamics of expanding activism to the Mainland are all explored.

Chapter Five

Anti-sweatshop activism in China: "second-phase" trans-border campaigns

In the previous chapter, first-phase anti-sweatshop activism across the Mainland-Hong Kong border was examined. This chapter explores "second-phase anti-sweatshop activism". As a major difference, activists in second-phase activism are mostly indigenous and grew up in the local area. Spontaneously, or encouraged by others, these activists became concerned about labor rights and sweatshops. In contrast, first-phase activism influenced and mobilized resources and people in Hong Kong and abroad. Inspired and mobilized by the Hong Kong-led anti-sweatshop movement, domestic participants coalesced into a network, took action and exerted power on sweatshop issues to promote labor rights.

This chapter illustrates four cases of second-phase activism in chronological order and in four different industrial sectors (construction, beverages, toys, and electronics) and at different stages of local participation. The first case involves the incipient stage of collaboration between Hong Kong and the Mainland activists in a campaign for construction workers. The campaign was Hong Kong-led but with the mass participation of Mainland people. The second case is a campaign initiated by a domestic student group, which was creative in using new tactics in a changing context. The third case, the Disney Campaign run by SACOM, was also initially launched by a domestic student group. This case was successful in bridging the gap between workers and activists and between domestic and global campaigns. The last case is the campaign targeting Foxconn and Apple which involves the mass participation of activists, scholars and students from local area and abroad. This campaign draws together many actors, and involves multiple targets at numerous levels.

In the four cases, local participation and mobilization is one particular focus. Meanwhile, the dynamics of activism when it is transferred from the consumer/marketplace (the global north) to the producing-countries (the global south) are also explored. The domestic arena of activism involves various parties: activists (domestic, Hong Kong and overseas), TNCs, contractors (or agencies), suppliers,

local governments and governmental departments at various levels. There have been dynamical relations and vivid contention among these actors in the process of each campaign. These dynamics result in diverse patterns of trans-border activism in different cases. To grasp these dynamics, I focus on the everyday manifestations of the campaigns and the narrative of processes.

The New World China Campaign: Challenging the labor subcontracting system in the construction industry

In reform era China, violations of labor laws are very commonplace and even prescriptive (such as the labor subcontracting system) in the construction industry. The most frequently reported violations include wage arrears, occupational injuries and deaths. Moreover, lack of contracts or insurance, the yearly payment of wages, and no paid rest days are commonly accepted labor practices in the construction industry, notwithstanding violations to labor laws. Some scholars note that these violations are basically due to an exploitative labor subcontracting system (Pun & lu, 2010). In this system, a construction project is subcontracted from the property developer to various tiers of subcontractors with small construction teams at the lowest tier. Construction workers are then recruited by labor use facilitators (*Baogong tou* 包工头) in the construction teams and work on the construction sites. These labor use facilitators are not registered as legal employers and cannot provide workers with labor contracts. Since the developers at the top of the production chain do not make the bulk of their payments to contractors until the project is completed, labor subcontractors are quite often lack funds. Therefore workers do not receive salaries until the project is completed and contractors and subcontractors have received contracted payments (Pun& Lu 2010). The subcontracting system is so common that it has become a custom of the construction industry. Even under the *Labor Contract Law*, enacted in 2008, the situation has not changed significantly. Under this subcontracting system, construction workers are poorly protected in terms of payments, work intensity and working hours.

Hong Kong-Mainland collaboration

SACOM broadened its concern from manufacturing workers to construction workers

in early 2008 when some SACOM members visited Beijing for a speaking tour. At that time, they met volunteers providing regular services to workers at construction sites. These volunteers, mainly students or graduates from different universities in Beijing, had an in-depth understanding of the predicament of construction workers and had long-term connections with them. Based on the shared aim to improve labor standards in the construction industry, SACOM activists decided to cooperate with the volunteers to investigate working conditions in the industry.

Although the subcontracting system is common to the whole industry, SACOM and its Mainland partners chose New World China Land Limited (NWC) as a campaign target. As stated in the SACOM report, New World Group was originally based in Hong Kong and is one of the biggest property developers in Hong Kong. The company has been the biggest foreign company investing in property development on the Mainland and has made huge profits. The company has proclaimed its commitment to corporate social responsibility and was also awarded the accolade of "China Best Corporate Citizen" in 2007 and 2008. The company's reputation for corporate social responsibility implies potential "soft power" leverage through accountability politics. To explore whether NWC was genuinely committed to respecting labor rights, SACOM and its partners investigated the working conditions at NWC construction sites.

During the six-month investigation, nine construction sites in six cities in north, south and middle-west China were visited. In January 2009, SACOM published their report — *"Migrant Workers in the Construction Industry: indentured labor in the 21st Century"*. The title was shocking for its use of the word "indentured labor" (*Bao shen gong* 包身工). The word"indentured labor"originated from an article written by a famous Chinese writer in describing workers of the 1930s. Indentured laborers in that era were almost like slave labor: they had no freedom, had to work hard day and night, and earned very little. The comparison with indentured labor was not only shocking but also described the plight of construction workers. By using this symbolic expression, the report attracted attention and spread most valuable information. The authors listed ten illegal labor practices: a *zero* contract signing rate; a subcontracting system; arbitrary fines; long working hours; unpaid down time; lack of social insurance; poor and dangerous living conditions; serious occupational risk; lack of occupational training; and lack of workplace protection.

The 120 page report was sent to media for exposure and to NWC and its parent

company. At the same time, activists protested in front of New World Group headquarters in Hong Kong. They also awarded NWC a "Worse Corporate Citizen" medal to shame the company for its illegal labor practices; this stood in contrast with official or commercial awards, such as "Best Corporate Citizen", and highlighted concern over the company's illegal labor practices. The uncomplimentary medal was a good symbolic way to attack the company's image and attract media attention. Domestic volunteers were also busy with photo exhibitions displaying construction sites at some university campuses in Beijing to deliver the message and attract public concern. They also published articles in magazines and newspapers, blaming property developers and the labor subcontracting system as the "root of violence" and the fundamental cause of construction workers' plight.[76]

Corporate response

Three days after the report was released, NWC sent its first response to SACOM; the response was unexpectedly rapid. NWC denied most of the findings and even passed the buck to its contractors and labor agencies for violations of labor laws. NWC asserted that it was contractors' responsibility to handle labor relations, such as signing contracts and paying social insurance. NWC also provided evidences to show that contractors or agencies had signed contracts with workers, and that wages were paid on time. Meanwhile, SACOM activists held a press conference in Beijing to further address the issue and defend their findings. The evidence provided by NWC was questioned and further evidence was provided to confirm the findings of the SACOM report. This issue was later broadly reported in the media.

Clarifications of the SACOM findings continued and became familiar to the public. The "Worst Corporate Citizen" image obviously exerted some pressure on the company, although did not impact the sale of its properties. Despite its denial of the violations and its refusal to take responsibility, NWC stated that it had sent letters to its contractors and subcontractors, requiring them to comply with labor laws and ensure workers' rights.

Pursuing the corporation

The quick two rounds of responses from NWC indicated that the company had

---

[76] Nan feng chuang (Southern Window), 30 April 2009, "Shui geng xuyao baogong tou?" (Who needs baogong tou more?).

attached much importance to SACOM's critiques, but SACOM would not end the campaign so quickly. Activists then requested NWC to open some of its construction sites to SACOM members and other concerned people so as to see the "real picture" of working conditions at the sites. SACOM requested several times (through emails) but obtained no permission from NWC, which cited safety reasons. However, in March 2009, when SACOM activists met and negotiated with NWC delegates in Hong Kong, the company finally agreed to arrange two visits for SACOM members and domestic volunteers.

SACOM activists well understood that such visits, arranged by companies, are well prepared in advance and even falsified (to various degrees), but SACOM still insisted that NWC open sites for them to visit. The purpose was to find out whether NWC really intended to improve labor conditions at its construction projects. They also hoped to build connections with NWC to facilitate labor rights projects in the future, such as on-site worker training and independent monitoring.[77]

In the two months before the visits, SACOM activists and volunteers were busy visiting some of the construction sites to check progress of rectification. They found that there had been some improvements in labor conditions at most of the sites they visited. To their surprise, at one of the sites, workers seemed to be directly employed by construction company rather than labor facilitators. This meant that the labor subcontracting system might have been forsaken at this site. However, the information was not yet confirmed. SACOM investigators felt that workers became alert when they were interviewed, and some of the information provided by workers was hardly credible. For example, at one of the construction sites, some workers told SACOM that they had signed contracts, but were unable to show their copies of the contracts, and neither could they explain the contents of the contracts. Despite some possible improvements, the participants still observed many remaining problems exposed in the previous report.[78] SACOM updated the information on NWC construction sites during the visits — although the general situation was far from satisfactory, there had been some real improvements. The initial outcome of the campaign was encouraging. The activists decided to continue urging the company to improve.

The first "open" visit, in April 2009, was to a construction site in Shenyang in

---

[77] According to my field notes of April 2009.
[78] According to a meeting minutes of the campaign participants on 15 April 2009.

northern China. The visiting group included two SACOM activists and twelve student volunteers. The visiting group was well prepared to interview workers, obtain evidence and take photos. However, this visit seemed an unpleasant experience for SACOM and NWC staff and contractors.

One of the participants, *Hui*, was a volunteer based in Beijing. He described his experience visiting the NWC construction site in Shenyang:

"We felt we were strictly monitored during the whole visit. There were about twenty to thirty people from NWC or its contractors surrounding us, leading us to walk on a specific route. Some of those people counted us, and some stopped us from walking away to talk to workers...We could hardly see any worker on the site, we don't know where they were. The floor was well cleaned, and the dormitories were newly furnished with new bedding, shelves and televisions. The clinic and library were also very new, and we noticed that the boxes of medicine were sealed and totally new...The people showed us labor contracts, but the contracts were all signed this year. They could not show the ones from last year or earlier years...Finally, we were allowed to communicate with workers for ten minutes. There were five workers waiting for us at their dorm. When we asked them questions about labor conditions, their answers were so "standardized"— everything is good!"[79]

The participants were wary of the picture painted during this visit because it was too good to believe. Some investigators argued with NWC staff about the validity of some documents and tried to establish the truthfulness of what they had seen. This suspicion actually irritated some NWC staff and contractors. They were annoyed at the criticism, deeming it disrespectful.

Two days after the first visit, SACOM held a meeting in Beijing and invited investigators, scholars, media and NWC delegates to attend. However, NWC did not send their delegates to the meeting. At the meeting, SACOM activists first commended the efforts made by NWC to improve some labor conditions, but they also noted continuing problems such as delayed payment of wages, occupational safety, and the labor subcontracting system in many of NWC construction sites. The activists again demanded abolition of the labor subcontracting system and

---

[79] According to field notes, July 2009.

implementation of on-site training for construction workers. The details of the meeting were summarized in a report entitled *"Pursuing New World China Land Limited"*.

Again, NWC was irritated by the contents of the report. In a later meeting with SACOM activists in Hong Kong, NWC delegates complained about the attitude of investigators during the visit to Shenyang, and they were also unhappy about the second report. They said that the second report included too many criticisms and ignored most of their efforts, and this had undermined trust and collaboration. The dialogue between the company and activists had soured. However, the activists hoped to continue the dialogue, so they requested a second visit to the other construction site in Guangzhou.

The second visit was delayed until July 2009. New investigators were recruited for this visit. The group included SACOM members, several volunteers from Beijing, and students from universities in Guangzhou. The visit went smoothly as people from both sides were more experienced. Compared with the Shenyang visit, there was somewhat more freedom and space for investigators to look around and talk to workers. Moreover, hosts and visitors communicated with each other in a friendly and polite way. Regarding conditions, this site seemed to be a perfect example according to the host's introduction and the evidence provided. The conditions were good and labor practices were almost lawful; even the trade union system operated.

The activists wrote a third and positive report after returning from the site. In the report, SACOM appreciated the efforts made by NWC. SACOM also hoped that the good example at Guangzhou would be generalized to all NWC construction sites. Again, the on-site worker training and independent monitoring by a third party was raised. The activists actually planned to recommend reliable and credible NGOs to provide the training program. At this moment, further dialogue seemed likely. The activists wrote to NWC delegates several times and invited them to meetings, but every time NWC delayed the meetings. The dialogue was suspended.

After the campaign

In the following months, SACOM heard that NWC had collaborated with *IC* (a code) to provide worker training programs at their construction sites. *IC* is a non-profit organization known for providing consultancy services in corporate social responsibility for companies. It seemed that *IC* relies heavily on funding from

corporations. SACOM activists were encouraged that NWC had taken quick action in response to their demand, but were disappointed when the dialogue was suspended. One activist said:

> "*We welcome NWC's action in inviting a third party to provide training to workers, but we are not sure of the quality and effectiveness of the training provided by IC…Whomever gives the training, NWC should invite SACOM to monitor the process and effectiveness of the training. It is a pity that NWC did not allow us the opportunity to be involved in the training program.*"[80]

In fact, the training program was later put on the NWC website as part of its propaganda about being a "corporate citizen". NWC stated that "quality (*suzhi* 素质) training" was given to workers at NWC sites in three cities. The training focused on four areas: learning, development, self-protection and adaptability to urban life.[81] However, the website did not state the extent workers were informed of their labor rights, and neither did it describe progress in reforming the labor subcontracting system and other problems that had been exposed. The campaign was neither a victory nor a failure. It reminded property developers that their prescriptive labor practices on construction sites can be illegal and may be monitored by civil society groups. Since the campaign, some leading property developers have been eager to be seen as good corporate citizens. However, the core activists of the NWC campaign moved on to other campaigns, and were not able to follow up with the constructions sites or keep bargaining with the company. The campaign was suspended, with a third party giving training programs to workers. Yet, it is still unknown whether workers have benefited from any of these corporate counter-measures.

Analysis

The NWC campaign was the first to involve comparatively "mass" participation by domestic activists — a network of volunteers. In this sense, this campaign is a milestone in second-phase trans-border anti-sweatshop activism. Through the participation of volunteers, activists were able to obtain substantial material and evidence to use in "information politics". Moreover, through collaboration between domestic and Hong Kong activists, information was disseminated widely to generate

---

[80] According to email discussion in 22 July 2009.
[81] NWC website: http://www.nwcl.com.hk/schi/citizen6.asp?id=6&c06id=2010

greater moral leverage over NWC. Therefore, NWC had to take quick action and require its contractors to take measures in response to public concern. Figure 7 illustrates the boomerang effect of the campaign. Distinct from the typical boomerang model, a new actor emerges in this model: "domestic volunteers". These domestic activists bridged the gap between workers and an overseas organization, and build closer relationships with workers. Both domestic and Hong Kong activists jointly develop leverage over the TNC.
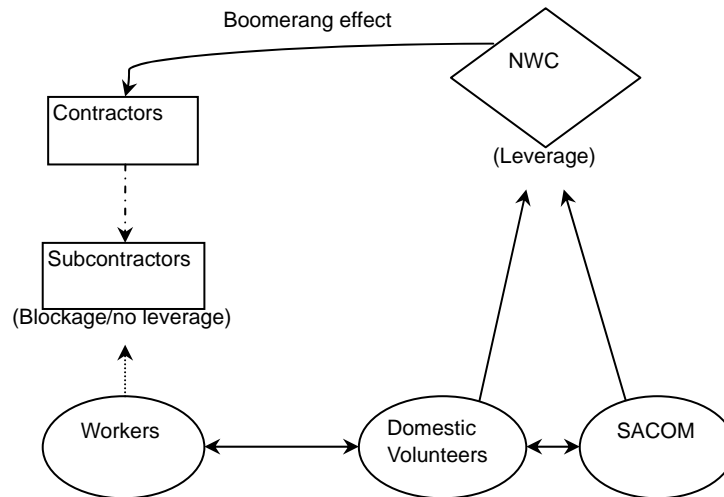
Figure 7   The boomerang model of the NWC Campaign

Although the participation of domestic activists strengthens the power of information politics, leverage politics and accountability politics, collaboration across the border was not smooth. For example, when NWC agreed to open two construction sites for visits, the campaign strategy seemed to shift from confrontation to dialogue between the activists and NWC. However, this strategy was not fully communicated to the Hong Kong and domestic activists. Therefore, during the first visit to the construction site in Shenyang, some investigators were so critical of NWC that the possibility of further dialogue seemed to be undermined.

As a short-term outcome, some labor conditions at the construction sites were improved, and a training program was provided by a third party. However, SACOM was excluded from the training and monitoring process and not undertake further following-up investigation and therefore a comprehensive outcome of the campaign is difficult to assess. The result can be interpreted in relation to Armbruster's notion of brand vulnerability. As noted by Armbruster (2005), the vulnerability of a brand is one explanatory factor for the outcomes of anti-sweatshop campaigns. The more

vulnerable the brand, the more likely the campaign will succeed. However, property developer brands are less vulnerable. As a general trend, property development is a huge profit-making industry linked to rapid urbanization. In big cities, the sale of housing is so buoyant that developers need not worry about selling out property. The vulnerability of property developer brands is too low to attack. Consumer and public concern creates very little material leverage over the brand. It is almost impossible to mobilize any "boycott" from consumers unless their own benefits are affected. The only leverage comes from moral and accountability politics. Soon after the campaign, NWC promoted many charity projects to restore its reputation. The task for activists is difficult and unending when they challenge a prescriptive system and a powerful corporation.

The Coca-Cola Campaign: The struggle for regular employment

The New World China Campaign was the first to elicit the mass participation of domestic activists, marking the second phase of trans-border anti-sweatshop activism. The Coca-Cola Campaign, initiated by domestic students and supported by SACOM and overseas networks, involves a new model of second-phase anti-sweatshop campaigns.

Turning into workers

Unlike previous campaigns initiated by NGO activists, the instigators of the Coca-Cola Campaign were students from several universities. The two instigators, *Jun* and *Wei*, said in their first report that they were inspired by the Hong Kong anti-sweatshop group SACOM, exposing the sweatshops of Nine-Dragons Paper. *Jun*, a graduate student from Beijing, and *Wei*, a third-year undergraduate student from Hangzhou, decided to look for summer work in the factories in the Pearl River Delta. They also invited their friends and classmates to join their "work-in-factory" plan, which was described as a kind of social practice. In July of 2008, nine students left their campus for the Pearl River Delta — China's largest industrial area.

At first, the students did not focus on any specific factory or brand-name corporation. Their primary purpose was to experience the factory life. The members sought jobs in various sectors such as toys, footwear and electronics. Some found jobs in Coca-Cola bottling plants. These students became workers for a month. This

one-month "work-in-factory" experience influenced all the participants. Almost everyone experienced serious exploitation and witnessed a variety of violations of labor laws. The feelings were so true and impressive because the participants themselves became workers. *Jun*, who worked in a shoe factory, wrote in his report:

> "*The workers knew so little about the labor laws... (so the boss could violate the laws seriously). The pay for overtime work was so low — only 1.5 yuan per hour, so we were urged to work until 11 or 12 o' clock at night, and even overnight! We didn't get any occupational protection — we were asked to clean shoes with chemicals without gloves and masks...When I asked the workers, 'Why don't you resign and work in another factory?' They told me that they would be exploited wherever they worked. All of these small-scale factories were more or less the same in this village.*"[82]

Choosing a brand-based strategy

Shocked by the poor labor conditions in all of the factories they worked, the students felt rather concerned — if all the factories were so bad, what can they do to make a change? The SACOM campaigns reminded them. Later, the students contacted SACOM activists. SACOM activists were glad to talk to the students, so they facilitated a one-day workshop for them. During the workshop, the introduction of global supply chains, corporate social responsibility, overseas consumer movements and anti-sweatshop campaigns broadened the students' vision and informed them. They decided to emulate SACOM and focus on the top of global supply chains: brand-name TNCs. The students targeted Coca-Cola — the most famous and biggest transnational beverage producer. Later, the students named themselves the "Coca-Cola Concerned Student Group" (CCSG), which became a voluntary student network.

Coca-Cola was targeted for various reasons.[83] First and most importantly, the students' "work-in-factory" experience suggested that Coca-Cola' bottling plants or supplier factories had violated labor laws. Among the violations, the problem of labor dispatch was most noticeable. As a newly emerging form of labor practice in recent years, labor dispatch was not fully regulated by law; how dispatch can

---

[82] According to Jun's sharing report in August 2009.
[83] The reasons for targeting at Coca-Cola were stated in CCSG's first report *"Coca-Cola: the world's most valuable brand is evading its legal and social responsibilities";* the following description is also combined with my observation.

undermine labor rights was not fully understood. In fact, dispatched workers suffer from poorer working conditions, lower wages, fewer benefits and security compared with regular workers. Coca-Cola owns two concentrate factories and 35 bottling plants in China, and is very influential regarding labor practice in the beverage industry. To raise public and government concern about the practice of labor dispatch, CCSG decided to carry out investigations into the Coca-Cola Company and its subordinate plants.

A second reason for targeting Coca-Cola was that the company has one of the most valuable brands in the world. It has also been active in promoting a positive corporate image and social responsibility. In recent years, the company has received several charity awards, and was named as one of the "most charitable enterprises" in China (based on the amount of donation). In such a circumstance, brand image is very vulnerable if there are sweatshop scandals. Indeed, the vulnerability of the target brands creates the "soft power" of many anti-sweatshop or anti-corporate campaigns. In China, the discourse of philanthropy or corporate social responsibility seems to strongly relate to the level of donations the company makes. With much doubt about the discourse, the students hoped to expose the misuse of labor at Coca-Cola and publicize the message that appropriate labor practices should be part of corporate social responsibility.

Although the "work-in-factory" experience in several of Coca-Cola's bottling plants suggested that labor laws were violated, the group decided to undertake more investigation at more Coca-Cola bottling plants and suppliers to confirm their findings. When the summer vacation ended, the group continued their investigation during weekends and holidays in nearby cities. By the end of October 2008, the group had collected data from nine Coca-Cola bottling plants and supplier factories in the Pearl River Delta and the Yangtze River Delta. The data included their "work-in-factory" observations and offsite interviews with more than 80 workers.[84]

Being pioneers

Preparing the report was hard work. There were few precedents for domestic students investigating corporate scandals and being involved in anti-sweatshop campaigns. Neither did the group have much experience in writing reports, building contacts

---

[84] CCSG, 2009. "Coca-Cola: the world's most valuable brand is evading its legal and social responsibilities", p2. Available from: http://followcoca.blog.163.com

with media, or accusing the company. However, they learned "on-the-job". They referred to previous factory reports to get some general ideas. After writing up the report, they revised it several times and asked for advice from SACOM activists and some scholars. How to publish and in whose name to publish were issues for discussion. One group member recalled worries before the report was published:

"We vacillated and were uneasy when we prepared the report. We had no experience in contacting with media. We didn't know whether anyone would pay attention to us and our own experiences in the factories. Moreover, we recommended three members as spokespersons. It was more difficult for them because it demanded plenty of courage to work as spokespersons."[85]

When the report was completed in early December, the group registered a blog at a famous domestic website and uploaded the report. The report was first published through the blog, in the name of the "Coca-Cola Concerned Student Group" (CCSG). The Internet is a good platform for disseminating information, so the group publicized CCSG and the report through the blog. However, that was not enough, so the members also contacted particular media which had previously reported anti-sweatshop campaigns or corporate scandals. This tactic successfully boosted coverage of the issue. A few days later, the group did a presentation at a classroom at a university in Beijing, where one of the group members studied. During the presentation, the three spokespersons introduced their investigation and the report, and they also read out two public letters. One letter was to *Yao Ming* and *Liu Xiang*, two famous sports stars involved in Coca-Cola advertising; the other letter was to ACFTU, demanding it to pay attention to labor practices at Coca-Cola and its suppliers.

Media effect rises and fades

The action attracted media attention, and the issue was broadly reported in the following days. Soon after the report, Coca-Cola publically responded. The company denied the CCSG findings and misuse of labor dispatch. The issues were widely covered by local and national media, and also spurred discussion about the labor dispatch system. Some journalists visited Coca-Cola plants to investigate the facts.[86]

---

[85] CCSG, 2009. "One year review of CCSG". Available from: http://followcoca.blog.163.com

[86] Media coverage ranged from a number of famous newspapers, such as *Diyi Caijing Ribao* (China Business

The effect of media coverage was initially remarkable. As the group recalled, media reports raised public concern on the issue. People provided various kinds of support and advice to the members. Moreover, members also received messages from Coca-Cola plant workers who had read the news. These workers provided information and materials to support CCSG's allegations against Coca-Cola. Support from workers was very encouraging to the members. The media coverage also resulted in the local labor department inspecting factories that had been cited in the report. However, the results of the inspection were not publicized.

The initial intensive media coverage was a surprise to the group members, but they also noticed that media coverage decreased quickly after some days. They realized that Coca-Cola was using public relations when some newspapers editors told them that their newspapers would suspend reporting on the issue. There are several channels for powerful corporations to influence media coverage on specific issues. The first and most direct way is advertising. Many media outlets, including newspapers, TV programs and websites rely heavily on advertising income. Obviously, Coca-Cola is a major customer for many media. Secondly, there is political pressure. Most media outlets in China still act as mouthpieces for the party-state and have limited freedom in reporting "negative" issues. Negative news about Coca-Cola soon draws the attention of government which may attempt to muzzle the media.

Media coverage faded suddenly when CCSG published its second report on Coca-Cola. This report, published in May 2009, included updated information on the five bottling plants disclosed in the first report, as well as new information about two other bottling plants in Beijing and Tianjin. However, few media outlets reported the issue. The group could only disseminate the second report through blogs and emails.

New tactics

Although media outlets are important partners, spreading information and creating pressure on the company and local governments, the group realized that media is not always reliable. Therefore, they developed new tactics to disseminate information. First, the group partnered with student associations at several universities to give talks and presentations. Over two months, the group visited more than 20 universities

News), *Beijing Youth Daily*, China Youth Daily, Beijing News, China Daily, South China Morning Post, etc.
Journalists from *Economic Observer* went to Coca-Cola's plants to investigate the problems personally.

in eight cities. During the speaking tour, the group recruited student volunteers and built a network. Second, after building contacts with student associations and volunteers, CCSG collaborated with them to further disseminate information. For example, CCSG and its network organized a series of campus exhibitions, calling for a boycott of Coca-Cola. Third, CCSG also attempted to develop contacts with Coca-Cola workers. Together with the volunteers they had mobilized, the members visited Coca-Cola plants and delivered leaflets about labor laws and labor dispatch to workers. They discussed the violations workers were facing, and tried to boost their awareness and knowledge. These actions extended the group's impact on the company and maintained the group's vitality, although these might not be as efficient as the broader dissemination achieved by wider media coverage.

The second round

Coca-Cola and even the public might not have reckoned on the persistence of CCSG in opposing its labor practices. In the summer of 2009, one year after their first attempt, CCSG members decided to continue their "work-in-factory" plan to ascertain whether there had been any improvements at Coca-Cola bottling plants. Although some original members had left the group because of other work, some new members were recruited. Four group members chose to work in a Coca-Cola bottling plant in Hangzhou, where they had found the problem of labor dispatch was most serious.

The new round of "work-in-factory" and "turning into workers" plan went smoothly until two members of the group were beaten by the manager of the labor dispatch agency. In August, the members asked for their pay when they resigned after working for about twenty days. *Liang*, one of the members, was badly beaten around his eyes and face. The members described the situation on their blog: *Liang* and other three members resigned in early August, and they asked for payment of their wages several times but were rebuffed every time. On 11 August, *Liang* was bitten by a dog at the dispatch agency. On 12 August, *Liang* and one other member, *Xu,* went to the manager's office to ask for the payment again. However, the vice-manager of the agency was still trying to delay payment. When *Liang* argued with the manager, another staff member came up and beat *Liang*'s face. *Liang* called the police, and the assailant called another staff member and the manager. They came in and beat *Liang* together. *Xu* was not able to stop the fighting and was driven away from the office.

The fighting was finally stopped when the police arrived, and all were taken to the police station.[87]

Coca-Cola attempted to evade responsibility for the issue, and the dispatch agency tried to compensate the members privately so as to appease them and keep them silent. But the issue was revealed by the group through the media and internet. The beating of the students again prompted the media's interest. A number of media outlets reported the beating, as well as the student group investigating labor conditions at Coca-Cola plants. The beating increased public sympathy and support for students. According to a web-based survey by *Sina* financial column, a well known website, more than 70% of netizens disagreed with using labor dispatch; more than 75% agreed that Coca-Cola had violated labor laws by using dispatched workers.[88] Coca-Cola was under great pressure despite its assertion that neither Coca-Cola nor its Hangzhou bottling plant bore any responsibility for the actions of its labor sub-contractor — the labor dispatch agency.

As Coca-Cola tried to play down the beating, CCSG and their supporters decided to broaden the campaign. They realized the beating had provided a good opportunity to focus public attention on Coca-Cola's exploitive labor practices. The group publicized an online petition on their blog, demanding Coca-Cola intervene and correct the abuse of dispatch workers at its bottling plants. Hundreds of supporters from universities, NGOs and other fields signed the petition to urge Coca-Cola to take responsibility.

Scale shift

Meanwhile, SACOM activists in Hong Kong helped shift the campaign to a transnational level. The activists sent open letters to Coca-Cola headquarters in the United States, as well as to Hong Kong Swire Beverages, a holding company of several Coca-Cola bottling plants, requesting the companies to investigate the issue. Letters were also sent to trade unions of Coca-Cola workers in the United States to seek their support. Later, SACOM issued a public statement, "*Violence in Coca-Cola's Labor Subcontracting System in China*", supporting the demands of CCSG and calling on Coca-Cola and Swire Beverages to take entire responsibility

---

[87] CCSG, 13 August 2009. "University student was bitten by dog and beaten when they worked in Coca-Cola". Available from: http://followcoca.blog.163.com

[88] *Sina Finance*, 30 August 2009. "more than 70% netizens agree Coca-Cola uses dispatched workers illegally." http://finance.sina.com.cn/focus/kkklygtx/index.shtml

for their abusive of the "flexible" labor system in their supply chains. The statement was supported by a global online petition initiated by a French NGO, Peoples Solidaries. More than 3, 000 people across the world supported the petition through letters and emails.

Continual work by CCSG members and their supporters finally forced Coca-Cola Company and Swire Beverages to deal with the labor dispatch system. In December 2009, a meeting was organized involving the two sides: Coca-Cola and Swire Beverages, CCSG and SACOM. As noted by a SACOM activist, on the agenda was the conversion of dispatch workers and labor rights training. To the activists' delight, Swire Beverages promised to convert dispatched workers who had been working over one year at the seven bottling plants in China into regular workers. However, to the activists' surprise, the Coca-Cola Company took a different tack. Coca-Cola delegates insisted that "the usage of dispatched labor is lawful and reasonable in China", regardless of CCSG findings regarding the unlawful use of dispatched labor at its bottling plants. Coca-Cola only promised to improve the working conditions of dispatched workers but refused to make any real reform. CCSG appreciated Swire Beverages' willingness to carry out a conversion plan but were irritated by Coca-Cola's intransigence. They decided to continue their campaign against Coca-Cola until it reviewed the usage of labor dispatch.

In the year 2010, CCSG members were still busy with following up working conditions at Coca-Cola's bottling plants, as well as monitoring Swire Beverages' conversion plan. Meanwhile, they launched a series of far-ranging campus activities such as exhibitions and boycotts. The activities spread to universities in Nanjing, Hangzhou, Wuhan and Hong Kong. Increasing numbers of volunteers and supporters were joining the network to protest against the misuse of the labor dispatch system.

Analysis

As second-phase anti-sweatshop activism, the Coca-Cola Campaign departs from previous campaigns in many ways. Firstly, it was initiated by domestic activists — CCSG members. CCSG plays a leading role in generating a boomerang effect in terms of information diffusion and creating moral leverage at a national level. Meanwhile, SACOM and the overseas network provide support to CCSG in shifting the scale of the campaign to a global level and to call for groups and consumers all over the world to exert pressure on TNCs. See Figure 8 for the boomerang effect of

the Coca-Cola Campaign. It was the first time in the history of anti-sweatshop activism in China that a domestic group, a Hong Kong group and an overseas network collaborated together to solve a domestic problem.
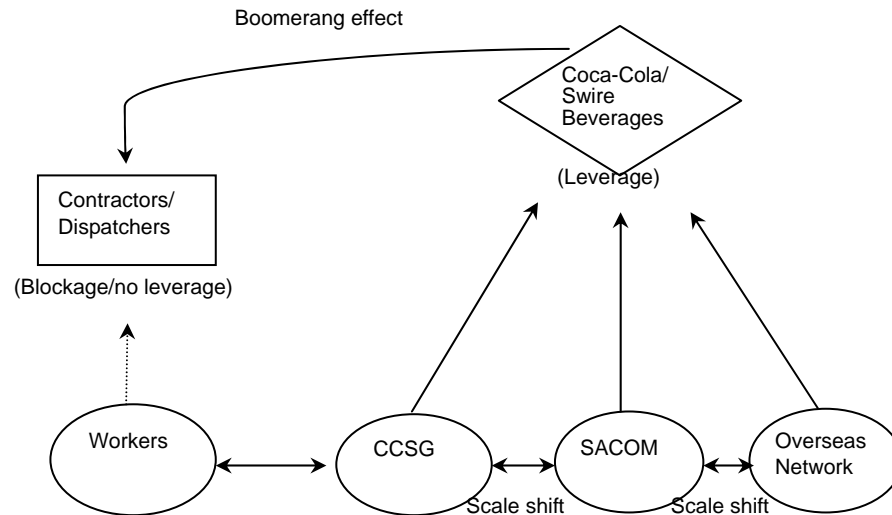
Figure 8   The boomerang model of the Coca-Cola Campaign

The second noticeable aspect of the campaign is the connection between workers and activists. In previous campaigns, worker-activist relationships were almost like that between informants and interviewers. Workers were mostly acting as informants, although sometimes workers were important actors (such as the "Brave Five" in the Disney Campaign). In the Coca-Cola Campaign, CCSG members became undercover workers themselves, a significant breakthrough. They shifted from being students to workers, from outsiders to insiders during their one-month "work-in-factory" plan. Using this method, they made direct observations of the shop floor and made friends with other workers. They also shared their knowledge of law with workers. In one case, the students acted as pioneers in a factory to complain to the local labor station about the factory's violations. They also showed fellow workers how to resign and get back their wages. After resigning from factories, some workers got in touch with CCSG members and discussed their individual cases. Moreover, after the summer vocation, CCSG members returned to the factories to distribute leaflets and shared knowledge of labor law with the workers — a kind of direct participation in worker empowerment. All of the above examples are symptoms of closer worker-activist connections.

Thirdly, CCSG members were also innovative in disseminating information.

Apart from the media campaign facing the public, CCSG collaborated with student associations and individual volunteers across the country in developing campus talks and campaigning for boycotts. It would have been impossible to carry out these activities without a domestic group and a relatively broad domestic network. However, these activities were also under surveillance and repressed. For example, regarding circulating petitions, some student or student associations were interrogated by university authorities, and were ordered not to continue with such activities. Some student associations in Beijing were asked not to collaborate with CCSG in any campus activities. CCSG members were also put under great pressure: some were interrogated by their supervisors and cadres at Communist Youth League branches (in charge of campus activities). All these actions indicated that the state had a despotic attitude towards uncontrollable student activities. Due to various restrictions by university authorities, most campus activities were "guerilla" style: that is, moving banners or exhibition boards from place to place very quickly before campus guards arrived.[89]

Regarding the outcome of the Coca-Cola Campaign, assessment can be rather complicated. Regarding improving labor standards, the campaign successfully urged the companies to improve the working conditions of dispatched workers in bottling plants. However, regarding the labor dispatch system, Coca-Cola and Swire Beverages had different attitudes. Coca-Cola refused to review using the labor dispatch system while Swire Beverages committed to a conversion plan although the plan was rather vague. Coca-Cola was supported by the local governments that they connived in using labor dispatch. The "failure" comes from two sides. Firstly, the campaign seemed to have limited effect when governments did not criticize company labor practice, even though the practice undermined workers' rights. Secondly, the company could be too powerful to feel any effect in relation to sales or image. The students were still too weak to mobilize a mass consumer boycott of Coca-Cola products.

However, the result can be seen as a first victory. The campaign focused public concern on Coca-Cola labor practices and the use of labor dispatch. Moreover, it allied domestic and overseas networks and urged the company to face the problem and improve general working conditions. The campaign also provides a good

---

[89] According to field notes, January 2010

example for potential domestic activists in future campaigns, particularly university students. Many tactics and resources became transferable experiences for fellow domestic anti-sweatshop activists and groups. Continuous effort is needed, and more tactics are to be adapted to mobilize consumer and worker power to challenge the Coca-Cola empire.

The Anti-Disney Campaign: An anti-sweatshop relay

At the end of 2009, the suspended SACOM Disney Campaign was reactivated by a group of domestic students — "Student Disney Watch" (SDW).[90] The students were mainly from three universities in Nanchang, Jiangxi Province. The formation of SDW was similar to CCSG. In fact, the students of SDW were members of student associations that had cooperated with CCSG in speaking tours. SDW was inspired by CCSG and SACOM to launch their own campaign. In their first report *Mickey Mouse is no longer lovely: labor conditions at Disney's suppliers*, SDW stated:

> *"Disney became a hot topic in early 2009 when it confirmed it will establish a theme park in Shanghai. Many people expect that the theme park will contribute to the economic development of Shanghai...However, in the following April, a seventeen-year-old boy in Yaohua Factory, one of Disney's suppliers, was killed by a machine he was operating. We were shocked by the tragedy, and at the same time, we began to question the wonderful, fairy-tale image of Disney. Therefore, we decided to further investigate the problem..."*

SDW members, including seven university students, began to look for summer jobs in factories producing Disney products. Instead of offsite investigation, they decided use the CCSG method — to work covertly in factories. They eventually found jobs in five different factories in Shenzhen, Dongguan, and Huizhou in the Pearl River Delta. Yaohua Factory, where the seventeen-year-old boy was killed, was also among the five factories. The students worked in the factories for about a month and then resigned. They understood the factory working conditions by the time they left.

---

[90] The group's Chinese name was "Daxuesheng jiancha Disney xiaozu", which was translated as "Students Disney Watch".

In a sharing meeting soon after they left the factories, SDW members described the poor working conditions[91] —

> *"The food was so bad, and the accommodation was even worse. The dormitory was so dirty, and there was no water supply... We worked seven days a week — no rest day at all!"*

> *"We often used various kinds of chemicals, such as gluewater and thinner. When I asked the line leader for a protector, he was unwilling to provide me with one."*

> *"I worked in the factory for thirteen days and then resigned. The piece rate was very low: after deduction of charges for food and accommodation, I need to pay the factory！ It was so ironic...So I went to talk to the group leader and the manager. I also appealed to the local labor station several times but the officers rebuffed my complaint again and again."*

During the meeting, the members shared their experiences and findings, and made a plan for further action. SACOM activists were also invited to join the meeting. They shared their experiences of launching a campaign, disseminating findings, and how to focus public attention on the issue. The members decided to write a report about the Disney supplier factories to disclose the problems, and then take over part of the Disney Campaign from SACOM and continue anti-sweatshop work.

Media exposure and the discourse of corporate responsibility

SDW published their first report at the end of November 2009. They learned from CCSG experience and set up a blog on the internet to release the news. This quickly drew media attention. *Wen*, one of the initiators and spokespeople of SDW, said that she was so busy with media interviews that she sometimes had to skip her classes. Some journalists even flew from Beijing to Nanchang to interview SDW members. In a short period after SDW released their report, up to a dozen media outlets reported the issue. CCTV also reported the issue and commended the students' action.

However, the media exposure also puzzled SDW members, as well as the public

---

[91] According to field notes, 18 August 2009.

— whose responsibility should it be to ensure workers' rights? Is it the responsibility of TNCs (such as Disney), supplier factories or local governments? The SDW report blamed Disney for not realizing its corporate social responsibility and indulging in labor violations in its supplier factories. In contrast, many journalists, as well as the public, were focused on the responsibility of factories and local governments. For example, a report by *China Youth* claimed that "*it might not be useful to expect Disney to protect workers' rights because it could easily switch to other suppliers*".[92] Most viewpoints agreed that local governments and labor departments should take responsibility rather than the TNCs to monitor the factories. As a response, Disney (Shanghai branch) replied to a newspaper that "*the violations of the factories had no direct relations with us*", because Disney was only in contact with its licensees, who were responsible for connecting with supplier factories.[93]

Unlike Nine-Dragons Paper and Coca-Cola, who were the holding companies of those factories, this case was different (the problem had emerged when the Disney Campaign was launched in Hong Kong). The supplier factories were not owned by Disney, but they were contractors/sub-contractors producing Disney-branded products appointed by Disney or its licensees. SDW found it necessary to explain to the domestic public and consumers about the value of "supply chain social responsibility", a discourse that has been commonly accepted by western consumers. Moreover, because of the unawareness of domestic consumers, many TNCs such as Disney were able to shift responsibility to supplier factories and local governments; in contrast, in the more developed world, where supply chain social responsibility is commonly accepted, TNCs would not issue such denials. The new "frame" seemed to be controversial and contrary to dominant discourse — the public tended to blame governments rather than buyers feeding factories. However, anti-sweatshop activists in China well understood that governments were too slow and bureaucratic to make changes, and they were often pro-capital. Activists and even the public actually had little leverage over government. It was not only a challenge to SDW members, but also a big challenge to localized anti-sweatshop activism. It seemed that SDW and other anti-sweatshop groups needed to reframe the discourse in a local context.

Two weeks after the first report was published, SDW released its second report:

---

[92] *China Youth Daily*, 18 Jan 2010. "Disney hui huan jia xuehan gongchang daigong ma?" (Will Disney switch to other sweatshops?)

[93] *Meiri Jingji Xinwen* (National Business Daily), 1 Dec 2009. "Daxuesheng diaocha xiaozu: Disney daigongchang shexian feifa yonggong" (Student research group: supplier factories of Disney are suspected of labor abuses).

Disney's cultural empire — telling you a real Disney. This report aimed to criticize Disney for the social problems it caused, such as cultural hegemony, labor violations, and the poor operation of Hong Kong Disneyland. However, the report received much less media coverage this time. Media coverage was fading away.

Joining the campaigns together

The reactivated Disney Campaign was coincidently tied up with a global toy campaign, initiated by several European and U.S. civil society groups. The month before Christmas is normally a peak shopping season, and a good time to launch campaigns against famous toy brands and retailers purchasing sweatshop products from the third world. As soon as the SDW report was published in Chinese, an English version was translated and distributed by SACOM through its network. In November 2009, China Labor Watch, a U.S. NGO, published a report, *Unhappy holidays at Merton Toy Factory*,[94] which detailed poor working conditions at the factory, a supplier to Disney, McDonalds and Mattel. In December 2009, the "Stop toying around" Campaign, formed by five European NGOs, published a joint report with SACOM — *Exploitation of toy factory workers at the bottom of the global supply chain*.[95] The report disclosed exploitation at two Chinese factories supplying Disney. At the same time, three Swedish NGOs — SwedWatch, Fair Trade Center, and the Swedish Consumers' Association jointly published a report called *Reviewing Santa's workshop*. The report concerned six Chinese toy factories certified by the International Council of Toy Industries (ICTI), an association of toy brands and retailers that certifies supplier factories for its members. Meanwhile, an urgent appeal was launched by Peuples Solidaires, a French NGO with a broad citizens' network. The urgent appeal involved thousands of letters from all over the world being sent to the CEO of the Walt Disney Company, urging the company to pay attention to labor practices at its suppliers.[96]

Indeed, the global toy campaign had existed for years. However, this kind of campaign had also been criticized for prioritizing consumer-centered market-based anti-sweatshop activism (Yu, 2006:14) and being over-centralizing in the global north, the developed world. The emergence of a local campaign run by SDW actually

---

[94] China Labor Watch, 2009. Available from: www.chinalaborwatch.org
[95] Stop Toying Around: www.stop-toying-around.org
[96] Peuples Solidaires, December 2009. "Urgent appeal No 332", available from: www.peuples-solidaires.org

allied the campaigns of the producing countries (the global south) and consuming countries (mainly the global north). For a country like China, which produces most of the world's toys and is gradually becoming a consuming country, the emergence of a local toy campaign is both significant and necessary in response to the weakness of contemporary anti-sweatshop activism.

Student-worker solidarity in HB Factory

HB Factory was among the five factories highlighted by SDW. In January 2010, some workers from *HB Factory* heard of SDW reports and actions from the media, and got in touch with SDW members. The workers explained their discontent over the factory practices, one of the most serious being non-transparent wage calculations. Since the piece rate was not disclosed, workers had no idea how their wages were calculated. The problem, which had continued for more than two years, had not been rectified. The workers also told SDW that Disney twice sent auditors to the factories after SDW published its report. However, the factory was well prepared every time. Workers were warned by the management "not to drivel" and "behave well" in front of the auditors or they would be dismissed. This deceptive behavior fooled the auditors and working conditions remained poor. The workers asked SDW to write to Disney to ask them to audit again. Meanwhile, SDW members also provided information about labor laws to workers and suggested they negotiate with the boss.

At the end of January, the workers received their wages which were less than workers in other departments by 200-600 *yuan*. The underpaid workers had no idea how the wages were calculated and the manager would not respond to queries. The workers decided to strike, and they also allied with workers in the other two departments. The strike went on for several days because the manager was not willing to compromise or to satisfy workers' demands. Meanwhile, some SDW members tried to assist the workers. They first summarized the problems at the factories and the workers' demands, and they passed the information to media. Soon the strike was reported by two newspapers. Then SDW wrote public letters to Disney, requesting it to focus on the issue. SACOM also wrote to Disney, expressing their concern over the issue. The actions were so effective that Disney sent its auditors to the factory on the third day of the strike. Due to this concerted pressure, the factory management finally promised to rectify the problems and the workers returned to

work.

SDW reflected that the strike involved solidarity between workers and students. Although they did not encourage workers to strike, they fully respected the workers' decision to strike. However, SDW were perplexed that the workers became cold and indifferent to them after the strike. They guessed the workers may have been warned by management not to contact SDW. The close relationship with the workers seemed to be halted suddenly. But the seeds of resistance had already been scattered at the factory.

About six months after the strike, one worker in *HB Factory* contacted SDW again. He told SDW that he and five colleagues had been dismissed without any legal reason. The management had also refused to pay severance to the six workers, who had been working in the factory for five to eight years. The workers appealed to the local labor bureau after they were dismissed. However, after mediation by the labor bureau, the factory management only agreed to pay 30% of the severance. The workers were deliberating over further legal arbitration and prosecution because the proceedings might take more than a year. Therefore, the workers sought help from SDW again.

SDW decided to intervene. On November 2010, SDW released a third report on Disney, concerning the illegal dismissal of workers. SACOM also released a statement supporting the SDW demands and requesting that Disney compensate the dismissed workers. But the report garnered little public attention and neither Disney nor *HB* Factory responded. Disney refused to take responsibility, claiming that it only placed small orders to *HB* Factory. However, ICTI arranged a meeting between the dismissed workers and *HB* Factor management. The workers invited SDW and SACOM activists to join the meeting, but the activists were driven away from the factory by management. The conversation was curtailed because management refused to pay lawful and reasonable severance. Gaining no result from negotiation, SDW continued to write public letters to Disney, Gap (another international buyer of the factory) and ICTI. No other avenues seemed open to them to achieve the workers' demands.

Overall outcomes

Since SDW published its first report regarding labor conditions at five Disney supplier factories, SDW members have conducted follow-up investigation. However,

the results have been disappointing to SDW. Improvements have been minor and temporary. Some workers told the SDW that the factories quickly made improvements before auditors arrived, but then everything returned to usual. Factory management seemed to choose deception as the easiest way to deal with audits. However, when the outcomes are more closely analyzed, assessing success or failure seems more difficult. In fact, there is no "final" outcome. Outcomes are short-term aspects of an ongoing process. The *HB* Factory is an example. Initially, there was little improvement after the first SDW report. After the strike, the factory management, under considerable pressure, was urged to make changes. However, the factory did not implement comprehensive reform; it just rectified the simplest problems. Before long, some workers became dissatisfied with the work arrangement and were dismissed. The dismissed workers revealed the many other violations of labor law that still need to be resolved.

The emergence of the SDW campaign has also strengthened the power of the global toy campaigning network and generated greater leverage over toy brands. As the global toy campaign gained momentum, SACOM was invited to meet Disney CSR delegates. During the meeting, the activists demanded that Disney take measures to rectify the problems in the factories, including paying back pay to workers that had had overtime payments withheld by factories. In one factory that had been investigated by SDW, workers did receive back pay. All the workers in the factory received six months of overtime payments that had previously been withheld. It was significant progress for a factory to redeem its workers after a campaign. Moreover, when the activists expressed their continued concern over upcoming Shanghai Disneyland construction project, the Disney delegates consulted the activists on the labor practice of the construction industry. The delegates also expressed a strong will to ensure labor protection at its upcoming construction project.

In addition, the activists also noticed that brands became more cautious in "cutting and running" when their supplier factories were exposed for violating labor rights. Both domestic and Hong Kong activists contributed to this positive change. Domestic activists worked more closely with workers so that they were quickly informed of the situation in factories. At the same time, Hong Kong activists were actively writing letters to the brand, reminding it to avoid cutting orders and running. All the above outcomes were partial but significant progress in the ongoing process

of anti-sweatshop practice.

Analysis: bridging a double divide

The processes of the SDW Disney Campaign are similar to the Coca-Cola Campaign. This is partly because the members of both groups were drawn from active student associations and they had many exchanges with each other as well as with SACOM activists. Therefore, the boomerang effect of the SDW campaign was very similar to the Coca-Cola Campaign. See Figure 9 for the boomerang effect of the SDW Disney Campaign.
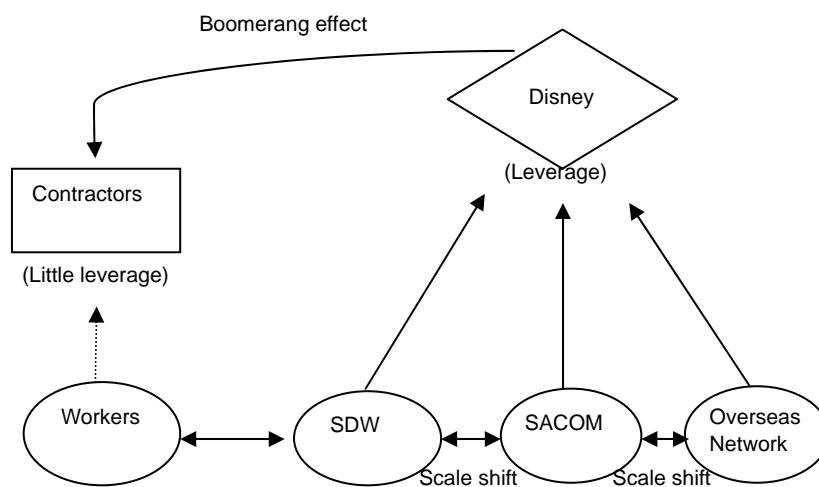
Figure 9   The boomerang model of the SDW Disney Campaign

Despite the similarity, we can see clearly from this case that the campaign has built bridges across a double divide: between workers and activists, and between domestic activists and overseas activists. Regarding the first divide between workers and activists, SDW members tried to bridge it by working closely with workers at *HB* Factory during their strike and dispute over dismissals. The campaign sets a precedent; many other anti-sweatshop campaigns simply obtain or exchange information from or with workers. SDW members lacked experience of workers' collective action, but were engaged with the issue closely and quickly so that information was distributed quickly. Support from outsiders (e.g. media, public, overseas supporters, the brand) could be built in a short time in response to workers' action.

Regarding the second divide, between domestic activists and overseas activists, SDW successfully allied its own campaign with the global toy campaign leading by

western NGOs. Unlike the Coca-Cola campaign which was still centralized at the domestic level, the SDW campaign was linked with an existing global campaign. This not only filled the gap of actors' participation in a producing country, but also strengthened the capacity of the global toy campaigning network. It is noteworthy that the Hong Kong NGO, SACOM, was the "bridge" during this process, linking campaigns from the global south to the global north, from producing country to consuming countries. As domestic groups became increasingly active in their campaigns, SACOM shifted from its campaign role to being a broker and movement conveyer bridging divides.

The Foxconn-Apple Campaign: Making IT Fair

The "suicide express"

Foxconn, the Taiwanese EMS producer, is infamous across the world for its 2010 "suicide express" of workers in Shenzhen, China. As mentioned earlier in this paper, these suicides, everyone a tragedy, shocked China and the world. The loss of life concerned the media, academics, and labor activists who all sought to investigate the suicides. As early as May 2010, at the time of the seventh and eighth suicides, some media outlets were focusing on the problem, with a number of news reports circulating. Some journalists visited Foxconn facilities and interviewed workers; one journalist intern was recruited by the factory and worked there for a month. A group of netizens also conducted investigations inside and outside the facilities to inspect the problems. In these media reports, it was generally suspected that the workers committing suicide because of work pressure and *quasi-military* management.

Of Foxconn's customers, Apple is regarded as most responsible for the tragedy because of the exacting standards it demands of its suppliers. In June 2009, a twenty-five-year-old technologist *Sun Danyong* was held responsible for losing an Apple iPhone4 prototype and received inhumane treatment from the company's security and management. *Sun* jumped off his apartment building and died. Moreover, some of the workers who committed suicide in 2010 also worked at workshops producing Apple products. Apple has been criticized being overly strict regarding its suppliers, such as maintaining business confidentiality and controlling product quality. These

controlling measures increased pressure on workers. In 2010 and 2011, because of huge demand for iPhones and iPads, Apple placed large orders to Foxconn. Foxconn expanded rapidly, establishing new plants to meet the Apple orders. These are reasons enough to question Apple and the corporation became the main target of the campaign.

When the media and public focused on these suicides, another discussion among labor scholars, students and activists was also formulated. Some scholars assumed there should be common reasons for the suicides. As a sociological phenomenon rather than individual cases, there should be a sociological study of Foxconn and its workers so as to uncover the puzzle. The activists, on the other hand, insisted that the worker suicides must be related to the management or factory conditions, so they also suggested investigation of the labor conditions at Foxconn. Activists, students and scholars from the Mainland, Hong Kong and Taiwan were galvanized by the tragedies and developed concerted action to respond to the issue.

Global action

As large-scale and in-depth investigation was being planned, protests took place across the world against Foxconn and its main buyers, mostly concentrating in Hong Kong and Taiwan. The actions spread the message of activists, and at the same time drew in people to join the later investigation. On 25 May 2010, a dozen Hong Kong labor NGOs demonstrated at the Hong Kong branch of Foxconn and held a "Chinese funeral ceremony" for the decreased workers. SACOM, as a leading group, demanded that Foxconn improve labor conditions and investigate the series of suicides. During the ceremony, activists also burned paper iPhones to express their sadness concerning iPhone workers who could not earn their own iPhone when they were alive. This symbolic action was also a protest against Apple for conniving with Foxconn to treat workers harshly. On 8 June, SACOM initiated a "Global Day of Remembrance for Victims of Foxconn", mourning the workers. On the same day, SACOM allied with other Hong Kong groups to demonstrate at Foxconn's annual meeting of shareholders and an Apple store. At the Apple store, activists announced the "five crimes" of Apple: "exploiting workers", "poisoning workers", "using child labor", "depressing the purchasing price" and "placing urgent orders". The "five crimes" were made into a paper board and pasted to an "evil figure" of Steve Jobs, the Apple CEO. The "evil figure" of Steve Jobs was painted with Satan's horns on

his head. The activists also altered the Apple logo with a worm to make it look like a rotten and bloody apple.

In Taiwan, the home of Foxconn, labor and social movement groups protested at Foxconn headquarters in Taipei on 28 May, displaying couplets and flowers for the workers and blaming Foxconn for not improving labor conditions. Days later, Taiwanese groups demonstrated at the international computer fair in Taipei to protest against sweated IT brands and manufacturers including Apple and Foxconn. Moreover, an online petition attracted the support of more than 150 Taiwanese scholars. Some scholars named Terry Gou, the CEO of Foxconn, as the "Shame of Taiwan" at a press conference.

In mainland China, protests were prohibited. Instead, local activists created "walking protest" as a way of demonstration. In Beijing, local activists planned mass "walking" to mourn the dead workers on the "global day of remembrance". However, the activity was cancelled due to the intervention of the local security department. Even "walking" was not allowed. Instead, sporadic mourning was observed by some labor NGOs and student groups. All were undercover, without any contentious public action.

Meanwhile, the deaths of workers also led to global outrage from labor and human rights groups who strongly supported the protests in the region. First, online petitions were distributed from the Mainland-Hong Kong-Taiwan region across the globe. A petition was launched through Labor Start, a global labor activist website to spread urgent appeals. The petition garnered 4200 signatures from over 100 countries to demand reform of management methods at Foxconn and to call for an end of the purchasing model which results in a "race to the bottom" in workers' rights. Petitioning and letter writing also took place in various countries. In France, Peuples Solidaries launched a petition that spread through its network; in the United States, United Students Against Sweatshops sent a letter to Apple CEO Steve Jobs and urged Apple to address the problems in Shenzhen by ensuring payment of living wages, legal working hours, and democratic union elections in Foxconn supplier factories;[97] in Canada, the Maquila Solidarity Network translated the petition letter into Spanish version and distributed it. As a global network and campaign, GoodElectronics and MakeITfair issued a joint public statement to call upon Foxconn and its customers to

---

[97] USAS. Available from: http://usas.org/2010/06/11/apple-china-worker-deaths

investigate the matter thoroughly and understand the root causes of the situation.[98]

Beyond online work and letters, demonstrations took place in many overseas cities to support regional activists and Foxconn workers. In New York, American students staged a protest in front of an Apple Store, urging Apple to "stop the death". In San Francisco, the Chinese Progressive Association organized a candlelight vigil to mourn the decreased workers. At the local Apple Store, nearly 60 community and labor union organizers lined up with "DeathPad" signs, and on the other side of the store demonstrators displayed the names of all the suicide victims. In Berlin, local civil society groups laid roses and lit candles in front of an electronic chain store, paying tribute to the deceased workers. In Guadalajara in Mexico, a Mexican organization, CEREAL, also staged a solidarity protest in front of a local Foxconn facility.

Response from Foxconn, customers and local governments

Despite the global outrage from civil society groups and consumers, Foxconn made no direct response to their demands. Foxconn did take a number of emergency measures to respond to the crisis, but the measures neglected the fundamental causes of the crisis and demands from civil society groups. First, the company installed 3,000,000-square-meter safety nets around the outdoor stairways of dormitory buildings to prevent employees from jumping. Wire grills were added to the windows and balconies of dormitories which made workers feel caged. Secondly, the company also recruited a number of psychological consultants and social workers to set up help lines and screen out those who might have mental problems. Those deemed "abnormal" could be dismissed or sent an asylum.[99] The company also invited several psychiatrists from Taiwan to investigate twelve suicides. These psychiatrists later stated that all the decreased workers had mental problems and none of the suicides were obviously related to work. This professional statement was intensely criticized for its curtness, and the psychiatrists were accused of not being neutral by academics and labor activists in Taiwan.[100] One other measure was criticized by media: the company invited monks to conduct religious rites to dispel

---

[98] GoodElectronics. 1 June 2010. "Suicides at Foxconn's in China, an appalling showcase for the global electronics industry".http://goodelectronics.org/news-en/suicides-at-foxconns-in-china-an-appalling-showcase-for-the-global-electronics-industry/

[99] See the reports of the joint Foxconn research group.

[100] *Apple Daily*. 10 June 2010. "Caoshuai de jingshen yixue beishu" (A cursory psychoanalysis recitation).

misfortune.[101] Moreover, the company required workers to sign a contract never to engage in "extreme behavior", including committing suicide. These measures indicate that the company sees the suicides as purely individual problems or the result of a "fetish". The company seemed unwilling to reflect on its managerial style and the production model which led to workers' suffering great pressure and anxiety.

As a major buyer from Foxconn, Apple first denied Foxconn was a sweatshop and dismissed the suicides as insignificant. However, later when the global petition occurred and criticism of Apple increased, the transnational IT giant publicly responded. In May 2010, Apple, Dell, and HP public expressed their concern over the issue, and said they were in touch with Foxconn, to call for investigations into the suicides and additional social audits. However, concerted action was lacking. These brands refrained from constructively deploying their joint leverage over Foxconn.

Regarding Chinese governments, in May 2010 the Shenzhen government sent over 200 police, labor, and other departmental officials to investigate the suicides. However, no report was publicly released. SZFTU also investigated Foxconn, but did not release a report either. The domestic media reporting of the suicides was swiftly curtailed as some experts said that reporting of the suicides might have a contagious effect upon similar groups of people. In June 2010, official media reporting of worker suicides stopped. Instead, the official media turned their attention to positive measures instigated by Foxconn and its relocation plan. As the media was muzzled, ascertaining the real number of worker suicides became a puzzle.

Joint investigations across the Taiwan Strait
The first round of global action seemed to generate some pressure on Foxconn and its main customers, such as Apple, HP and others. However, investigations of the suicides and general labor conditions conducted by the brands and even governments were neither transparent nor open to the public. Since the muzzling of the media in China, it became very difficult for the public to get updates from inside Foxconn to understand whether any real improvements had been made. A comprehensive understanding of Foxconn's labor practices and substantial evidence were lacking for academics and civil society groups to take further action. Without a grounded investigation and feedback from workers, how could academics and activists

---

[101] *China Daily*. 12 May 2010. "Foxconn invites monks in wake of six suicides".

understand the real problems in the Foxconn "empire" and the loss of young lives? Similarly, without comprehensive understanding, how can the activists justify their demands in the Anti-Foxconn-Apple Campaign?

As the summer vacation approached, some scholars and activists who had been participating in the petition and letter protests planned a research project to deeply investigate Foxconn. Recruitment of participants and drafting of questionnaires and interviews were carried during June and July 2010. Finally, over 60 participants were recruited from more than 20 universities in Mainland China, Hong Kong and Taiwan to join the research plan, including scholars, students and activists. Some had to pay their own travelling expenses, while others were supported partly by scholars' research funds. No special funds supported this unexpected and non-academic oriented research. All the participants prepared devoted their own time and passion to contribute to the campaign.

As illustrated in Chapter Two, Foxconn has more than 28 production facilities in south, east, north and middle-west China. The two facilities in Shenzhen are the largest, together employing more than 400,000 workers. Therefore, the majority of the group travelled to Shenzhen to conduct interviews and surveys while sub-groups headed to Taiyuan, Tianjin, Langfang, Hangzhou, Nanjing, Kunshan and Wuhan. The research teams stayed from several days to one week in each facility using questionnaires, interviews, and field observation as research techniques to collect information and understand the life of Foxconn workers. Some investigators went undercover by being recruited into factories and worked on the shop floor for several weeks. When this round of research was finished by the end of August, more than 1,700 questionnaires and 300 in-depth interviews were collected.

Building a connection with one survivor

During the stay in Shenzhen, the research group attempted to get in touch with the families of workers who committed suicide and the survivors, in order to further investigate the suicides. A small group of investigators stayed in Shenzhen for another month to perform this task. However, as many of the victims' families had left Shenzhen already, it was difficult to contact them. One family of a survivor who had just recovered and was leaving the city refused to meet investigators. The family's previous meeting with journalists had made Foxconn unhappy, and the

family had to rely on Foxconn to pay for expensive medical treatment.[102] Many victims and their families had to remain silent when Foxconn agreed to pay them compensation.

Fortunately, the investigators located another survivor, *Tian*, a seventeen-year-old girl, half paralyzed by her jump from the fourth floor of the dormitory. When they met her, she was still in hospital for medical treatment and with her parents. During the one-month stay in the city, the investigators paid visits to the hospital almost every day, and they became good friends with *Tian* and her family. After a time, as trust was built, the hidden reasons that drove *Tian* to attempt suicide were revealed.

Tian was similar to all other production workers: she went to work, return exhausted from overtime work, went to sleep, and had no free time to herself. On the product-parts inspection line, she was often reprimanded by her line leaders for poor quality, rejected parts, and "not working fast enough." A typical work day runs from eight in the morning to eight in the evening. After work, she walked to her dorm room alone, took a shower, and slept. Her seven roommates were all from other business groups. Nobody seemed to have "extra" time to care for others, let alone having fun together. On 17 March 2010, after working at Foxconn for thirty odd days, *Tian* could not free herself from the deep sense of helplessness but jumped from her fourth-floor dormitory. She calmly recalled:

> *"At the time I should have received my first month's wage, I was not given a wage-card. I asked my line leader about what went wrong. She simply told me to inquire in Guanlan plant (the other plant which is 15 kilometers away). There, I asked many people and still find out no clue about my wage-card; I was like a ball being kicked around…Failing to get my wage-card, I have no money at all to take a bus back. I walked for hours, from the afternoon to the evening, to finally get back to the Longhua plant."*

Anger and frustrations pent up. Instead of going to work in the early morning, *Tian* took the desperate action, jumping off the fourth floor of her dormitory.[103]

The story is sad. Foxconn cannot avoid responsibility for this. However, the

---

[102] See for example: *Yazhou Zhoukan* (Asia Weekly), 25 July 2010. "Fushikang canju de shengsi lizheng" (The deaths cases of Foxconn tragedy).
[103] The story was first written out by the students visiting Tian Yu, see: Chapter Six, "*Jiehou yusheng de zisha nvgong*" (The surviving female worker). In Pun, Lu, et al., (eds.), 2011.

investigators faced a dilemma: they could not disclose *Tian*'s story at the moment. The poor family could not afford the huge medical fees unless Foxconn paid for them. Obviously, the company would not be happy if the story became well known. Indeed, all the five investigators were struggling with the ethical problem in the relationship with the family. To put the victim's interest first or put the campaign first became the question. However, it was not a hard decision: the goal of the two tasks was actually the same. The investigators needed to wait for an appropriate time to disclose *Tian*'s story and find a way to integrate *Tian*'s individual demands into the whole campaign.

Instead of treating *Tian* and her parents as informants and victims, the investigators were trying their best to support them and release the family's torment. Their companionship with *Tian* became the best comfort for the family during the boring days at hospital. Moreover, *Tian*'s parents were negotiating with Foxconn about responsibility and compensation, and the investigators searched for legal information to provided advice to them. Two months later, when the family finally received compensation of RMB18,000 *yuan* and returned to their hometown in the rural Hubei province, the family agreed to disclose *Tian's* story through the research group's investigation report. The story definitely strengthens the credibility of the research and campaign, and undermines previous declarations by the company that the suicides were due to individual mental health problems.

These student activists also learned a good lesson during the research and campaign when they were engaging in this process. That is, if the researcher-activists could not stand by workers and understand the workers' situations, the action that they claimed to take on behalf of workers would be meaningless and unethical. There have been many occasions, besides the Foxconn Campaign, that frontline activists got into a dilemma about whether to disclose information of some individual workers or some individual factories. The disclosure of information may garner media coverage and external support, but may also harm specific workers or factories. For example, if workers passing information to activists are detected by factory management, they will probably be dismissed. Similarly, in SACOM's Disney Campaign, one factory that was exposed was shut down. Activists should ensure confidentiality and obtain informed consent from workers when information regarding individuals is to be disclosed. However, to obtain informed consent from factories without workers' real representation is still very difficult.

When the summer research were summarized and written up by the end of September 2010, the public was focused on Foxconn's announcement of pay hikes for workers, as well as its commitment to a relocation plan. The series of reports,[104] concerning student labor, military management, occupational harm, trade unions and *Tian*'s story at Foxconn, were regarded as resounding. Foxconn was condemned as a harsh employer and the reports also noted that governments were indulging Foxconn for its misuse of labor, such as student labor. The Hong Kong group SACOM also playing an important role in disseminating the reports and their own finding to overseas media and civil society groups, drawing global attention. To act in concert with the whole campaign, SACOM focused on Foxconn and its customers at the global level, while the joint research group pressed domestic parties (such as the factories and governments). The public was again stirred by the findings and this time Foxconn could not avoid severe public censure.

The series of reports led to extensive coverage in China's most widely read media outlets, as well as some western media, but they barely prompted any direct response from governments and Foxconn customers. However, these relevant parties still had to make their own declaration in response to public censure. In November 2010, an ACFTU official stated that there were violations to labor laws at Foxconn and there were also serious problems in its managerial mode. These fundamental problems lay behind worker suicides even after two wage increases in 2010, said the official.[105] Major customers, notably Apple, HP and Dell, also pledged to "work with Foxconn" to raise labor standards. Apple, for example, declared in its supplier responsibility report of 2011 that it had made much effort to help Foxconn to prevent suicides and ensure compliance with labor laws and Apple's code of conduct.

Analysis: joining the gaps together

The Foxconn-Apple Campaign still progresses but how the transnational network operates is clear. As illustrated in Figure 10, when workers seek leverage over companies or local governments, the campaign generates a boomerang and a direct effect through the joint research group, SACOM and the transnational network. The joint research group faces two "targets": Foxconn or local governments and related

---

[104] The serial reports were first uploaded on a number of websites, and were later published as Pun, Lu, et al., (eds.), 2011.

[105] *Da Gong Bao* (Ta Kung Pao), 4 November 2011. "Quanzong: Fushikang guanli you wenti" (ACFTU: there are managerial problems in Foxconn).

governmental departments (trade unions, labor departments, or education departments). SACOM and the transnational network mainly targets Foxconn customers, electronics TNCs, as well as Foxconn itself. Targeting governments has little effect, since many local governments continue to collaborate with Foxconn; this is described in Chapter Two. However, targeting Foxconn and its major customers resulted in some improvements to labor conditions through both boomerang and direct effects.
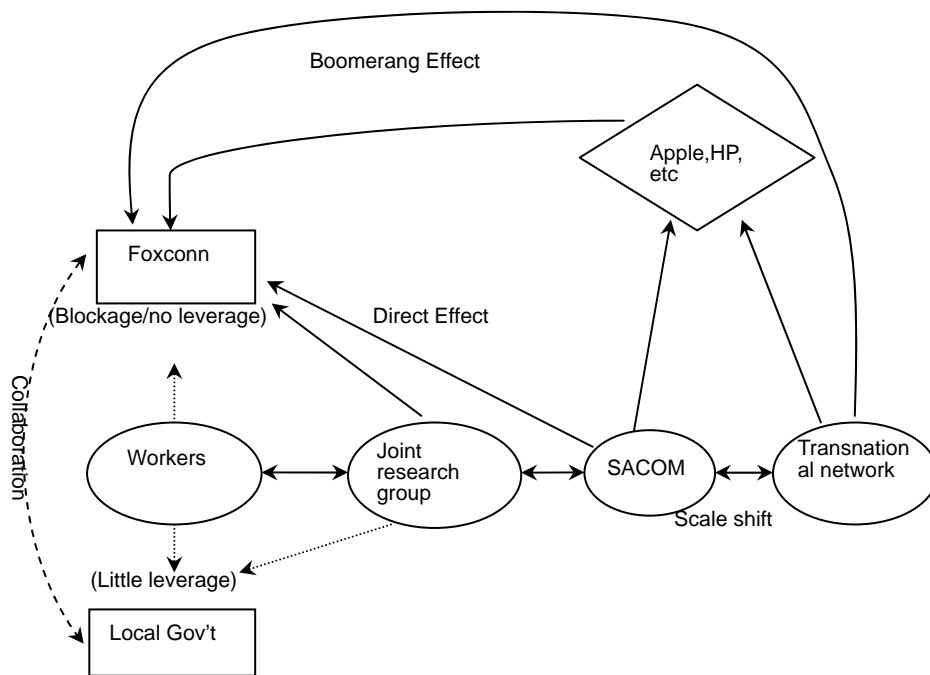
Figure 10   The model of the Anti-Foxconn-Apple Campaign

Above all, the campaign is very creative in linking all the concerned actors to participate in the process so that they can exert their power at their own positions. The campaign links academics with anti-sweatshop campaigners. The scholars from the Mainland, Hong Kong and Taiwan initiated petitions to raise their concern as soon as the suicides occurred. Before long, these scholars also helped create the joint research group to deeply investigate problems. They published reports and research papers through the media, academic conferences and research journals to further address the issue. This academic research provided the campaign with substantial evidence and convincing power, and pushed the campaign to a more extensive and in-depth level.

Second, the campaign also strives to join civil society across the Taiwan Strait. Since Foxconn is a Taiwan-invested transitional manufacturer, the participation of

civil society groups and academics across the strait became extremely important. As in the producing country, the joint research group was responsible for collecting information and investigating problems. Meanwhile in Taiwan, the home of Foxconn, civil society groups were able to pass information to local people and influence public opinion. Moreover, labor scholars were able to thoroughly reflect on the capital flow of Foxconn and the simultaneous process of labor conflicts and many other social problems moving to the developing world. This kind of reflection and academic thought also can help in understanding the current economic developmental model in China. Cooperation across the strait involving the mass participation of scholars, students and activists marks a new era of trans-border anti-sweatshop activism since the twenty-year capital flow across the strait. This campaign, to some extent is also another milestone in evolution of anti-sweatshop activism in Greater China.

Third, the campaign involves three targets: the manufacturer, brands, and Chinese local governments. As a manufacturer, Foxconn has the primary responsibility for labor rights abuses, particularly for its military management. Nevertheless, brands like Apple also should share the responsibility for their harsh purchasing practices. The multiple-target strategy increased the opportunity for potential improvement. When the target was Foxconn, its inhumane managerial mode and violations of labor rights were focused upon. When the target was a brand like Apple, the focus was on purchasing practices that led to military management and violations. Meanwhile, local governments were blamed for lack of enforcement and providing many sweeteners for Foxconn in its relocation plan. The campaign noted that each party along the supply chain has its responsibility and each should help improve labor conditions. As a result, the multiple-target strategy led to both direct and boomerang effects and opened up the space for intervention and improvement.

The creative strategies and the extensive scale of the campaign does not mean the campaign is over 一 far from it. The campaign has faced many obstacles, much larger and more powerful compared with previous campaigns. The fast capital expansion of Foxconn and its increasing monopolization of electronic manufacturing and services endow the company with an almost unshakable status: almost all famous IT brands have to purchase products from it. Moreover, heavy sales of Apple products have upgraded the Apple to the top tier of high-tech companies, the most

popular brand of electronic devices. The situation raises a big problem for campaign activists: how to exert the power of consumers? If there are no better or "sweat-free" products for consumers to choose, will they take labor conditions into account when they buy products? Even if they are willing to choose other brands, are there any products produced with fair labor? Don't most brands have their products assembled at Foxconn? Many anti-sweatshop campaigns have asked such questions. However, at this time, when both Foxconn and Apple monopolize the market, it becomes more difficult to respond to such questions.

As well as the obstacle of capital expansion, the state's power to facilitate the process is hard to ignore. In the relocation and expansion process of Foxconn, many provincial governments in inner China provided favorable investment packages for Foxconn, expecting the company to bring huge profits to the areas. To attract investment, local governments were active in expropriating land, recruiting workers for Foxconn, and sending school students to work in facilities, as well as other measures. It is not difficult to imagine how these local governments will indulge labor rights abuses in the new plants. The follow-up investigation by the joint research group has also testified to this assumption. Local government involvement in the process not only undermines the efforts by activists in urging Foxconn to make improvements, but also pits the campaign against local economic development. The research group and campaign activists can be seen as "trouble-makers" by local governments. Therefore, framing the campaign as a "voice for economic justice" and developing public support become important tasks for the campaign.

Unfinished struggles and campaigns

The campaign has been continuing since my fieldwork ended at the end of 2010. I continue to receive updates from activists. Follow-up investigations by scholars, students and NGOs reveal that some working conditions have improved and some violations have been rectified; however, many problems remain unsolved and some new problems have appeared. For example, the reduction of overtime hours results in an increased intensity of work. Moreover, student labor is more widely used in Foxconn's new plants in central and western China. In addition, occupational protection is so poor in the new plants that an explosion happened in the Chengdu plant in May 2011, leading to three deaths, with fifteen workers injured. The continuous struggle of Foxconn workers is now linked to a more extensive global

campaign against Foxconn and its major customers, led by domestic and trans-border activists.

Concluding remarks

This chapter provides four cases to illustrate the configuration of second-phase anti-sweatshop activism. Second-phase activism in this context is characterized by efforts to mobilize local participation, especially domestic activists and resources. Despite the incipient stage of local participation, second-phase activism has been able to make up for some defects that have limited Hong Kong or Western-led anti-sweatshop movement in many aspects. It first brings into the vision of domestic media, public and workers about this kind of high-profile anti-sweatshop campaigns by targeting at TNCs and intervening corporate labor practices from civil society's perspective. Such attempt has inspired many domestic actors. Second, the activism has mobilized local resources and has directly impacted target corporations at a domestic level. This is extremely important when China is becoming a consuming country rather than merely a producing country. Third, domestic activists work more closely with workers in both information exchange and supporting workers' struggles for better conditions or wages. This helps to address the problem of the "consumer/marketplace centeredness" of Western-led anti-sweatshop activism. Efforts by activists have shown the importance of locally organizing workers, but this organizing capacity is still fundamentally weak. Finally, second-phase activism also contributes to the expansion of global anti-sweatshop networks and connects with "global civil society". Hence, the networks and power of "counter-hegemonic globalization" are more likely to be strengthened from a global south perspective.

Despite progresses, second-phase activism has also encountered obstacles. The campaigns have drawn gradually wider participation by domestic students, media, netizens and targets have extended from TNCs to Chinese labor systems and local governments, domestic conservative power is also paying more attention to these activities and is ready to restrain them if necessary. For example, many tactics are not adaptable and are actually prohibited on the Mainland. The anti-sweatshop cause has been questioned by the public and corporations. Localized activities are quite often controlled by local authorities. The attempt to build deeper solidarity with workers is

hampered by an unorganized working class. Moreover, due to state scrutiny, it is difficult for domestic campaign groups to be institutionalized. Therefore, these groups are easy to set up informally, but are also difficult to sustain.

The next chapter provides analysis of the two phases of anti-sweatshop activism using a comprehensive and comparative perspective. Based on studies of anti-sweatshop movement and the work of prominent social movement theorists, activism is analyzed in terms of campaign strategies and tactics, framing processes, assessments of outcomes, and trans-border movement models. The forces that limit or undermine efforts are also examined and the promise of anti-sweatshop activism in this specific context is explored.

Chapter Six

Trans-border anti-sweatshop campaigns: Trajectory, repertoire, framing, and outcomes

In the previous two chapters, the processes and mechanisms of trans-border anti-sweatshop activism were described using six detailed cases. The six cases, in two phases, have features in common, but also involve diverse tactics, procedures and meanings. This chapter conceptualizes such features and differences. The following questions, frequently asked of anti-sweatshop movements, are addressed: Why do activists target particular companies? How do activists launch their campaigns and what is the general process? What are outcomes and impacts of campaigns? What are the differences between these campaigns and other existing ones?

The general strategy activists adopt to address the sweatshop issues is important. Campaigns are examined in detail, including key elements of social movement theories. The "mobilizing process" is discussed, inquiring into the repertoire of trans-border contention. This will highlight the strategy and tactics of campaigns. The "framing process" is also explored to understand how anti-sweatshop groups construct and frame the problem of sweatshop labor. After examining the two processes, I offer several standards to measure the effectiveness of activism by looking into campaign outcomes, as well as long-term impacts. Finally, I analyze the creativity of campaigns by using a modified boomerang model, and contrast it with a typical transnational movement.

Choosing a brand-based strategy

Among most anti-sweatshop campaigns in the Americas, Europe, and South-east Asia, the brand-based strategy is a common feature of such activism. The cases in my study also follow such a similar strategy to focus on famous, large-scale corporations. To clarify, some of these corporations are brand-names (such as Disney and Apple), some are transnational manufacturers that produce their own products (such as Nine-Dragon Paper and Foxconn), and some others are mixed (such as Coca-Cola

and New World China). The common features of these corporations are: mass public prominence, large-scale, and dominant power through supply chains. Therefore, I redefine the brand-based strategy to mean a strategy that utilizes the prominence of the target corporations to create pubic pressure by shaming them regarding labor abuses so as to   urge corporations to respect workers' rights in their own plants or supplier factories. To put it in activists' popular words: let's "name and shame" them.

To target prominent corporations, activists do not pick their targets randomly. Each campaign target is selected carefully either to respond to an urgent and serious labor issue or to challenge an unfair or inhuman labor practice which may have broader impacts on the industry. Most campaigns approach sweatshop practices from a basic labor rights perspective, such as inadequate payment of wages, excessive overtime work, poor occupational health and safety, unacceptable food and accommodation and other aspects. Such problems are commonplace and reflect typical labor practices at brand-name corporations' supplier factories or local plants in China. On occasion, activists may discover new forms of labor practices that undermine workers' rights and they vividly utilize these findings. For example, in the Nine-Dragons Campaign, activists discovered abuse of the labor dispatch system and punishment of workers suffering work-related injuries. Campaigns may also be spurred by serious social events such as collective labor disputes or tragedies. When such events originate in the factories of famous brands, a campaign against the brands begins.

Although brand-based anti-sweatshop activism is widely acknowledged in developed countries, the focus on famous brands or big corporations is often questioned when activism is transplanted in China. Some may ask why such companies are chosen. There are numerous small and unregistered workshops who treat labor worse than these companies. Such doubts are understandable in China. Many small private factories are unregulated by national law or private codes of conduct. Workers in those factories suffer poorer conditions and lower wages.

In a small training workshop, SACOM activists explained how they view this question:

"The western brand-name corporations are really serious with their image — each year they spend huge amounts of money in building and advertising their image through marketing. They emphasize image rather than products. It is where our campaign strength lies. For small-scale companies

who do not focus on branding or non-branded products, it is difficult for us to create external pressure on them through our anti-sweatshop campaigns. Such factories have a limitless threshold for bad public relations…The brand-based strategy is our strength, as well as our weakness, because we have little leverage over non-branding corporations."[106]

Brands are not only targets but also the campaign's props. The effectiveness of brand-based campaigns relies on their direct relevance to people's branded lives—people are surrounded by branded products, advertising and corporate culture (Klein, 2000). A high profile brand and image can be easily knocked down when its production secrets are publicized. Activists sagaciously make use of this obvious loophole left by corporations. Indeed, the brand-based strategy has had many positive effects when adopted in China. In contrast, other non-brand based campaigns have been less successful, as discussed in existing studies (Armbruster, 2005) and my own field work. For labor rights promotion in factories producing non-branding products, external pressure from anti-sweatshop activism may not be effective. The most useful approach is local organizing of workers. Comparison between these two types of targets is not a task of this study, and therefore there will no further discussion of non-brand-based campaigns.

Building the repertoire of trans-border contention

"Contentious repertoires" was an expression first used by Charles Tilly and Sidney Tarrow. The term refers to "arrays of contentious performances that are currently known and available within some set of political actors" (Tilly & Tarrow, 2007: 11). They include rallies, petitions, lobbying, press releases, public meetings, and other performances. To build the repertoire of anti-sweatshop contention, it is important to describe and analyze contentious performances, campaign strategies and tactics in a trans-border context. These elements compose the repertoire as well as the trajectory of anti-sweatshop activism.

Strategies and tactics

Like most trans-border campaigns, SACOM and the campaign network exert power

---

[106] Field notes, July 2009.

and generate "boomerang effects" through four types of politics: information, symbolic, leverage and accountability politics (Keck & Sikkink, 1998). In most cases, the tactics involved in a single campaign are usually a hybrid of the four types of politics. As noted, most of the time and effort of anti-sweatshop organizations or networks are devoted to information politics; that is, the generation and dissemination of usable and credible information that can be quickly used to put pressure on target actors (Rodriguez, 2007:136). Symbolic politics is also employed by using "symbols", "actions" or "stories" that make sense of a situation for an audience far away. In the Disney Campaign, the activists used symbolic politics by creating "jammed images" of the brand, such as dressing Mickey Mouse with a bloody bandage, and nominating the brand for a villainous reward. Leverage politics involves calling on "powerful actors in the network to affect a situation where weaker members of a network are unlikely to have influence" (Keck & Sikkink, 1998:16). The activists involve TNCs, overseas campaign networks, or consumers into campaigns to resolve a domestic conflict or problem. Finally, in trans-border anti-sweatshop campaigns, activists most frequently resort to accountability politics by holding target actors (corporations or governments) to their previously stated policies, principles or laws.

A single campaign may contain many of these elements at the same time. The concrete tactics of a campaign illustrate how these four types of politics are employed. As Klein (2000:347) puts it, the two principal tactics employed by anti-corporate campaigners are: "exposing the riches of the branded world to the tucked-away sites of production and bring back the squalor of production to the doorstep of the blinkered consumer." There is a wide array of tactics. To better understand the process, a simplified campaign "flow" can be used with corresponding tactics at each step.

As illustrated in Figure 11, Hong Kong-Mainland anti-sweatshop campaigns usually follow five steps (with concrete tactics described on the left column): (1) *investigation*, including investigation of sweatshops at production sites, writing reports, producing documentary films or photos for circulation and so on. (2) *Dissemination*, including high-profile media exposure in both Hong Kong and the Mainland, and sometimes in western countries; speaking tours, photo exhibitions and

leafleting in university campus/streets in both Hong Kong and Mainland;[107] tracking campaigns and circulating updates/newsletters through emails, blog and websites. (3) *Actions*, including rallies, street shows, sit-ins and leafleting at brand outlets, headquarters, shareholder meeting or exhibitions in Hong Kong and sometimes in the brands' home countries; organizing visiting trips to the industrial zones for worker-consumer/student exchange; assisting workers' petition to brands in Hong Kong; global petitions with emails and letters to target brands, suppliers and sometimes governments; calling for consumer boycott. (4) *Dialogue,* or communication or meetings with brands, suppliers and sometimes governments. (5) *Rectification*. If target brands and suppliers admit to problems found by activists, they may reach a consensus, solve problems in factories and use third-party monitoring.
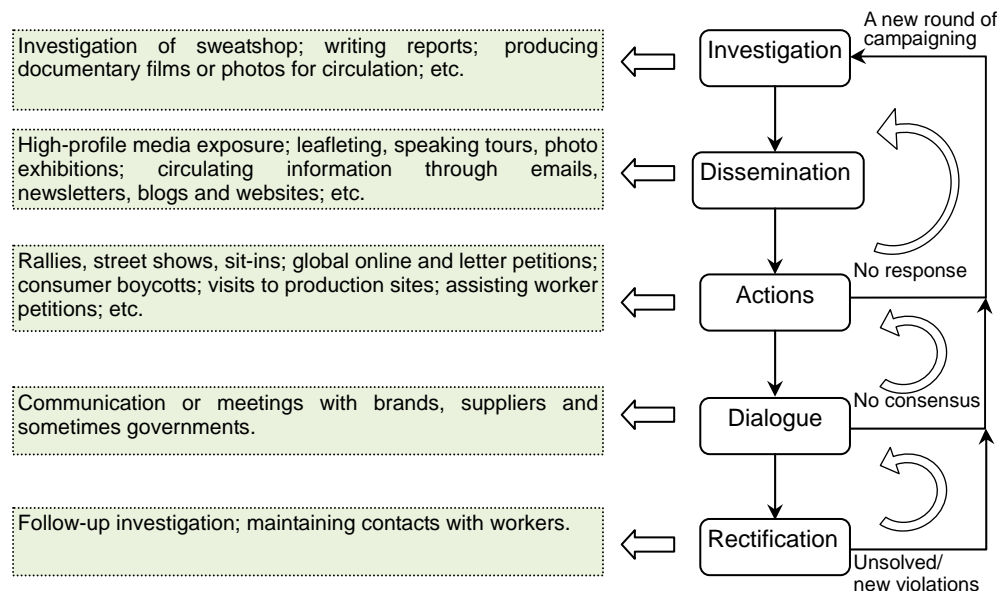
Figure 11　The Five-Step Campaign Flow

The five-step flow is an ideal model of a campaign process; on many occasions, the processes are much more complex and diverse. Several situations can impact the model. Firstly, if the target corporations give no response to activists or show no willingness for "dialogue" after a serial of "actions", the campaign may return to begin a second round. Secondly, a "dialogue" may occur among the target corporations, activists and even workers, but no consensus is reached. The dialogue fails and activists may have to return to previous steps. Even when target

---

[107] Campus activities in the Mainland are often "guerilla"; details will be discussed in the next section.

corporations agree to rectify problems, the implementation may go wrong, leaving some problems unsolved or creating new violations. In this case, the campaign has not yet ended and a new-round of campaigns may continue. As the flow shows, most time and effort are spent on the first three steps and there are a plenty of tactics in these steps. Campaign activists often try hard to urge target corporations to face their labor abuses and take action.

The sequencing of the five steps can also change. In many campaigns, investigation of sweatshops comes first. However, on some occasions, information on sweatshops has been primarily exposed by the media, and activists are later involved when they know the information. Moreover, "dissemination" and "actions" can also be simultaneous, and quite often tactics overlap and exert power together. Finally, on a few occasions, activists prefer to talk to target corporations before disclosing information. This occurs when activists have to communication with the targets and trust is built between them. Activists may expect brands to make improvements without "naming and shaming" them. If brands refuse to make improvements, activists may return to ordinary campaign steps.

Tactics in contexts

Many tactics are familiar to scholars and activists of contention politics in western countries. The novelty of the repertoire of trans-border anti-sweatshop tactics lies not in familiar tactics, but in the way they are woven together into new forms of activism (Rodriguez, 2007:137). In Figure 12, the main campaign tactics are grouped into five clusters and place where applicable according to my data. As shown in the following figure, the various tactics contributing to different steps of the campaign flow are woven together across borders. The interweaving tactics open up space that previously was bound by distance or domestic political opportunities, to jointly exert campaign power.
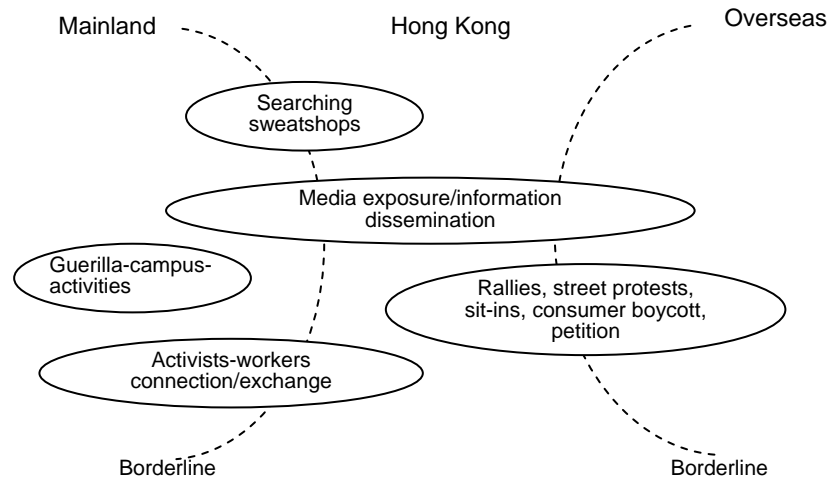
Figure 12   Tactics in different contexts

It is important to point out that second-phase activism has enriched the campaign tactics and exploited opportunities in many aspects at the domestic level. First, in terms of researching the sweatshops linked to brand-name corporations, domestic activists are more innovative in employing ethnographic methods such as finding work in the target factories. Compared with previous offsite interviews and observation, this tactic may provide more credible and exhaustive information for exposure and dissemination. Second, domestic activists may also launch media blitzes on the Mainland to focus public attention. The propaganda battlefield shifts from Hong Kong to the Mainland when anti-sweatshop activism shifts from its first- to second-phase. This shift not only creates pressure on target corporations and local government, but also disseminates new information to the domestic public: "citizen education". Furthermore, campus activities such as leafleting, photo exhibitions, and banner petitions are tactics in information politics at university campuses. Since many target brand name products (Coca-Cola, Disney, electronic products) are consumed by university students, the campus is an important battlefield too. Finally, student activists can also build close connections with workers and support workers' collective action. This tactic bridges the divide between workers and activists that has long existed.

However, as the figure indicates, not all tactics are applicable or useful in each context. As noted by Tilly and Tarrow (2007:45-67), the repertoire of contention differs systematically between regimes, and regimes vary from one country to another. Each regime sets limits on acceptable forms of claim making. Borders

involve not only frontiers between two countries or regions, but also geographic distance, different regimes, and different political and social environments. The border between Hong Kong and the Mainland divides two different regimes. Some tactics are considered normal and contained in Hong Kong and other countries, but they can be transgressive and risky when applied in Mainland China. For example, in the Coca-Cola Campaign and other second-phase campaigns, many restrictions hamper domestic activists transferring or adopting tactics commonly acceptable in Hong Kong and abroad. Transgressive tactics such as rallies, street protests, sit-ins, calling for boycotts and petitions are prohibited on the Mainland. Many other actions also need to be covert. For example, many campus activities that disseminate information about sweatshops or publicize the campaign are not approved by university authorities. Student activists use a guerilla tactics that involve moving exhibition boards and banners from one location to another to avoid being apprehended by campus guards.

Here, two important tactics in second-phase anti-sweatshop campaigns are highlighted: media exposure and guerilla-campus-activities, determined by the political context.

Media dependence

Media exposure as a tactic is important in promoting information politics and generating public pressure over target corporations. Media outlets are essential partners to generate attractive and understandable news for a broader audience. Some sympathetic journalists may also publish news that discloses information of a more critical nature related to target corporations and to support the activist standpoints. These journalists may become part of the campaign network. They may provide suggestions for activists as to how to utilize media strategy, how to deliver new messages in a way that audience recognize and support. They may also help in future anti-sweatshop issues. In China, the media also can help "justify" activism. The transgressive aspect of anti-sweatshop or anti-corporate activism is risky for the media. If any mainstream media outlet reports the issue and commends student activists, the activists and the campaign will probably be accepted, or at least they are unlikely to be suspected by the authorities as being subversives.

The tactic of media exposure is crucial for anti-sweatshop activism in both the first and second phases. However, activists find themselves gradually trapped into

dependence on media. As noted by Kielbowicz and Scherer (1986:75), the structure of the media industry can affect the way movements are reported by media and perceived by the public. Media have their own preference for dramatic, visible events; journalists may rely on authoritative sources, have their own professional values or orientations; news has cycles or rhythms; and the media has its own environment. All the above factors can affect movements.

In the context of Mainland-Hong Kong, despite the sympathy of a few journalists, the media primarily has two characteristics. The first is news-hunting. Activists may mount dramatic events to gain media attention, but such activities fade from the media quickly unless there is a change in their routines (Tarrow 1994:128). For example, if stories like "students go undercover to investigate sweatshops" or "activists protest in front of XX store" have been reported several times, the media may not follow up a similar story or the second part of the same story. Therefore, activists have to "raise the level of drama" (Tarrow 1994:128) or change their routines to maintain media coverage. Such tactics may work for Hong Kong activists, but for those who work in the Mainland arena, they have few opportunities to develop any "dramatic" activity. This is because such contentious activities are politically restricted.

The second characteristic of media is that it is profit-driven. When a brand-name corporation places a large volume of advertising in the media, such an outlet is unlikely to publish news that might tarnish the brand's image. Meanwhile, in China, media have a third feature: they are controlled by the state and act as a mouthpieces for the party-state. Therefore, if a campaign attracts attention from the state or local authorities, or is defined as having a "negative" impact on society, further reporting on the issue will be curtailed.

Media dependence was detrimental in the Coca-Cola Campaign and the Disney Campaign (SACOM and SDW). In both campaigns, activists noticed their first investigative reports were broadly covered by media, but continuous reports or follow-up information received much less coverage. Unless dramatic incidents or innovative actions accompany investigative reports, the media's interest in similar issues will inevitably fade. Activists may also strive to "decorate" their actions so they are "media-favored", but it does not always work. Moreover, some corporations are also use "Fabian tactics": they play down the issue and reply to the media in a diplomatic way. For example, a standard reply by brand-name corporations to

sweatshops scandal is: "All of our supplier factories are certified by XXX standard and comply with local labor laws…We will investigate the accusation and rectify the problems, if any." However, these investigations and rectifications usually take a long time to achieve. Media outlets, with the importance they attach to timeliness, may prefer to discard the issue and turn to more attractive and fresh news. When media outlets do not disseminate information, "information politics" is highly weakened, and the public and consumer leverage is affected.

Guerilla campus activities

Making better use of the media but avoiding media dependency has become a practical problem for activists. To break the limits of media dependency, student activists use campus activities. Campus activities can provide very good opportunities to deliver information to university students who are consumers or potential consumers for the target corporations. The platform can also mobilize potential participants of the campaign to strengthen the campaign network. However, campus activities face specific obstacles on the Mainland. Like the state, university authorities are highly resistant to them. On many occasions, university student associations are warned not to contact student campaign groups; campus activities concerning labor violations are often rejected by authorities. Without official approval, activities can barely be carried out openly. Instead, student activists have to move their show or exhibition quickly from one location to another to keep away from campus guards. An exhibition can seldom last more than half an hour, or activists may be expelled by guards. Campus activities become "guerilla" in an irregular "battlefield".

Guerilla campus activities are flexible responses to the control and scrutiny of authorities, but the sustainability and effectiveness of the tactic can be questioned. In a country that has little tradition of consumer movements, it takes time to develop consumer consciousness and mobilize for action. Without continual impact on the audience, a powerful and organized consumers' network to produce public-relations leverage on target corporations is difficult to develop.

Media dependency and guerilla-style activities remind us that anti-sweatshop activism in both Hong Kong and the Mainland still lacks the support of organized and powerful consumer networks. To disseminate information or call for consumer actions, activists rely on the media and overseas networks. The restrictions are rooted

in the local political context and it is not easy to be free of them. An alternative solution for the campaign is to set up its own network to disseminate information and call for action. The internet is a good platform to make use of. Currently, activists are able to use the internet to spread information to a dispersed and temporary audience. More effort is needed to network with the audience to develop sustainable supporters of activism.

Reframing the anti-sweatshops cause

The framing process or theory is another strand of social movement theories. This focuses on meaning reproduction and cultural aspects of the movement (Snow and Benford, 1988). Framing theory takes social movements as a subject of meaning production, and emphasizes the process of meaning communication, confrontation and interpretation. According to Melucci's (1988), social movements can be viewed as a process in which actors produce meanings, communicate, negotiate and make decisions. Movement frames, therefore, "connect grievances with mobilizing structure by offering 'schemata of interpretation' through which movement participants come to understand their situation as one that requires action against the movements' targets." (Rodriguez, 2007:124)

There is a lack of research into transnational framing, particularly regarding anti-sweatshop movements. A noticeable insight is Peter Evan's (2005) work on transnational labor solidarity, which addresses three ways of framing contestation: "basic human rights", "social contract", and "democratic governance". First, labor and anti-sweatshop activists may frame their struggle in the language of "basic human rights" when labor conditions violate basic standards of human dignity. Given the normative and ideological hegemony of the discourse, this frame means brand-name corporations are vulnerable once exposed for human rights violations in production sites. Second, the language of "social contract" is used to construct a wide frame including a broader range of industries and workers. This frame targets at breaching the free labor-capital relationship brought by neoliberalism by rediscovering the idea of the "social contract" that was popular in the years of Fordist capitalism. Third, given the hegemonic discourse of "democracy", it may be potent to challenge the undemocratic operations of global neoliberal regimes such as WTO and FTAA. This frame may help to readdress the principles of global democratic

159

governance (Evens 2005: 661-663).

Besides the three frames noted by Peter Evens, some other scholars also point out a fourth key frame, very popular among other transnational movements or global activism. This fourth frame is "global justice" (Della Porta 2007; Rodriguez, 2007). According to Rodriguez (2007:126), this frame "facilitates alliances with other counter-hegemonic globalization TANs", and "connects labor TANs with a wider variety of networks advocating such causes as fair trade, debt relief, increased international aid, liberalization of migration flows, and poverty alleviation."

Reframing the cause in China

Symbols of collective action are not fixed but are changing over time and across space. They cannot be read like a "text", and neither can they be independent of the strategies and conflictual relations of movements (Tarrow, 1994:122). They have to be mediated among the "cultural underpinnings of the groups" and the movement activists appeal to, the "sources of official culture" and the "militants of the movements" — and still reflect their own beliefs and aspirations (Tarrow 1994:122).

The process of shifting Western-led anti-sweatshop activism to local participation and mobilization is not simply a process of copying the western repertoire, but also one that involves interactively constructing local people's understanding about the anti-sweatshop cause. This process of "ideological scale shift" is what Snow and his associates (1986) call "frame alignment".

My study of Chinese anti-sweatshop activism reveals some different frames left out of the above frames. Two significant frames are highlighted here. In China's context, anti-sweatshops groups primarily frame their struggle in the language of "legal pursuit" according to the "Chinese labor laws" rather than "basic human rights". The Chinese labor laws cover a wide range of labor rights protection, which include: wages, working hours, labor contracts, social insurance, safety of production, prevention of occupational injuries and diseases, employment equity, and so on. Although there are some loopholes in the laws, they generally protect workers and provide a sound basis to regulate corporate labor practices. However, the problem is poor enforcement. Using this language of "legal pursuit" or "complying with labor laws" is about facilitating the enforcement of such labor laws that regulate corporate labor practices and ensure basic labor standards. Those violating the laws can be framed as "sweatshops" or using "sweated labor". The laws are enacted by the state

and therefore exposing firms which violate Chinese labor laws, to urge them to comply with laws, is accepted by the public and even governments.

The following table shows the frequency of use of different frames when activists expose TNC violations of labor rights, as related to the six cases described in Chapter Four and Five. Reference to "Chinese labor laws" is most frequent, and frames the discourse of all campaigns. In contrast, the language of human rights or corporate codes of conduct are not often used. These two frames are mostly used when campaigns heavily involve Hong Kong activists, or when they face a Hong Kong or overseas audience, such as the Disney Campaign and the Foxconn-Apple Campaign.

Table 6　Frequency of different frames

Campaigns/ Frames		Chinese labor laws	Human rights	Codes of conduct
1st phase	Disney Campaign (by SACOM)	√	√	√
	Nine-Dragon Paper Campaign	√		
2nd phase	New World China Campaign	√		
	Coca-Cola Campaign	√		
	Disney Campaign (by SDW)	√		√
	Foxconn-Apple Campaign	√	√	√

In fact, the meaning of "Chinese labor laws" is similar to "basic human rights", apart from the absence of some collective rights such as association and demonstration. Both of aim to construct a "sweating" image for corporations that violate basic labor standards such as regarding low wages or payment arrears, excessive working hours, and poor food or accommodation, among others. The efforts of framing sweatshops are embedded in the language of violating Chinese labor laws. However, the usage of "Chinese labor laws" is not simply replaceable by the "normative and ideological hegemony" of "basic human rights". Since China has been attacked by western countries for not respecting "human rights" for many years, any non-state action that promotes "human rights" can be considered as confronting the state. Similarly, in a country that has been generally criticized for authoritarianism, the language of "democratic governance" is not normative and should be cautiously adopted. Therefore, to reframe the language in a localized way, such as "legal pursuit" according to "Chinese labor laws", is an adaptive strategy when activists try to bring the campaign back to the home country. Consequently, activists always demand at the end of their publications or actions that the target

TNCs and suppliers should comply with Chinese labor laws and the governments should fulfill their responsibility by enforcing the law thoroughly.

The second frame is "migrant worker" or "peasant worker". In light of studies of China's rural migrant workers, the anti-sweatshop activists also try to frame their struggle from the "migrant worker" perspective. The connection between migrant workers and anti-sweatshop activism is obvious. Among the 230 million migrant workers, the majority of them are employed in the manufacturing industry and construction industry: of 39% and 17% respectively (NBSC, 2010). Furthermore, scholars and media have been pushing to improve the situation of migrant workers for some time, in terms of employment, education and medical care. The predicament of migrant workers can elicit public sympathy. To couch in the language of "migrant workers", activists target the employment issues of migrant workers. Framing the grievances of migrant workers so that they are clearly linked to exploitation by local and transnational capital is a commonly acceptable interpretation. For example, in the New World China Campaign, migrant workers engaged in the construction industry are framed as "indentured labor" to resonate with people concerned with migrant workers. In the Foxconn-Apple Campaign, the frame of a "new generation of migrant workers" further elaborates the newly emerged predicaments and suffering of young workers in a giant, military-like manufacturing empire. This process of building connections between the two frames is defined as *frame bridging* by Snow and his colleagues (1986).[108]

The third frame that has been adapted in the anti-sweatshop activism is TNC "supply chain responsibility". This frame can be included in the broad frame of "global justice" raised by some scholars. The framing of "global justice" has two angles: justice and transnationalism. This frame amplifies the value of global economic equity and the belief that hegemonic globalization deepens North-South economic divides (Rodriguez, 2007:126). In the case of the anti-sweatshop activism, the frame attempts to reconstruct people's understanding of the extant economic development model, making visible the links between brand and retailer business models (with their emphasis on cost-cutting and just-in-time production) and the sweated labor at supplier factories (Rodriguez, 2007:130).

The framing of "supply chain responsibility" or reframing of traditional

---

[108] By frame bridging, it refers to "the linkage of two or more ideologically congruent but structurally unconnected frames regarding a particular issue or problem" (Snow et al., 1986: 467).

corporate responsibility involves two other types of frame alignment: *frame amplification* and *frame transformation*. As Snow et al. (1986: 473) explain, *frame amplification* refers to the clarification and invigoration of an interpretive frame to elicit participation or support from relevant constituencies; while *frame transformation* occurs when the new frame "may not resonate with, and on occasion may even appear antithetical to…extant interpretive frames". In this case, activists have to plant and nurture new frames to replace old values and beliefs.

The argument for TNC "supply chain responsibility" is embedded in the "global justice" framework. This frame needs to spur amplification and transformation when activists shift contentious actions from abroad to the domestic arena. In China, mainstream frames dominate people's values and beliefs. Those frames claim that: 1) direct employers should be fundamentally responsible for their labor practices. If there are any labor disputes, the employees may primarily resort to local governments (such as the labor bureau or local court). If local governments do not resolve the problem, claimants may appeal to higher levels of governments. People traditionally believe the state should be the last safeguard to protect people's legal rights. 2) Foreign capital and investment has brought economic prosperity to China and contributed to improving people's living conditions. These foreign capitalists also create many job opportunities for workers. Therefore, to blame the foreign capital or TNCs for sweatshops and demand higher labor standards may result in a loss of job opportunities and investment, and hence economic degradation.

The anti-sweatshop frame challenges (but does not discard) existing mainstream values and beliefs. The frame amplification process has made visible the links that have been blurred by geographic dispersion — between social and economic processes along the global supply chains (Rodriguez, 2007:130). The most significant link is one between TNC business models in the consuming countries and related sweated conditions at supplier factories in the producing country. This frame tries to convince the public that workers' low wages and poor working conditions in the global south are not their own fault, or only local employers' fault, but a consequence of global economic inequity caused by TNCs who dominate the market. This is what makes the boomerang against TNCs effective. Finally, the frame also advocates that the state and society should reflect on the current development model that highly relies on foreign investment and cheap, intensive labor, and should turn to a humanistic development model.

Measuring outcomes

Examining campaign outcomes is not easy. As noted by Armbruster (2005:137), "because social movements and campaigns often occur overtime (longitudinally) and take place in dynamic, ever-changing environments, assessment and evaluation can be rather complicated." Even if we look at campaigns within a relatively short-period, the outcomes are often two-sided, and vary from factory to factory, from time to time. Campaign outcomes can rarely be classified as either "successes" or "failures".

Despite complex and diverse campaign outcomes, both activists and scholars have standards to judge whether a campaign is successful. Possible outcomes of a campaign include: 1) whether the campaign leads to the creation of an officially recognized union or unions are destroyed (in the long-term); 2) whether the campaign leads to a collective contract; whether the campaign leads to an improvement in working conditions; 4) whether wages are improved or cut (in the long-term); 5) whether factories shut down or are relocated (in the long-term) (Armbruster, 2005:137-149; Rodriguez, 2007:242). The positive aspects of the above indicators are often goals of campaigns. Armbruster (2005) indicates that short-term success can be embedded in long-term failure. For example, improvement in working conditions could be the most short-term and visible success of a campaign; however, the campaign may also result in low wages, unions being destroyed, and factories being closed.

Examining success

Compared with the anti-sweatshop movement in the Americas, the campaigns in the Mainland-Hong Kong context are somewhat different in their stated goals, and hence there is a different view of what a successful campaign is. Given the complexity of campaigns and various problems revealed in each of them, I distinguish activists' expected outcomes into four clusters. Based on a review of over a dozen reports by the six campaigns discussed in Chapter Four and Five, activists' stated goals of the campaigns include the following four clusters: 1) basic/concrete demands to improve labor conditions; 2) specific rectification of structural labor misuses (for example, labor dispatch); 3) transparency and improvement of brand-name company CSR practices; 4) trade unions and local government responsibility to protect labor rights.

Table 7 summarized the major outcomes of the six campaign cases.

Table 7 Major outcomes of the six campaigns

Disney	5 factories were no longer authorized to produce Disney branded products, 1 was shut down; other factories set up confidential worker helplines; 3 factories set up committee and made improvements; 1 conducted factory training.
Nine-Dragon Paper	Factory environment improved; subsidies for food and accommodation; cancel the fining system; but dismiss some dispatched workers.
New World China	Working conditions were improved to various degree. In GZ sites, subcontracting system was gradually cut down; some workers signed contracts; but many other problems still exist. SACOM demand for worker training, but later NWC invited IC to conduct training, effectiveness was in doubt.
Coca-Cola	Some improvements in the bottle plants in GD, such as food, payment and overtime, but little improvement in Hanghzou plant. About labor dispatch: Swire Beverage show willingness to transfer them to contract workers, but Coke-cola refuse.
Disney (SDW)	No real improvement. Some improvement in HB factory after workers' strike.
Foxconn-Apple	Some improvement in wages and overtime but work intensity increases; sign contracts for student labor.

As for the basic/concrete demands regarding labor conditions, the reports reveal that payment of wages (unpaid, delayed, less than minimum wage), excessive working hours, no contract or social insurance, occupational harm, poor food and accommodation are the most frequent violations of labor laws and workers' rights. Compared with the other clusters of demands, these basic demands regarding working conditions are easiest to achieve in the short-term, but the results may not be sustained. As outcomes of the six campaigns, most target factories improved working conditions including reduced working hours, and better food and occupational protection. A few target factories had their brand-name contracts terminated leading, in some cases, to the closure of factories.

The second cluster of campaign demands regards specific labor misuses exposed in each campaign. These labor misuses are often structural ones and are not easy to change. There might be some legal evidence to challenge these misuses but

the practices are commonly accepted in the industry. For example, in the Nine-Dragon Paper Campaign and Coca-Cola Campaign, both companies heavily used labor dispatch for some regular positions; in the New World China Campaign, the whole construction industry indulged in a labor subcontracting system; in the Foxconn-Apple Campaign, many Foxconn facilities used student workers as flexible labor. Some of these labor practices have been chronically used, while others are newly emerged to cut down labor costs. The campaign outcomes are not totally positive. Regarding labor dispatch, Nine-Dragon Paper converted some dispatched workers to regular workers but also dismissed some; in the Coca-Cola Campaign, Swire Beverage committed to carry out a conversion plan for some dispatched workers but the Coca-Cola Company refused to do so. As for labor practice in construction industry, some workers working for New World China projects finally got labor contracts, but the labor subcontracting system in the whole construction industry continues. In the on-going Foxconn-Apple Campaign, latest findings reveal that student labor is still largely used, and the only improvements involve the working conditions for students. The results show that anti-sweatshop activism may help to bring structural change to some forms of labor misuse and drag the steps of corporations in expanding such labor practices.

The third cluster of demands focuses on target brands or TNC CSR behaviors. Transparency on supplier information is a primary demand. Such demand is essential for independent monitoring by NGOs rather than existing private monitoring by business agencies. A second goal is worker empowerment inside factories. Activists often demand a "package" including: worker training on labor rights, establishment of worker help lines and election of worker committees. The third goal is more demanding: to challenge brand-name companies' purchasing practice, such as increasing the purchasing price and extending delivery time. The above goals are essentially radical in bringing change to broadly criticized CSR practices, but it is also hard to realize. Corporations are sophisticated in playing tricks with anti-sweatshop groups' demands. Brands often pay no attention to activists' demands regarding transparency or the purchasing model. Of course, business confidentiality is a good excuse. Moreover, the "worker empowerment package" seems more acceptable to brands— some target brand-name companies have already accepted activists' demand and invited NGOs to provide training and set up help lines in their production sites. In some factories, worker committees were set up to follow up labor

rights issues. However, the results were not all favorable. As expected, corporations balk at most elements of "worker empowerment". For example, training may focus on personal development rather than labor rights and worker representatives, such as worker committees, are nearly absent. In most cases, campaign groups are excluded in the process of worker empowerment and independent monitoring. Whether such a "worker empowerment package" really empowers workers during implementation is doubtful.

The final cluster of demands focuses on trade unions or government responsibility. Unlike the anti-sweatshop movement in the Americas, activists never demand that independent trade union be established. Similarly, neither do they demand collective contracts unless the existing trade union is protecting workers' rights. The reasons are discussed in Chapter Three. To readjust goals, activists urge local trade unions or governments to fulfill their responsibility. Campaigns have successfully obtained governments' attention many times, and governments have also intervened to investigate target factories. However, the effects can hardly be sustained. Unless there are real reforms within trade unions and governments, it is not realistic to expect structural changes by such bureaucratic agencies. Such reforms are beyond the campaign activists' capacity at the moment.

In sum, campaigns undertaken by SACOM, Mainland student groups and their networks have met with relative success in correcting labor violations and improving working conditions. Favorable results have been obtained in most target factories in terms of improving labor conditions and rectifying labor misuses. However, the results have been less impressive in changing corporate purchasing practice or empowering workers through CSR projects.

Beyond the four clusters of stated goals, a fifth goal was not stated publicly in the reports. That is, to empower the workers and let workers exert their own power through building activist-worker solidarity. How can this goal be achieved? Can it be achieved through in-factory CSR projects manipulated by corporations, through government intervention and protection, or any alternative way? The years of efforts by western anti-sweatshop groups and MSI, as well as SACOM's own attempts, indicate that the existing CSR model has little effect in empowering workers. In fact, the CSR value is fundamentally oriented by corporate values rather than worker empowerment.

Rather than relying on corporate CSR projects, activists tried an alternative way

to empower workers. In the cases of Disney and Coca-Cola, activists successfully built offsite solidarity with workers in supporting their demands and collective actions. Although activists could only build contacts with a relatively small numbers of workers and engaged in a few workers' actions in some specific factories, the attempts are still significant. Such activist-worker solidarity is fundamental in turning anti-sweatshop activism from a consumer /marketplace-centered to a worker-centered direction. This alternative approach can strengthen campaigns by further building activist-worker solidarity.

Expecting long-term impacts

More than the above concrete and short-term campaign outcomes, movements can have long-term, broader and sometimes unintended effects (Rodriguez, 2007). Many campaigns have not yet ended, and only five years have elapsed since the Hong Kong campaign group SACOM was set up, but it is still possible to observe some long-term and broader influence. To assess the long-term effects of anti-sweatshop movement in China, I draw on Keck and Sikkink's (1998:25) five types of network influence: (1) issue creation and agenda setting; (2) influence on discourses of target actors (in this study, TNCs, suppliers, state and the public); (3) influence on institutional procedures; (4) influence on policy changes in target actors; and (5) influence on state behavior.

To view the five typologies comprehensively, the two phases of anti-sweatshop activism has been most successful in *creating issues and setting agendas* and *changing the discursive positions of states and TNCs*. The evidence is obvious. In trans-border mobilizing, activists have given rise to a wave of student anti-sweatshop activism, and also enhanced awareness of the issue among policy makers, entrepreneurs, and the public in Hong Kong and the Mainland. Their practices compelled the targets, especially TNCs and supplier factories, to face the problem. Moreover, the public are also mobilized to join the discussion and create moral leverage.

In terms of influencing the discourses, these anti-sweatshop groups have become vanguards in breaking down state and corporation dominated discourses. Activists challenge the dominant discourses by displaying to public the miseries of workers at the bottom of global supply chains and pointing out how TNCs are involved in the workers' predicaments. Under such a pressure, TNCs have to shift

from denying the existence of sweatshops and their responsibility for them, to developing a monitoring system and a series of CSR projects to counter negative publicity and the antagonistic discourse towards such global brands. Such a discursive shift is important to the audience in China: they have been educated too much to focus on economic development while ignoring human rights and dignity. The issues are actually integrated into a broader discussion about the "Chinese model". Anti-sweatshop activism contributes to favorable discursive shifts among a wide range of actors.

In contrast, this activism has been less impressive in later three typologies of influence: on institutional procedures, policy changes and state behavior. However it still has influenced, to an extent, TNC CSR practices. After rounds of campaigns, some target TNCs claim they have tried hard to improve monitoring to avoid labor violations, as well as seeking cooperation with NGOs to carry out worker-supportive projects. Annual CSR reports regarding to labor and environment issues also becomes a prerequisite merit during the branding process of many TNCs. It is obvious that TNCs are trying hard to avoid any sweatshop scandal through a CSR industry. To what extent do workers benefit from such CSR practices? Activists have their doubts.

Explanatory factors for outcomes

Scholars studying anti-sweatshop movements in the Americas identify some explanatory factors for outcomes. In Armbruster's study (2005) the degree of trade union strength, the unity of the transnational advocacy network (TAN) and the degree of corporate vulnerability are key factors in the outcomes of a campaign. A high degree of union strength, TAN unity and corporate vulnerability can be favorable to workers, such as better wages or working conditions. In Rodriguez's study (2007), only private and public institutional frameworks (corporate codes of conduct, and domestic and transnational political opportunities) appear to significantly influence campaign outcomes. His quantitative data show that economic (capital type, brand type) and organizational factors (TAN) have little impact on campaign outcomes. Such findings are contradicted to what Armbruster discovered in his study.

Without large amounts of quantitative data, I try to look for explanatory factors using cases to better understand trans-border activism in the specific context. Most of

the campaigns examined are short or are ongoing, and therefore I decided not to score or categorize them as being either "successful" or "failed". Neither do I consider the economic factors or the private or public framework. Some factors are unchangeable during a campaign process (such as capital types and brand types), while other factors may be consequences of a longstanding movement (such as protective codes of conducts and more political opportunities). What I try to do is to identify the favorable factors that might increase the chances for campaign success from organizational perspectives — how activists may further exert their power and agency through such approaches.

Union strength is crucial to a campaign result (Armbruster, 2005). However, in Mainland-Hong Kong activism, no cases indicate any existence of trade union strength. So my emphasis turns to an informal type of workers' collective actions — workers' collective appeal, petition, or strikes. In cases when workers in target factories showed collective consciousness and if there were chances for activists to build contacts and solidarity with workers, they were more likely to achieve favorable results. In the Disney Campaign by SACOM and SDW, activist-worker solidarity in supporting workers' demands brought real changes to specific factories and contributed to campaign success.   With no trade unions, deeper activist-worker solidarity can be a temporary but important method to increase positive outcomes.

Secondly, the unity of a broadly extended network is also favorable to trans-border campaigns. Networking is important for information exchange and diffusion, action alerts and mobilization. For TNCs with products widely spread across the globe, the more widely the network can reach, and the more united the network can galvanize a global action, the more pressure can be exerted on TNCs and the more likely they will take actions to respond.

Local mobilization as a strategic shift

Beyond the two explanatory factors identified by Armbruster (2005), a third factor can be highlighted: the degree of local mobilization. "Local" here means Mainland places, especially the sites of production and the major cities of contentious activities. Local mobilization of actors involves multiple groups: workers, students and scholars, media, consumers and the public. As a "new social movement", anti-sweatshop activism involves as many supportive actors as possible, rather than merely focusing on mobilizing workers. Different actors have specific agencies and can plan different

roles during a campaign. For example, media is a good campaign partner for information diffusion and a framing tool to form alternative discourses. Students and scholars can act as crucial participants — from leaders to supportive volunteers.

In different campaigns, activists have their own strategies of prioritized local actors to mobilize. Such strategies depend on different contexts and opportunities. Table 8 illustrates how each campaign emphasizes different areas of local mobilization. A "√" indicates a high degree of effort was made to mobilize respective actors. From this table, we can see that in first-phase campaigns, local mobilization efforts included actors such as workers or the media. In second-phase activism, there is a growing degree of local mobilization on various actors. In the Coca-Cola and the Disney Campaign (by SDW) attempts are made to mobilize all four groups of actors.

Table 8   Local mobilization in the six campaigns

Campaigns/ mobilization of local actors		Workers	Students and scholars	Media	Consumers and public
1st phase	Disney (by SACOM)	√			
	Nine-Dragon Paper			√	
2nd phase	New World China		√	√	
	Coca-Cola	√	√	√	√
	Disney (by SDW)	√	√	√	√
	Foxconn-Apple		√	√	√

Such a trend in second phase activism marks a transition of strategy from external pressure/support from Hong Kong and overseas groups to a higher degree of local mobilization. As some scholars have noted, sustained transnational solidarity is most successful when high profile transnational corporate campaigns are tied to strong local organizational capacities (Armbruster 2005; Frundt 1999; Mckay 2006). The most effective strategy for protecting labor rights often combines international solidarity as external support with effective local mobilization. But scholars mostly emphasize "labor unionizing" by local mobilization. Instead, I contend that workers are important but not the only actors to mobilize. With limited political opportunities to unionize workers, activists focus on multiple actors; each can exert their own power.

In fact, the strategic shift results in many appreciable impacts which should not only be measured concretely. Besides improving working conditions for workers, a

long-term effect may be that it has boosted trans-border anti-sweatshop activism and civil society actions in the country. The participation of local workers, students, media and consumers not only contributes to positive outcomes, but also brings hopes to such a new social movement that joins various local civil society strengths. Such effect can be positive in the long-term but this is not calculable.

Breaking through the boomerang model[109]

In the previous two chapters, six boomerang models were sketched out for the six campaigns. The modified boomerang models have to some extent revised the typical boomerang model innovated by Keck and Sikkink (1998) and thus supplemented the theory of transnational activism. These cases tell different stories from extant studies. In Keck and Sikkink's model, the boomerang effect occurs when claimants come up against blockages in redressing grievances within a domestic context, and then seek help from a foreign organization(s) or "external elites" in different national setting(s). Such a transnational network then applies pressure on relevant transnational targets or to a transnational governance entity, which can be helpful in solving the original problems. Such "external pressure" then can be transferred to the domestic target which will be urged to resolve the original grievance. This conceptual model, for the most part, is very useful in analyzing trans-border anti-sweatshop campaigns.

The most significant modification is *bidirectionality* between claimants and external supporters. In contrast with the one-way help-seeking approach from domestic claimants to external elites, the six cases demonstrate a more complex and multilateral correlation among actors. In my cases, Hong Kong activists are not pure external elites waiting to collect domestic information, but have transferred their agency from the outside to help the original claimants. Moreover, workers and other domestic activists are not purely claimants only seeking support from the outside. They also played a very positive role in their positions. As a result, SACOM and

---

[109] The word "boomerang" continued to be used to describe the six modified models. A boomerang originally means a "curved flat wooden missile which can be thrown so that it returns to the thrower if it fails to hit anything", according to Oxford Dictionary.   According to this definition and Keck and Sikkink's (1998) theory, the "thrower" should be the original claimants in a domestic context, and finally the boomerang effect should come back to the claimants. However, in the six modified models, anti-sweatshop groups in both mainland China and Hong Kong often became the thrower, while the effect returned to workers. This situation varies from the original meaning of the boomerang pattern. However, in order to keep it consistent with other transnational social movement or anti-sweatshop movement studies (such as Armbruster, 2005; Garwood, 2011), the word "boomerang" is used throughout this thesis.

Hong Kong activists are movement conveyors and bridges among domestic groups and external elites.

Figure 13 illustrates a comparison of the original boomerang model with another five revised models. First, in terms of information conveyors, activists not only wait for domestic claims from workers, but they also initiatively look for labor abuses or illegal practices by flinging themselves into various kinds of industrial communities where workers have no access to external assistance. In all of the five revised models, workers (as claimants) and activists (both domestic and overseas) build bilateral relations for information conveying.

Second, as movement conveyors, Hong Kong activists not only rely on overseas anti-sweatshop activism, but also actively transfer and build movement tactics and resources for local mobilization and domestic contention, to facilitate direct pressure on the original target. Keck and Sikkink implicitly suggest that since domestic claimants encounter some barriers within their national context, the TAN/external elites are the "primary" agent of social change. The practices in China, however, indicate that seeking external support is not the only approach. Instead, there are many other domestic resources (rather than the original claimants) to mobilize and counter such a barrier; that is, mobilize resources locally. As a result, the one-way boomerang model can be supplemented with domestic actors, double-effect (both boomerang and direct effect) and a multi-target strategy (targeting brands, suppliers/contractors, governments at the same time). For example, the C and F model in Figure 13 illustrate how the multi-target strategy is applied and how the double effects are generated. In addition, the D, E and F models of second-phase activism reserves a position for domestic groups, an outcome as well as momentum for local mobilization.
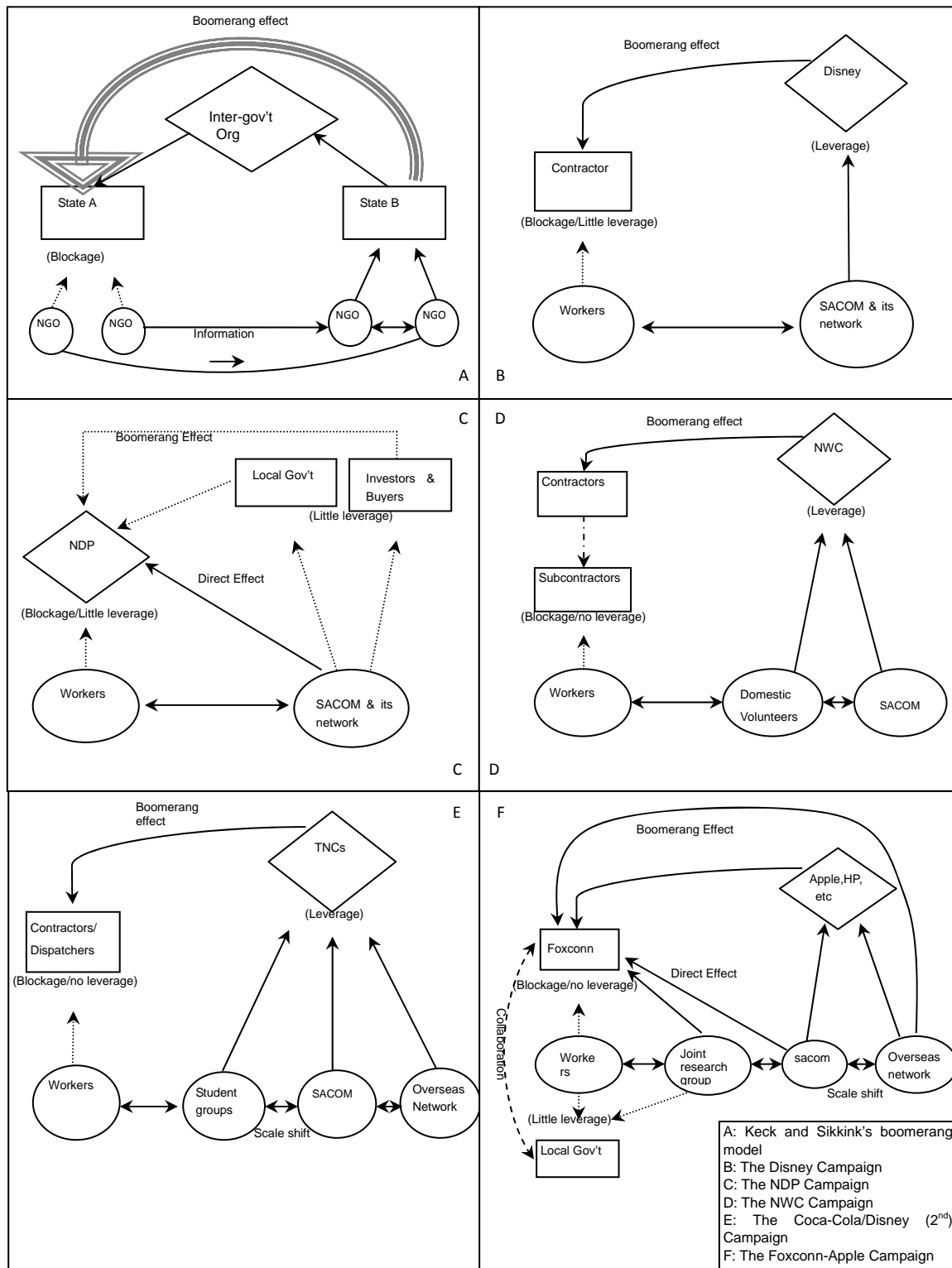
Figure 13   The original and modified boomerang models

Finally, local mobilization and domestic contention also strengthen the capacity of the global anti-sweatshop networks through the bridging of Hong Kong activists. The special geographic and political position of Hong Kong means that Hong Kong activists can act as brokers to bridge such trans-border activism. This tie connects local contention and external support, which was previously divided. Moreover, the various local actors (student groups, workers, media, and consumers) are also organically connected to a network. Consequently, trans-border anti-sweatshop networks (although loosely connected) are formed at the "local-domestic-global" levels.

Understanding "trans-border" activism

In this chapter, we can see the different tactics and activities adapted in different contexts and political settings and the interweaving tactics that build up the repertoire of trans-border contention. But trans-border activism in the context of Hong Kong and mainland China's means more than a summation of all these activities. Trans-border activism between Hong Kong and mainland China differs from other transnational activism in several aspects. The major difference may go back to the understanding about "border".

For most transnational or trans-border social movement theories, "border" refers to boundary separating the territory of one nation from another. However, in the context of Great China, the meaning of border is more complicated as illustrated in Chapter One. Border here can be understood as a boundary separating two regions (not nations) with division in political regime, economic system, or cultural aspects. But the two regions also share many similarities and are now highly integrated since the return of sovereignty of Hong Kong to P.R.China. With the emergence of entrepreneurial city strategies, Hong Kong has become "a global-gateway city" of China that serves as: (1) a regional hub to provide producer services mediating between China and global markets; and (2) a regional financial centre for global-regional capital seeking potential fields for investment in China (Sum, 2002). It is this role of Hong Kong that facilitates the emergence of the biggest sweatshops in the Mainland and the same reason for the emergence of cross-border pro-labor and

anti-sweatshop activism by Hong Kong activists.

Therefore, for the first aspect, the emergence of labor NGOs in China, especially in the Pearl River Delta, is highly relevant to the support from Hong Kong labor groups. Without cross-border support from the other side of the border, Mainland-based labor NGOs might not had been burgeoning during the 2000s. Hong Kong labor NGOs not only facilitate the emergence of local or national pro-labor practices, but they have also been important in transferring values, knowledge, working skills, social movement tactics and any other necessary skills to foster local activists and local actions. In this sense, we can consider that part of the national arena of labor politics is created by these trans-border activists. In contrast, most transnational movement studies focus on the way that how different organizations in different nations are networked and coalesced with each other across borders to create new arena or link up various national arenas for various issues.[110]

For the second aspect, similar as its global-gateway role as an entrepreneurial city, Hong Kong labor groups also function as a global-gateway of anti-sweatshop movement: (1) a regional broker to conduct factory research in China and disseminate national conflicts to the global anti-sweatshop network; and (2) a regional communicator that links with local NGOs/activists working directly with workers and transfers necessary resources to local partners. The role as a regional broker and communicator of Hong Kong labor groups is embedded in geographical, cultural and historical contexts, which can be hardly replaceable. A most obvious example is: very few Chinese local activists can communicate fluently in English with overseas allied organizations. In contrast, Hong Kong activist can play this role well because most of them can speak good English due to Hong Kong's colonial history.

Finally, Hong Kong also offered activists a relatively open political environment. Citizen rights such as freedom of speech, freedom of association and demonstration are guaranteed. Therefore, most sweatshop information can be reported and many protesting actions can take place in Hong Kong. In contrast, Mainland activists can hardly take such transgressive actions otherwise actions might be suppressed and activists might even be arrested by the authorities. The different political system in Hong Kong to some extent protects the activists' personal safety, at the same time

---

[110] See for example: Smith, 1997; Garwood, 2011.

allows the activists to use whatever legal tactics to raise issues in the neighboring city. Such a protective mechanism is so important that it guarantees the activists free from political persecution and makes subsequent trans-border activism sustainable.

In sum, trans-border activism between Hong Kong and mainland China shares many common characters as other transnational social movements in terms of campaign strategies, tactics and framing process. However, the special position of Hong Kong entrusts Hong Kong activists with a unique role that makes their cross-border activism different from others.

Concluding remarks

This chapter has analyzed anti-sweatshop activism in the Hong Kong-China context using key elements of social movement and transnational social movement theories. Based on such theories, the study has modified and supplemented existing findings regarding anti-sweatshop movement processes, tactics, framing, the boomerang model, and ways to assess campaign outcomes. With such elaboration and analysis, the study has explored the similarities and specialties of anti-sweatshop activism in the Hong Kong-Mainland context compared with others. Beyond scholarly screening of the campaigns, the study also practically indicates ways to analyze the limits of activism. This chapter discusses the newly emerged trends of anti-sweatshop activism occurring in many parts of the global south. Activists are linking domestic contention and global campaigns to bridge the gaps between workers, consumers and other parts of civil society. They are seeking alternative ways to challenge corporate labor practices using tailored tactics and frames in the local context.

Chapter Seven

Conclusion: Changing Anti-sweatshop Activism and Implications for an Emerging Labor Movement in China

This study starts from a "counter-hegemonic globalization" perspective to explore the negative impacts of the expansion of global capitalism. With a specific focus on Chinese workers, the multi-layered factors behind their predicaments are discussed. By looking at the changing labor relations in the past decades, I believe that workers' predicaments are strongly related to the processes of marketization and privatization in China. Transnational capital characterized by TNCs has definitely accelerated and aggravated the processes. However, workers are not passive victims of these processes; neither are civil society groups or the public simply observers. Counter-movements have been aroused in response to the trespass of capital. Chapters Three to Six provide insights from transnational activism, and key social movements to explore pro-labor and anti-sweatshop practices across Hong Kong and Mainland China. With careful examination of six anti-sweatshop campaigns, I discover the growing power and evolving patterns of activism in China to contest the hegemonic and dominated global economy.

In this concluding chapter, I further summarize the evolving patterns of trans-border anti-sweatshop activism in Greater China, as well as pointing out limits and obstacles. But the potentials are also embedded in the existing limits. The activism has been evolving over time but is still at an incipient stage. It is promising that such activism adjusts itself to further exert power. Therefore I further discuss the new possibilities of deepening solidarity across several divides in terms of political, national, cultural, and class differences.

The changing patterns of trans-border anti-sweatshop activism

Chinese trans-border anti-sweatshop activism, originating in Hong Kong, has demonstrated its vitality with changing patterns to keep pace with the changing situation. It has successfully opened up the vacuum in the Mainland and challenged abusive labor practices. To give an overview, this activism has generally experienced

three different patterns according to the time frame (with the later two conceptualized as the first-phase and second-phase activism)

1) From the mid-1990s to the early 2000s: anti-sweatshop campaigns were not frequent and were mostly triggered by very serious labor abuses or accidents, such as massive occupational deaths or diseases. At this stage, there were no specific anti-sweatshop organizations and campaigns were mostly run by temporary coalitions of labor NGOs and other civil society groups. Campaigns were passively launched without long-term agenda setting.

2) From mid 2000s to 2008: Since the establishment of the first anti-sweatshop group, SACOM in Hong Kong, a more systematic strategy for the anti-sweatshop movement was developed. The organization started to strategically choose brand-name corporations or TNCs as targets, and urged them to bring structural changes in their supplier factories. At this stage, resources were mostly mobilized in Hong Kong and western countries to support the campaigns; some small-scale worker-activist solidarity was built, but with no mass participation by workers.

3) After 2008: the anti-sweatshop model was gradually introduced and adapted in the Mainland by domestic student groups, and more domestic resources were mobilized to support campaigns. At this stage, a domestic-Hong Kong-global anti-sweatshop network was built; domestic groups have built closer connections with workers in supporting their own struggles; various methods to engage and empower workers were attempted.

From these changing patterns, we can see that anti-sweatshop activism in China has taken a different path compared to other western-led anti-sweatshop or labor movements. This path was primarily initiated by "external elites" (activists in Hong Kong and abroad), but was gradually guided by "local mobilization" of workers, media, students and other resources, a combination of "external pressure" and "local mobilization". Domestic actors have moved "from the margins to the center" (to use Bell Hooks's famous words). This seems to stand in contrast to many other labor movements which claim to uphold "new labor internationalism" or "transnational unionism". Such claims often start from a trade unionism perspective, and take it for granted that independent trade unions already existed at domestic levels and transnational solidarity of these trade unions should be ready. However, my study has demonstrated a different path to transnational solidarity in promoting labor rights in a

country where workers' real representation and organizations are still absent.

In China, workers' associational power is still fundamentally weak and official trade unions, the ACFTU and its subordinate unions, cannot really represent workers' interests under all circumstances. Some "external pressure" becomes necessary and is crucial in protecting and promoting worker rights. To avoid such "external pressure" leading to a potential "paternalism", transforming pressure into workers' own power or other local actors' power becomes crucial. SACOM and domestic student groups have been successful to a large extent in seeking effective local mobilization. SACOM, the initiator of many campaigns, has helped develop a movement and fostered activism across the border rather than mere "external elites". It is likely to become a broker or a bridge in connecting domestic anti-sweatshop networks and global movements.

Limits and potentials

As discussed in previous chapters, anti-sweatshop activism in Greater China has used a brand-based strategy, and has gradually combined external pressure and local resources to create a boomerang and direct effect on campaign targets. This brand-based anti-sweatshop activism has shown its power in forcing companies to make changes regarding labor conditions. By reviewing the six campaigns and the evolving models of the trans-border network, we know how this power is formed and to what extent this power can contribute to improving labor rights. However, it is obvious that such activism is not omnipotent. The activism itself has faced many internal limits and external obstacles. Unlike their western counterparts, whose biggest challenges are "capital mobility", "corporate intransigence/repression", and the movement's declining "capacity to shock, inspire, and motivate the public" (Armbruster, 2005), anti-sweatshop activists in China are facing significantly different obstacles. What are these challenges? Can they be overcome? In the following part, I will discuss these questions, as well as exploring the potentials.

Limit regarding unbranded producers

First, the brand-based strategy itself is limited: it has little leverage over unbranded producers. As explained earlier, the strength of a brand-based campaign rests on the public prominence of target corporations. The more famous the corporations or

products are, the more attention they have with the public, with more damage done to the image of targets. However, millions of firms exist that make non-branded products. These firms share the market not because of brands, but because their products are cheap and cost effective. Therefore, the use of sweated labor is embedded in these factories. What can activists do regarding non-branded firms? Anti-sweatshop activists admit that they can do little about this problem.

Not only does activism have little to do with those unbranded firms, but it also has been criticized for letting off the competitors of target corporations, which may have their products made under similar labor conditions (Klein 2000: 422). For example, the giant electronic manufacturer Foxconn has been providing services for almost all top IT brands: Apple, HP, Nokia, Motorola, Samsung, LG, Sony, and so on. But in the Foxconn-Apple Campaign, activists singled out Apple as the main target, not only because Apple has been criticized as the toughest buyer, but also because Apple has quickly dominated a big market for mobile electronics and is becoming the most valuable IT brand. How about other IT brands? Are they treating labor more fairly than Apple? The answer is obviously no. All the electronic products are assembled in the same factory under very similar conditions. Based on such understanding, people may ask: which brand can we choose? After all, we need to use mobile phones and computers.

All anti-sweatshop activists may have similar answers to the above doubts. As one anti-Shell activist says:

> "*It is important not to make people feel powerless...If we tell them all companies are guilty, they will feel they can do nothing. What we are trying to really do, now that we have this evidence against this one company, is to let people have the feeling that they can at least have the moral force to make one company change.*" (Klein, 2000:423).

Brand-based anti-sweatshop activism, after all, can only challenge specific companies, but it is a stepping-stone for the whole counter-hegemonic movement. It is not all-powerful, but without it the anti-corporate activism can hardly start and expand. The significance of such activism is that it encourages various actors to be involved in public scrutiny of corporations and enables concrete changes that people might see. Such processes of mobilizing resources and raising consciousness is important, otherwise people will passively wait until one day their world is

surrounded by undefeatable multinationals with indisputable control over lives.

Limited consumer leverage

Confronting unbranded or untargeted corporations may not be possible using a brand-based anti-sweatshop approach but there are still much to do to enhance the capacity of existing campaigns and broaden impacts. Anti-sweatshop activism in China is far from perfect for many reasons, and this leaves space for activists to reflect and reinforce their tactics and actions.

One of the most obvious weaknesses of the current campaigns in China is the limited capacity in mobilizing consumers. Consumer leverage is a crucial element of the contemporary anti-corporate movement. Consumers are the final target of corporate branding and they can also become important actors and audience of anti-corporate activism. However, it is obvious that no single consumer can challenge a company's marketing system and create enough pressure on the company. After all, consumer leverage involves a considerable number of ethical consumers exercising their "interwined forces of economic power and moral responsibility" (Glickman, 2009: 6). One of the most important tactics is to exert consumer leverage in mobilizing and networking consumers with common concern and values over a social issue, such as labor and the environment.

China is becoming a more important consuming country, and anti-sweatshop activists also need to extend their audience to Chinese consumers. The move from first-phase to second-phase activism is evidence of their efforts to mobilize domestic consumers. In initial attempts to bring Chinese consumers into the anti-sweatshop arena, activists have faced many difficulties. The first difficulty is the fundamentally weak consumer consciousness in China. Most consumers are concerned only about price and quality rather than how products are produced, and whether they are produced using sweated labor or pollute the environment. Most consumers are still unaware or unconcerned about the conditions of these processes.

The second difficulty is the lack of resources and space to organize dispersed consumers. The anti-sweatshop groups or networks explored in this paper are mostly non-membership-based, but some set up email groups which only include small numbers of people. The loose and flexible contacts leave concerned consumers unorganized, and therefore it is difficult to generate collective consumer power to counteract powerful corporate activities. Despite limited political opportunities for

consumers' contentious activities, the mass media, including the internet or cyberspace provides a good platform for consumer organizing. There is still a large space for activists to explore to better aggregate the collective power of dispersed consumers. The emergence and popularity of social network sites (such as Facebook, Twitter, and Weibo) has made it easier to publish and spread news rather than merely relying on traditional media. Such technology has already greatly impacted mass mobilization and contention in China, such as regarding the Wenzhou train crash in July 2011.[111] New technology provides new space for many activities, including anti-sweatshop campaigns. It can be used to disseminate messages to the public and "netizens", and enable internet-based mobilization for social participation.

With the continued efforts of activists, the current situation may change. Consumers are primarily educated during the campaigning process rather than immediately becoming powerful actors. It is promising that consumers are increasingly engaged in anti-sweatshop activism and have become more organized and networked. With the growing awareness and networking of domestic consumers, the anti-sweatshop movement in China can be integrated with a potential consumer movement in the coming future.

Limited worker mobilization

In both of the two phases of anti-sweatshop activism, workers are important actors in campaigns. However, in existing campaigns, the degree of worker participation is low and small-scale. In cases where workers are supported to struggle against employers, only small groups of workers are actually involved. Generally speaking, only a small number of workers can be mobilized and empowered during a campaign.

There is some evidence to show that successful anti-sweatshop campaigns are often combined with strong local mobilization of workers (Armbruster 2005; Frundt 1999; McKay, 2006). To successfully mobilize local workers, community-based worker organizing is a most important element (McKay, 2006). With multiple organizational forms (labor NGOs, trade unions) based in the community, activists

---

[111] On 23 July 2011, two high-speed trains travelling on the Yongtaiwen railway line collided on a viaduct in the suburbs of Wenzhou, Zhejiang Province. A total of 40 people were killed, and almost 200 were injured. The news of the crash was first released by passengers trapped on trains through *Weibo* (http://weibo.com) and was disseminated. Debate and discussion was also aroused through *Weibo* and included criticism of governments and the railway department.

can build contacts and solidarity with workers during daily struggles; however, compared with mobilizing media, consumers or other target actors, mobilizing and organizing workers demands long-term efforts, such as day-to-day communication and support.

However, the job of daily organizing workers is beyond anti-sweatshop groups' organizational capacity and scope. Although campaign activists realize the importance of local worker-organization building and they have actually made efforts to build contacts with workers, it is not feasible for them to set up community-based organizations for daily organizing. After all, each campaign targets one to several brands or TNCs a year, and each company has a dozen or even a hundred supplier factories dispersed in China. Anti-sweatshop activists cannot use such a strategy.

Anti-sweatshop groups have limitations regarding community-based mobilizing and organizing of workers, but some approaches can deepen the degree of worker mobilization. One approach is to build solidarity with local labor NGOs and involve them in anti-sweatshop activism. Campaign groups can focus external pressure (media attention, public pressure, TNC intervention). Moreover, local labor NGOs can mobilize workers and help them to realize their collective voice. Examples have demonstrated the power of this kind of method, but the local political context has exploited much space for the solidarity between the two types of organizations. For example, the Disney Campaign of 2005 involved participation of a locally-run labor NGO, but the campaign also brought some risk to the NGO, which was finally shut down and relocated. Most community-based labor NGOs now prefer to keep a distance from anti-sweatshop campaign groups to maintain their own survival.

A second approach, which has demonstrated some power in second-phase activism, is to deepen solidarity between students and workers. Second-phase activism has made attempts to build student and worker solidarity; however, this needs to deepen and be extended. Activists can pick typical worker communities and recruit nearby student volunteers to set up informal service groups. Such kinds of informal voluntary groups can play the role of local labor NGOs to build regular contacts with workers express their collective voice. This model has been tested in the Beijing student voluntary network serving construction worker. It has already helped raise issues concerning the construction industry.

In summary, the existing anti-sweatshop campaigns have had some success but they also have limits and face obstacles. To overcome such obstacles, activists need

to pay more efforts to mobilize consumers, students and workers and boost local organization. Creative tactics need to be adopted to exploit more space under the existing political context: a "knocking-brick" to knock at the current political structure.

The future of student-labor solidarity

Anti-sweatshop campaigns illustrated in previous chapters have demonstrated a special pattern of student-worker solidarity in both phases of activism. In both phases, students have been important participants or even leaders of campaigns. Particularly, in second-phase campaigns, i.e. the Coca-cola Campaign and the Disney Campaign, the student-labor relationship moved forward when domestic students worked covertly in factories. Based on such a close relationship and geographic convenience, students were able to keep continual contact with workers after they left factories to educate about labor law, monitor conditions in factories during campaigns, and support workers' own struggles in some cases.

Most students participating in these anti-sweatshop activities were primarily motivated by humanitarian concern for migrant workers who suffer from inhumane working conditions. They might go into industrial zones to stay for a couple weeks to investigate factory conditions, or they might work covertly in factories as frontline workers for one to two months. Those who become workers and spend their whole vacation in factories should be applauded for their devotion and courage. Media and the society were curious as to why these students decided to do such things; most university students are busy seeking internship at large corporations, or taking various exams, or working. After I attended some sharing meetings with these students, I understood what motivated their participation. These students have a common background: they mostly come from rural areas of China, and their family members or relatives are working or once worked as migrant workers in urban areas.

These students, growing up in the middle-lower class, have some inborn sympathy for migrant workers, regardless of them being factory workers, construction workers or other informal workers. Such an "emotional tie" with the working class is different from a mere humanitarian concern, and it drives the students to build closer relationships with workers they got to know. They have a better knowledge of migrant workers and can easily make friends with their fellow

workers. Because of their origins, they often have more in-depth understanding of the workers' predicaments and sorrows. Such an "emotional tie" may mean that more low-born students will be involved in labor issues and hence influence fellow students by raising awareness.

Because of the geographic convenience and the "emotional tie", we may expect students to go further in supporting a potential worker movement. In what way can student activists strengthen solidarity with workers? From exotic experiences, there are two typical patterns in developing student-worker solidarity to promote labor rights. The first pattern is represented by U.S. students launching campus-based anti-sweatshop movements; the second involves a South Korean student-worker alliance. In what ways are these two patterns relevant to practice in China?

Towards a U.S. campus movement?

The most recent model of student-worker solidarity involves the American student anti-sweatshop movement. Students have been a powerful force in the American anti-sweatshop movement since the late 1990s. U.S. college students, motivated by humanitarian concern for workers who suffer inhumane conditions in the global south, launched a series of campus activities, such as sit-ins, demonstrations and occupying buildings (Appelbaum & Dreier, 1999; Klein, 2000). The movement was regarded as "the largest wave of student activism to hit campuses" since the Anti-apartheid Movement in the 1980s (Appelbaum & Dreier, 1999).

The strategy of choosing a campus-based movement is closely related to the "collegiate licensing industry", led by major apparel companies like Nike and Champion who make great profits by using campus logos on caps, sweatshirts, jackets and other items. Companies pay colleges and universities sizable royalties. To generate pressure on target companies, student activists need to persuade universities to require these manufacturers not to use sweated labor. In addition, as the biggest group of consumers of these apparel products, students also have "material leverage" over these branded companies. The first victory was gained at Duke University by imposing a "code of conduct" for Duke licensees. The victory quickly inspired students on other campuses and accelerated the level of campus protests. Activism later encompassed more than one hundred campuses across the country, and successfully persuaded universities to limit the use of their names and logos to sweatshop-free apparel (Appelbaum & Dreier, 1999).

Student activists in China can learn from the experiences of the U.S. campus anti-sweatshop movement, despite the distinct political and economic contexts. First, they must realize the network and resources in campus can be made good use of. There are pre-existing networks among university students; such networks are expandable and both online and offline. They are within campuses, but at the same time information can be diffused through students' intercrossed networks. These networks can be good platforms to raise consumer awareness and arouse humanitarian concern for workers.

Second, the reciprocal relationship between colleges/universities and their licensed manufacturers has been vital for U.S. students to exert their leverage through the university authorities. There is no general "collegiate licensing industry" in China, but there are numerous small or large suppliers or manufacturers producing a variety of campus-related goods consumed by students. For example, there are computer/laptop promotion programs in campuses each year. There are also a number of brand food and beverage promotions from time to time. The relationship between these suppliers or manufacturers and the universities is vague and require students to further investigate profit chains. Students may need to select some handy brands or products and start targeting companies directly. And then they may explore the space to impose leverage on companies through universities. This is a big challenge and involves a process of democratization in universities. Autonomous student groups need to participate in decision making, presently dominated by university authorities.

Third, the tactic of organizing within and across campuses is something for the Chinese student activists to learn from their U.S. counterparts. However, since most contentious activities are prohibited on China's campuses, student activists have to create alternative tactics to express their concern and draw attention. CCSG and SDW demonstrate examples of "guerilla campus activities" to evade university authorities' surveillance. However, those are far from enough to draw mass attention or involve more students. Student activists need to use more tactics to expand networks; at the same time, they also need to protect themselves from being punished by authorities.

The experiences of the U.S. campus anti-sweatshop movement are valuable to explore a path for student-labor alliance in China, but there is little possibility that student activism can significantly build in China in the coming years due to the

numerous controls on student activities. Such controls are all encompassing: from top-down regulations to dominant discourses, from curriculum setting to daily surveillance. All these controls aim to prevent students from becoming a major force for social transformation. There is a long way to go to undo these controls. Student activists may learn from their U.S. counterpart in utilizing campus-based resources, further develop networks, and explore the campus space for creative activities wherever possible to spread their concern.

Towards a South Korean student-worker alliance?
Studies of student activists supporting the labor movement in South Korea during the 1980s provide great insight and possibilities to explore the deeper student-worker alliance in the Chinese context. The Korean labor scholar, Hagen Koo (2001), summaries two strategies related to student alliances with workers. A major and popular strategy for university students or graduates to engage into the labor movement is to find a job in factory and become industrial workers. According to Ogle (1990:99), there were about 3,000 or more students-turned-workers by the mid-1980s in South Korea. These students built "factory-based groups" and absorbed workers as members. Through these groups they studied labor laws, labor history, trade unions, and discussed labor management in factories to enhance class consciousness and cultivate class identity among the rank-and-file workers. The students-turned-workers believed that such activities were groundwork of any large-scale labor mobilization in the future (Koo, 2001:130-136).

Another strategy adopted by other student activists seemed more ambitious. They insisted that a more effective strategy was to organize the masses of workers at the level of industrial areas, rather than at the level of individual firms (adopted by the first strategy), and to develop "political organizations" to coordinate and guide worker struggles at regional level. This approach, called "area-based labor movement", was deemed useful in promoting workers' political and economic interests, allied with a local political movement (Koo, 2001:105-109).

The South Korean model of student-worker solidarity has greatly contributed to mobilizing the Korean labor movement and hence to industrial democratization and political transformation. The success of the South Korean model is closely related to the political situation in the 1980s when democratic transition became the most urgent demand of society. The students were primarily motivated by humanitarian

concern for workers but later they realized the working class can become a key force for social development. They no longer looked at workers as mere objects of humanitarian concern, but as important political allies and a potentially powerful force for social transformation (Koo, 2001).

When we compare the conditions of South Korea in the 1980s and present day China, we may suspect whether such conditions are available in China to build student-worker alliances to the extent and scale as in South Korea. Although existing campaigns by Chinese student groups have demonstrated some progress in breaking through the "vacuum" of student involvement in labor issues in the past decade (since 1989), analysis is needed of the factors that limit student-worker solidarity moving towards a South Korean pattern.

From the current experiences of two student groups, CCSG and SDW, there are some weaknesses. First, the turnover of students is high. The two groups have five to ten members, and about 80% leave within a year. These students drop out from groups not because they plan to enter factories as long-term workers, but usually because they focus on their own business and can spare no more time for group activities. For those who are about to graduate, they need to look for jobs, usually as white-collar workers or civil servants rather than factory workers; only a few choose to work in labor NGOs to continue supporting workers. Most students cannot imagine working as factory workers even after they have participated in anti-sweatshop groups. They respond that they face pressure from families, friends and society. As in traditional social norm, those with university degrees find better jobs than factory workers, and those do not attend university may become workers. This "norm" is rooted in many minds, particularly those parents who work hard to support their children to go to university. Factory jobs are normally considered as having "no future or money"(*Mei qiantu,*没前途/没"钱"途), except factory management or engineers. Such a generally accepted viewpoint generates great pressure on young graduates who are willing to promote labor rights at factories. Therefore, the majority of the students shed their ideals and looked for other promising jobs while a few of them stay and work in NGOs.

Student activists are said to be "trapped between ideality and reality". Their intensive involvement in labor issues during school time indicates a concern beyond mere humanitarianism, and they may also believe that workers can become an important social force. However, they are faced with "realities" as they graduate: to

pay back to families, to make a decent life, to earn money for marriage, or to buy an apartment or a car. All of these mainstream objectives face most young people in China today. Students enthusiastic about promoting labor-right have a difficult choice to make.

Innovative adaption

It seems that neither the U.S campus movement nor the South Korean student-worker alliance is immediately relevant to the Chinese context. Activists must start from China's own circumstances and adapt these exotic methods. The existing practice of student anti-sweatshop activism has both strengths and weaknesses as discussed above. If weaknesses and political limits cannot be overcome in the coming years, it is necessary to accentuate strengths and explore space to carry out creative activities.

Mainland student anti-sweatshop groups have had successes to indicate the possibility of student labor rights activism. The further involvement of students may include both an open and mass mobilization approach for general students and a covert targeting approach for core student activists. The first possible approach can be extended to the mass of students. It may include advocacy to improve workers' wellbeing, and participation in worker-supporting services. The vision of this approach is to first raise public awareness of workers' predicaments and ethical consumption and then create public pressure on governments and corporations to fulfill their responsibilities in enforcing relevant laws and codes of conducts. Concretely speaking, students can be mobilized to participate in a variety of industrial investigations or surveys, understand the conditions of workers in different sectors, and advocate to change policy or corporations' responsibilities. Furthermore, students may provide worker-supporting services for nearby workers and industrial zones. For instance, they can spread knowledge of labor laws and provide consultancy for workers. This approach starts from a humanitarian concern for workers, and it is likely to be carried out openly and be generalized among the mass of students. The mass-mobilization strategy may be able to sustain activities even if a high turnover of students can only devote their spare time on such activities.

The second approach places focuses on worker mobilization. This approach requires students to work closely with workers in their struggles against capitalist employers, so students need to turn themselves into workers or work closely in industrial zones so that they can conveniently support workers in need. The strategy

would not allow the mass participation of students, considering political control. Instead, those who are willing to devote their time and effort to empowering and allying workers are targeted. Students may learn from the South Korean students-turned-workers in building close connection with workers. Besides turning themselves into workers, they might also settle down in industrial communities, join labor NGOs or establish their own organizations. They may need to maintain partnerships with external supporters such as anti-sweatshop organizations so that a combination of local mobilization and external pressure can bring changes. To evade surveillance or even repression from the authorities, they need to work covertly and keep network/organizations informal.

University students, youthful and educated, are most likely to be spurred by progressive values: equity, justice, democracy and freedom. They may become a potentially powerful force for social transformation. They are still seeking a way forward in their quest for a more just society, in which wealth and power are distributed more equitably. There are a variety of methods to be involved in social transformation. Some realize that their participation in labor struggles may lead to a more just labor-capital relationship, and a more just society. Yet, student participation is minor. More students and resources need to be absorbed into the movement, and new tactics need to be adapted to meet changing environments.

Implications for an emerging labor movement

The year 2010 has been described as the "year of labor-capital relations" by media and academics. A wave of labor protests hit China and marked 2010 as a milestone in the history of labor relations. There were the suicides at Foxconn in Shenzhen, and nearby Foshan, about 2,000 workers went on a two-week strike at a Honda component manufacturing factory, halting production in four Honda assembly plants (A.Chan, 2010). Distinct from Foxconn workers who suffered from desperation and committed suicide, Honda workers demonstrated their power with collective action and successfully gained wage increase and an opportunity to reform the official trade union. Foxconn and Honda workers are only two typical examples, indicating that the methods chosen by workers to protest against their plights can be very different. Therefore, it is necessary to analyze the current and new forms of worker struggles, so that we may further explore ways in which NGOs (including service-oriented and

anti-sweatshop groups) may support them.

Patterns of labor struggles in China

Being deprived of the right of association and lack of any autonomous labor organization to represent their interests, workers seek a variety of methods to express their discontent and grievances. These methods can be individual or collective, passive or proactive, and legal or illegal. The suicides of Foxconn workers can be categorized as a most individual and passive method, which only demonstrated desperate resistance. Desperation can sometimes lead workers to act irrationally and illegally. *Liu Hanhuang,* a migrant worker from Guizhou, is another shocking example. *Liu* was once a worker at a Taiwan-invested hardware factory in Dongguan city, Guangdong. In 2008, *Liu* got injured during work and lost his right palm. The labor arbitration committee judged that the factory should pay *Liu* RMB 180,000 *yuan* in compensation; however, factory management refused to do so. After negotiating with the management for several months, *Liu* was unable to get the whole compensation. Management only agreed to pay half. *Liu* was so angry that he killed three Taiwanese managers in front of his co-workers. *Liu*'s tragedy reminds us that labor relations are actually conflictual, and workers are often vulnerable and powerless. To resort to violence was obviously not *Liu*'s original intention, but it was a helpless, desperate reaction when there was no solution within the legal system.

While some workers desperately seek individual solutions, workers' collective protests also grew from the late 1990s onwards (A.Chan, 2001; C.K.Chan & Pun, 2009; Lee, 2002;). In recent years, workers in foreign-invested enterprises in Southern China have more frequently resorted to strikes to express their discontent (C.K.Chan & Pun; 2009), but comparative studies also show that the density of strikes in Guangdong Province is not as high as in a similar region in Vietnam (A.Chan & Siu, 2011). According to studies of workers' collective actions, strikes appeared to be "scattered, spontaneous, unorganized" in the early 1990s (W.Y.Leung 1998:44) and were described as being about "decentralization, cellular activism and legalism" during the early 2000s (Lee, 2007:236). Later empirical studies also found out that workers' demand can go beyond the "legalism" and legal standards, shifting from rights-based protest to interest-based ones (A.Chan & Siu, 2011; C.K.Chan & Pun, 2009). Despite growing collective protests and progressive trends (interest-based demands, good internal solidarity, diverse protest repertoire, the use

of new technology in networking) in strikes, such as the Honda Strike, there is as yet no evidence showing that the class consciousness of general workers has attained a qualitative leap, such as trade union consciousness (A.Chan & Siu, 2011), or that collective actions have formed a labor movement (Beja, 2011). Even the remarkable Honda Strike was considered "spontaneous", "short-lived", a "single-workplace" struggle, and was unable to establish a democratic and representative trade union (A.Chan & Siu, 2011; Beja, 2011). Observers point out that this stage of collective actions is far from creating a labor movement (Beja, 2011) and the level of class consciousness is still embryonic (A.Chan & Siu, 2011).

While the number of strikes is rising, scholars are cautious about concluding that consciousness is rising rapidly and spreading across the broad migrant workforce (A.Chan & Siu, 2011). In addition to the widely reported labor struggles of manufacturing workers, there are still a large number of workers who choose to tolerate or quit rather than resist. According to a survey of the apparel and textile industry, 25.2% workers chose to quit jobs over bad conditions and 40.7% chose to comply and tolerate (Liu, 2011). The majority of workers, more than 65% (even in manufacturing industry) are not ready take either legal or contentious actions for their rights.

However, there are even fewer workers willing to struggle in other industries. According to a 2009 survey, violations of labor rights are most concentrated in the construction and service industries: violations include long working hours (averaging 60 hours per week), low contract signing rate (less than 40%), and low social insurance attendance rate (NBSC, 2010). Compared with manufacturing, violations in the construction and service industry are more serious. Further evidence is needed, but better conditions in manufacturing may relate to labor unrest in this industry. Workers in the construction and service industry, as well as informal workers, seem to remain silent and tolerant. (There are some reports of protests from these workers, but number is low.)

The absence of labor politics is due to many reasons. As noted by some scholars as well as official surveys, the younger generation of migrant workers tend to be more proactive in asserting their rights and have higher consciousness than the older generation (ACFTU, 2010; Liu, 2011; Pun & Lu, 2010;). Age, gender, and educational levels are important factors in affecting workers' consciousness and willingness to take action. Concentrations in workplace or living space, the kinship

network, ethnic enclaves, and personal relationships are also favorable to collective action rather than individual struggle or compliance with violations (Chan & Pun, 2009). Comparatively, the manufacturing industry has provided the most intensive working and living space for workers, who are mostly young and better-educated (usually junior middle school), while workers in other industries are more dispersed and are usually less-educated. Therefore, it is reasonable to suggest that collective action is not yet popular among the workers engaged in the service and construction industries and in informal jobs. Most of these workers do not assert their legal rights (and interest-based demands) unless employers violate their base line (such as wages in arrears).

In summary, considering the whole working population, I suggest that forms of labor struggle in China are diverse, including individual or collective protests, legal or illegal actions, resistance or compliance. Levels of class consciousness are also diverse: a number of manufacturing workers are at an embryonic stage of class consciousness and taking spontaneous and wildcat strikes, whereas many other workers are not yet ready to collectively struggle for their rights. If this is true, how should NGOs and civil society intervene in pro-labor practices?

Implications for pro-labor practices

To ask "what is the solution for Chinese workers" is a significant question with many implications for pro-labor practices. Clearly, this is another huge task that this dissertation cannot answer completely. However, it is possible to discuss the possibilities based on my empirical work.

This study focused on a specific group of the working population, migrant workers, at the bottom of global supply chains for transnational capital. Similarly, I also explored pro-labor and anti-sweatshop activities that support migrant workers across the border. However, it is true that other workers have suffered from the processes of economic globalization, marketization and privatization and these should be taken into account. The expansion of capitalism in terms of privatization and marketization has penetrated into the everyday lives of people and transformed labor relations in almost all types of employment. Based on capitalist labor relations, jobs in many sectors are experiencing a process of informalization and flexibilization, such as subcontracted workers, dispatch labor and home workers. Older, less-educated migrant workers are often victims of this process, and are often

helpless in struggles against employers.

By considering various forms of labor struggles and the complexity of workers' predicaments in different industries, civil society pro-labor practices can be also diverse and use multiple approaches. The anti-sweatshop movement, elaborated in this study, is a good intervening strategy in promoting labor rights for workers producing well-known branded products. By integrating "external pressure" and "local mobilization", anti-sweatshop activists have helped to open up space for domestic contention and worker empowerment activities, and have attempted to become reliable partners in supporting workers' struggles.

However, more strategies need to be considered for workers who do not produce branded or exported products, and subcontracted or informal labor outside TNC's sphere of responsibility. These workers also compose the majority of work types in China, but for them conventional anti-sweatshop activism with external pressure is useless. The fundamental solution comes back to workers' own struggles and having their own representative organizations. Many pro-labor activists in China would agree with the notion that the most significant way to resolve all labor violations lies with workers themselves. "*If you give a man a fish, he will eat for one day. But if you teach him how to fish he will eat forever,*" as one Philippine labor activist told Klein (2000:441). A common goal is to teach workers "how to fish". A primary step for many pro-labor activists is to empower workers to stand up for their rights.

The process of empowering workers may be very long (it may take many decades), and civil society groups such as NGOs, students, scholars and media can contribute their efforts during the process and play positive roles in raising workers' consciousness, spreading useful knowledge and skills, and helping to quicken the process of the working-class maturation. Much "local mobilization" needs to be done, especially in those circumstances where "external pressure" from abroad will not have leverage over domestic conflicts. In this sense, anti-sweatshop activists have broken through the traditional way of empowering workers. They use both top-down and bottom up pressure to open up space and integrate more resources in both in-factory and offsite opportunities to empower workers. "External pressure" is sometimes just a "knocking-brick", but the fundamental solution still lies with those being oppressed.

New social movements and new possibilities: movements beyond borders, races, and class

The anti-sweatshop movement, in the Americas or in Greater China, essentially belongs to what theorists call the "new social movement". Activists participate in the movement for various reasons, such as humanitarian concern and sympathy for workers, and similar backgrounds or ideology. Activists as students and the middle-class (as "others") rather than being working class themselves characterizes the anti-sweatshop movement a new social movement cluster. However, I would argue that the theorists' notion of "farewell to the working class" (Gorz, 1982) concerning the new social movement is not correct. Class antagonism between the working class and capitalist class is still the fundamental problem of society, and capitalism is still the basic reason for the suffering of the majority of the world's population. Western theorists did not see such major social conflicts in post-industrial society because most productions have been shifted to the third world, the global south.

As part of new social movements, the anti-sweatshop movement actually raises an old problem, class antagonism between the working class and capitalist class, but those participating in the movement are new, as are tactics and strategies. While global capital had changed its production and profit-making strategy, the counter-actors are also striving to shift their ways of protesting and mobilizing. The anti-sweatshop campaigns have indicated the blurred boundaries between borders, races and classes, and have created new possibilities for the working class to confront the old enemy: capital. Rather than classifying the anti-sweatshop movement as a distinct new social movement, I prefer to view it as an alliance for the emerging labor movement. Trans-border campaigns involving activists from various backgrounds devoted to the movement are evidence of my argument. To be modest, these devoted activists are still a small minority. However, this minority could spark a prairie fire.

The task for anti-sweatshop activists in Greater China is not easy. Firstly, Integrating actors and resources (including students, consumers, media and others) with a common goal is important to strengthen the anti-sweatshop network. Secondly, widening the alliance with workers, exploring ways to empower workers and engage

them in the movement is also crucial. As Armbruster notes, "greater unity, diversity, and power-sharing within the anti-sweatshop movement" are all important (2005:151).

During preparation of my dissertation in the second-half of 2011, another significant global justice movement, the Occupy Movement burst out at the Wall Street and has "infected" many big cities around the world. Activists worldwide have called for actions to "occupy" Washington D.C, San Francisco, Manchester, Central (Hong Kong) and other cities. To overcome internal divisions (national, cultural, racial, gender and even class differences) and arouse the mass population, the initiators of the movement claim that "we are the 99%", with the common goal of "ending the greed and corruption of the wealthiest 1% of America".[112] The "1%" refers to the wealthiest financial capitalists and elites, who hold most of the wealth of the country and keep on receiving public funds. In contrast, the "99%" refers to the majority of the population, who may lose their jobs, cannot afford medical treatment, and cannot pay their debts, as well as suffering numerous other hardships, regardless of background, race, and political or religious beliefs. The Occupy Movement calls on people to reflect on the whole capitalist economy and its impact on people's lives, and to challenge the most powerful financial institutions and transnational corporations which dominate the economy. The movement again reminds us that the neoliberal transformation of capitalism has already spurred the discontent of the majority, regardless of national, cultural, race and class (often middle to lower class) differences. New possibilities may emerge with the diversified, power-sharing and globally connected (but locally acting) network, so as to confront the common enemy: invasive and exploitative capitalism.

---

[112] As stated on the website of the movement: http://www.occupytogether.org

References

Books, Periodicals, and Research Papers

Anner, Mark. (2000). Local and transnational campaigns to end sweatshop practices. In M.
Gordon, & L. Turner (Eds.), *Transnational cooperation among labor unions* (Ithaca and
London ed.,) Cornell University Press.

Appelbaum, Richard. (2008). Giant transnational contractors in east asia: Emergent trends in
global supply chains. *Competition & Change, 12*(1), 69-87.

Appelbaum, Richard, & Dreier, Peter. (1999). The campus anti-sweatshop movement. *The
American Prospect,* (46)

Armbruster, Ralph. (2005). *Globalization and cross-border labor solidarity in the americas : The
anti-sweatshop movement and the struggle for social justice*. New York: Routledge.

Bandy, Joe, & Smith, Jackie. (2005). *Coalitions across borders :Transnational protest and the
neoliberal order*. Lanham, Md.: Rowman & Littlefield.

Bartley, Tim. (2005). Corporate accountability and the privatization of labor standards: Struggles
over codes of conduct in the apparel industry. *Research in Political Sociology, 12*, 211-244.

Bartley, Tim. (2009). Standards for sweatshops: The power and limits of the club approach to
voluntary labor standards. *Voluntary programs :A club theory perspective* . Cambridge,
Mass.: MIT Press.

Bennett, W. Lance. (2005). Social movements beyond borders: Organization, communication,
and political capacity in two eras of transnational activism. In D. Della Porta, & S. G.
Tarrow (Eds.), *Transnational protest and global activism*. Lanham, MD: Rowman &
Littlefield.

Bronfenbrenner, Kate. (2007). *Global unions :Challenging transnational capital through cross-border campaigns*. Ithaca, N.Y.: ILR Press/Cornell University Press.

Brooks, Ethel. (2002). The ideal sweatshop? Gender and transnational protest. *International Labor and Working-Class History,* (spring), 91-111.

Bullert, B. J. (2000). Strategic public relations, sweatshops and the making of a global movement. *Working Paper, the Joan Shorenstein Center on the Press, Politics and Public Policy,* Harvard University.

Callinicos, Alex. (2003). *An anti-capitalist manifesto*. Cambridge, UK: Polity Press.

CCS, (2004). Centre of Civil Society, London School of Economics. http://www.lse.ac.uk/collections/CCS/what_is_civil_society.htm

Chan, Anita. (2002). Labor in waiting: The international trade union movement and china. *New Labor Forum,* (11), 54-59.

Chan, Anita. (2010). Labor unrest and role of unions. *China Daily,* 18 June 2010.

Chan, Anita. (2001). *China's workers under assault :The exploitation of labor in a globalizing economy*. Armonk, N.Y.: M.E. Sharpe.

Chan, Chris King-chi. (2010). *The challenge of labor in china :Strikes and the changing labor regime in global factories*. London; New York: Routledge.

Chan, Chris King-chi. (2012). Community-based organizations for migrant workers' rights: The emergence of labor NGOs in china. *Community Development Journal, 47*(2)

Chan, Chris King-chi, & Pun, Ngai. (2009). The making of a new working class? A study of collective actions of migrant workers in south china. *The China Quarterly, 198*(June), 287-303.

Chen, Feng. (2003). Between the state and labor: The conflict of chinese trade unions' double identity in market reform. *The China Quarterly,* (176)

Chen, Feng. (2004). Legal mobilization by trade unions: The case of shanghai. *The China Journal,* (52), 27-45.

Cheng, Tiejun, & Selden, Mark. (1994). The origins and social consequences of china's hukou system. *The China Quarterly, 139*, 644-668.

China law year book (various years). . Shanghai: Falu chuban she. [In Chinese]

Cohen, Jean L., & Arato, Andrew. (1994). *Civil society and political theory* (1 MIT Press ed.). Cambridge, Mass.: MIT Press.

Compa, Lance. (2001). Wary allies. *American Prospect, 12*(12), 8-9.

Connor, Tim. (2007). *Rewriting the rules: The anti-sweatshop movement; Nike, Rebook, and Adidas' participation in voluntary labor regulation; and workers' right to form trade unions and bargain collectively.* PhD dissertation, University of Newcastle.

De Coster, Jozef. (1996). Productivity: A key strategy of the hong kong textile and clothing industry. *Textile Outlook International, 68*(68), 80-97.

Della Porta, Donatella. (2007). *The global justice movement :Cross-national and transnational perspectives*. Boulder: Paradigm Publishers.

Della Porta, Donatella, & Tarrow, Sidney G. (Eds.). (2005). *Transnational protest and global activism*. Lanham, MD: Rowman & Littlefield.

Deng, Li Ya, & Wang, Jin Hong. (2004). Zhongguo NGO shengcun yu fazhan de zhiyue yinsu:Yi guangdong panyu dagongzu wenshu chuli fuwubu weili. [Limitations factors of China's NGOs: a case of Guangdong Panyu Dagongzu] *Shehuixue Yanjiu (Sociological Studies),* (2). [In Chinese]

Eisinger, Peter K. (1973). The conditions of protest behavior in american cities. *American Political Science Review,* (67), 11-28.

Ellen, Roy. (1996). Introduction: 1990 debate. human worlds are culturally constructed. In T. Ingold (Ed.), *Key debates in anthropology*. London: Routledge.

Endacott, G. B. (1973). *A history of hong kong* (Revis ed.). Hong Kong; London etc.: Oxford University Press.

Esbenshade, Jill Louise. (2004). *Monitoring sweatshops :Workers, consumers, and the global apparel industry*. Philadelphia: Temple University Press.

Evans, Peter. (2005). Counter-hegemomic globalization: Transnational social movements inthe contemporary global political economy. In T. Janoski (Ed.), *The handbook of political sociology :States, civil societies, and globalization* (pp. 815). New York: Cambridge University Press.

Evans, Peter. (2008). Is an alternative globalization possible? *Politics & Society, 36*(2), 271-305.

Evans, Peter. (2010). Is it labor's turn to globalize? twenty-first century opportunities and strategic responses. *Global Labor Journal, 1*(3)

Evans, Peter, & Anner, Mark. (2004). Building bridges across a double divide: Alliances between US and latin american labor and NGOs. *Development in Practice, 14*(1&2)

Friedman, Eli. (2009). External pressure and local mobilization: Transnational activism and the emergence of the Chinese labor movement. *Mobilization: An International Journal, 14*(2), 199-218.

Friedman, Eli, & Lee, Ching Kwan. (2010). Remaking the world of Chinese labor: A 30-year retrospective. *British Journal of Industrial Relations, 48*(3), 507-533. doi:10.1111/j.1467-8543.2010.00814.x

Froissart, Chloe. (2011). "NGOs" defending migrant workers' rights. *China Perspectives,* (2)

Frundt, Henry. (1999). Cross-border organizing in the apparel industry: Lessons from Central America and the caribbean. *Labor Studies Journal, 24*, 89-106.

Frundt, Henry. (2000). Models of cross-border organizing in maquila industries. *Critical Sociology, 26*(36) doi:10.1177/08969205000260010401

Gallagher, Mary Elizabeth. (2005). *Contagious capitalism :Globalization and the politics of labor in China*. Princeton, NJ: Princeton University Press.

Garwood, Shae. (2011). *Advocacy across borders: NGOs, anti-sweatshop activism and the global garment industry*. Sterling, Va.: Kumarian Press.

Gereffi, Gary. (1999). International trade and industrial upgrading in the apparel commodity chain. *Journal of International Economics, 48*, 37-70.

Glickman, Lawrence B. (2009). *Buying power :A history of consumer activism in america*. Chicago: University of Chicago Press.

Globalization Monitor. (2009). *No choice but to fight*. Hong Kong: Globalization Monitor Limited.

Gorz, Andre. (1982). *Farewell to the working class : An essay on post-industrial socialism*. London: Pluto Press.

Gusterson, Hugh. (1997). Studying up revisited. *Political and Legal Anthropology Review, 20*(1), 114.

Han, Xiya. Wuyou zhixiang (Utopia) (2001). *Lun shehui zhuyi laodong guocheng zhong renyuren zhijian de guanxi.*, 2011, from http://www.wyzxsx.com/Article/Class17/201004/142125.html . [In Chinese]

Hannerz, Ulf. (2003). Being there...and there...and there! reflections on multi-site ethnography. *Ethnography, 4*(2)

Harvey, David. (2005). *A brief history of neoliberalism*. Oxford; New York: Oxford University Press.

He, Jing Wei, & Huang, Hui. (2008). Zhujiang sanjiaozhou diqu nongmingong weiquan NGO:Miaoshuxing fenxi. [labor NGOs in Pearl River delta: a descriptive analysis] *The Hong Kong Journal of Social Sciences,* (2). [In Chinese]

He, Jing Wei, Huang, Pei Ru, & Huang, Hui. (2009). Zai ziyuan yu zhidu zhijian:Nongmingong caogen NGO de shengcun celue. [Between resources and institutions: grassroot labor NGOs' survial strategies] *Shehui (Society), 29*(6). [In Chinese]

He, Ming Xiu. (2005). *Shehui yundong gailun* [Introduction to social movement]. Taiwan: Sanmin shuju. [In Chinese]

Hilhorst, Dorothea. (2003). *The real world of NGOs :Discourses, diversity, and development*. London: Zed Books.

Hooks, Bell. (1984). *Feminist theory from margin to center*. Boston, Mass.: South End Press.

Howell, Jude. (2004). New directions in civil society: Organizing around marginal interests. In J. Howell (Ed.), *Governance in china*. Lamham, MD: Rowan & Littlefield.

Howell, Jude. (2008). All-china federation of trade unions beyond reform? the slow march of direct elections. *The China Quarterly,* (196), 845-863.

Huang, Yan. (2005). Nongmingong fuquan yu kuaguo wangluo de zhichi--zhujiang sanjiaozhou diqu nongmingong zuzhi diaocha. [Migrant worker empowerment and transnational network support--an investigation on labor NGOs in Pearl River delta] *Diaoyan Shijie (Investigation World),* (5). [In Chinese]

Huang, Yan. (2006). Wailaigong zuzhi yu kuaguo laogong tuanjie wangluo. [Labor organizations and transnational labor solidarity network] *Kaifang Shidai (Open Times),* (6). [In Chinese]

Ietto-Gillies, Grazia. (2005). *Transnational corporations and international production : Concepts, theories, and effects*. Cheltenham; Northampton, Mass.: Edward Elgar Pub.

Jacka, Tamara. (2006). *Dushi li de nongjia nv: Xingbie, liudong yu shehui bianqian* [Rural women in urban China: gender, migration and social change]. Nanjing: Jiangsu renmin chuban she.

Johns, Rebecca, & Vural, Leyla. (2000). Class, geography, and the consumerist turn: UNITE and the stop sweatshops campaign. *Environment and Planning, 32*, 1193-1213.

Jorgensen, Danny L. (1999). *Canyu guanchafa* [Participant observation : a methodology for human studies. Chinese] (1st ed.). Taipei: Hongzhi wenhua shiye gongsi.

Kay, Tamara. (2010). Labor transnationalism and global governance: The impact of NAFTA on transnational labor relationships in north america. In D. McAdam, & D. A. Snow (Eds.), *Readings on social movements : Origins, dynamics and outcomes* (2nd ed.,). New York: Oxford University Press.

Keck, Margaret E., & Sikkink, Kathryn. (1998). *Activists beyond borders : Advocacy networks in international politics*. Ithaca: Cornell University Press.

Khagram, Sanjeev, Riker, James V., & Sikkink, Kathryn. (2002). *Restructuring world politics :Transnational social movements, networks, and norms*. Minneapolis: University of Minnesota Press.

Kielbowicz, Richard B., & Scherer, Clifford. (1986). The role of the press in the dynamics of social movements. In L. Kriesberg (Ed.), *Research in social movements, conflicts and change* (Vol.8 ed.,). Greenwich, Conn.: JAI Press.

Kim, Jee Young. (2007). *Governance beyond borders: Anti=sweatshop regulation in vietnam's fashion and footwear industries.* Unpublished Doctoral dissertation, Harvard University, 2007,

Klein, Naomi. (2000; 1999). *No space, no choice, no jobs, no logo :Taking aim at the brand bullies* (1 Picador USA ed.). New York: Picador USA.

Koo, Hagen. (2001). *Korean workers :The culture and politics of class formation*. Ithaca; London: Cornell University Press.

Lau, Raymond W. K. (2003). The habitus and "logic of practice" of china's trade unionists. *Issues & Studies, 39*(3), 75-103.

Lee, Ching Kwan. (1998). *Gender and the south china miracle :Two worlds of factory women*. Berkeley, Calif.: University of California Press.

Lee, Ching Kwan. (2007). *Against the law :Labor protests in china's rustbelt and sunbelt*. Berkeley: University of California Press.

Leung, Pak Nang, & Pun, Ngai. (2009). The radicalisationof the new chinese working class: A case study of collective action in the gemstone industry. *Third World Quarterly, 30*(3), 551-565.

Leung, Wing-yue. (1998). The politics of labor rebellions in china, 1989-1994. PhD thesis, University of Hong Kong.

Li, Qiang. (2004). *Nongmingong yu zhongguo shehui fenceng* [Migrant workers and social stratification in China]. Beijing: Shehui kexue wenxian chuban she (Social Sciences Academic Press). [In Chinese]

Liu, Ai Yu. (2011). Laodong quanyi shousun yu xingdong xuanze yanjiu (A study on labor violations and decision making). *Quanqiuhua xia de laogong chujing yu laodong yanjiu* [The status of labor and the evolving labor relations under globalization] (pp. 240-260). Beijing: Social Sciences Academic Press. [In Chinese]

Long, Ann, & Long, Norman (Eds.). (1992). *Battlefields of knowledge :The interlocking of theory and practice in social research and development*. London; New York: Routledge.

Long, Norman. (2001). *Development sociology :Actor perspectives*. London; New York: Routledge.

Luthje, Boy. (2004). Global production networks and industrial upgrading in china: The case of electronics contract manufacturing. *East-West Center Working Papers, 74*(October)

Ma, Qiusha. (2006). *Non-governmental organizations in contemporary China: Paving the way to a civil society?*. London: Routledge.

Marcus, George E. (1995). Ethnography in/of the world system: The emergence of multi-sited ethnography. *Annual Review of Anthropology, 24*, 95-117.

Marcus, George E. (1998). *Ethnography through thick and thin*. Princeton, N.J.: Princeton University Press.

McAdam, Doug, McCarthy, John D., & Zald, Mayer N. (1996). *Comparative perspectives on social movements :Political opportunities, mobilizing structures, and cultural framings*. Cambridge; New York, N.Y.: Cambridge University Press.

McAdam, Doug, Tarrow, Sidney, & Tilly, Charles. (2001). *Dynamics of contention*. Cambridge: Cambridge University Press.

McKay, Steven C. (2006). The squeaky wheel's dilemma: New forms of labor organizing in the philippines. *Labor Studies Journal, 30*, 41-63.

Melucci, Alberto. (1988). Getting involved: Identity and mobilization in social movements. In B. Klandermans, H. Kriesi & S. G. Tarrow (Eds.), *From structure to actioin: Comparing social movement research across culture* ()

Meyer, David R. (2000). *Hong kong as a global metropolis*. Cambridge; New York, NY: Cambridge University Press.

Mosley, Layna. (2011). *Labor rights and multinational production*. New York: Cambridge University Press.

Munck, Ronaldo. (2002). *Globalisation and labor :The new great transformation*. London: Zed Books.

Munck, Ronaldo. (2007). *Globalization and contestation :The new great counter- movement*. London, UK: Routledge.

Nike. (2011). *Sustainable business performance summary*. Available at: www.nikeresponsibility.com

Ogle, George E. (1990). *South korea :Dissent within the economic miracle*. London: Zed Books.

O'Leary, Greg. (1998). *Adjusting to capitalism :Chinese workers and the state*. Armonk, N.Y.: M.E. Sharpe.

O'Rourke, Dara. (2003). Outsourcing regulations: Analyzing non-governmental systems of labor standards and monitoring. *Policy Studies Journal, 31*, 1-29.

Oxfam (Ed.). (2004). *Trading away our rights: women Working in global supply chains.* Oxford: Oxfam International.

Polanyi, Karl. (2001). *The great transformation :The political and economic origins of our time* (2 Beacon Paperback ed.). Boston, Mass.: Beacon Press.

Polletta, Francesca, & Jasper, James M. (2001). Collective identity and social movements. *Annual Review of Sociology,* (27), 283-305.

Pun, Ngai, Chan, Chris King-chi, & Chan, Jenny. (2010). The role of the state, labor policy and migrant workers' struggles in globalized china. *Global Labor Journal, 1*(1), 132-151.

Pun, Ngai, & Li, Wan Wei (Eds.). (2006). *Shiyuzhe de husheng:Zhongguo dagongmei koushu* [Voices of the aphasic:Dagongmei's narratives in China]. Beijing: SDX Sanlian Shu Dian. [In Chinese]

Pun, Ngai, Lu, Hui Lin, & Guo, Yu Hua, Shen, Yuan (Eds.). (2011). *Fushikang huihuang beihou de lianhuantiao* [The serial jumps behind the success of Foxconn]. Hong Kong: The Commercial Press. [In Chinese]

Pun, Ngai, & Lu, Huilin. (2010). Unfinished proletarianization: Self, anger and class action of the second generation of peasant-workers in reform china. *Modern China, 36*(5), 493-519.

Pun, Ngai, & Smith, Chris. (2007). Putting transnational labor process in tis place: The dormitory labor regime in post-socialist china. *Work, Employment and Society, 21*(1), 27-45.

Pun, Ngai. (2005). *Made in china :Women factory workers in a global workplace*. Durham: Duke University Press.

Reitan, Ruth. (2007). *Global activism*. London; New York: Routledge.

Rodriguez, Cesar. (2007). *Sewing resistance: Transnational organizing, global governance, and labor rights in the U.S.-Caribbean basin apparel industry (1990-2005).* Doctoral dissertation, University of Wisconsin-Madison, 2007,

Rohlen, Thomas P. (2000). *Hong Kong and the pearl river delta : "one country, two systems" in the emerging metropolitan context*. Stanford, Calif: Stanford University.

Ross, Andrew. (2004). *Low pay, high profile: The global push for fair labor*. New York: New Press.

Ross, Robert. (2006). A tale of two factories: Successful resistance to sweatshops and the limits of firefighting. *Labor Studies Journal, 30*(4), 65-85. doi:10.1353/lab.2005.0092

Seidman, G. (2007). *Beyond the boycott: Labor rights, human rights, and transnational activism.* New York: Russell Sage Foundation.

Shaw, Randy. (1999). *Reclaiming America: Nike, clean air, and the new national activism.* Berkeley, Calif.: University of California Press.

Silver, Beverly J. (2003). *Forces of labor :Workers' movements and globalization since 1870*. Cambridge England: Cambridge University Press.

Smith, Jackie, Chatfield, Charles, & Pagnucco, Ron (Eds.). (1997). *Transnational social movements and global politics*. Syracuse, New York: Syracuse University Press.

Snow, David A., & Benford, Robert D. (1988). Ideology, frame resonance and participant mobilization. In B. Klandermans, H. Kriesi & S. G. Tarrow (Eds.), *From structure to actioin: Comparing social movement research across culture* (). London: JAI Press.

Snow, David A., Rochford, E. Burke, Worden, Steven K., & Benford, Robert D. (1986). Frame alignment processes, micromobilization, and movement participation. *American Sociological Review, 51*(4), 464-481.

Solinger, Dorothy J. (1999). *Contesting citizenship in urban china :Peasant migrants, the state, and the logic of the market*. Berkeley: University of California Press.

Sum, Ngai-ling. (2002). Globalization and Hong Kong's entrepreneurial city strategies: Contested visions and the remaking of city governance in (post-) crisis Hong Kong. In J. R. Logan (Ed.), *The new Chinese city: Globalization and market reform* (pp. 74-91). Oxford: Blackwell.

Sum, Ngai-ling, & Pun, Ngai. (2005). Globalization and paradoxes of ethical transnational production: Code of conduct in a chinese workplace. *Competition & Change, 9*(2), 181-200.

Tarrow, Sidney G. (1994). *Power in movement :Social movements, collective action, and politics*. Cambridge; New York: Cambridge University Press.

Tarrow, Sidney G. (2005). *The new transnational activism*. New York: Cambridge University Press.

Tilly, Charles. (2004). *Social movements, 1768-2004*. Boulder: Paradigm Publishers.

Tilly, Charles, & Tarrow, Sidney G. (2007). *Contentious politics*. London: Paradigm Publishers.

Tsang, Steve Yui-Sang. (2004). *A modern history of hong kong*. London; New York: I.B. Tauris.

Waterman, Peter. (2001). *Globalization, social movements and the new internationalisms* (Pbk ed.). London; New York, N.Y.: Continuum.

Wei, Gongzhe. (2009). *Zhongguo gongren jieji shehui diwei yanbian shilu* [The evolvement of the social status of Chinese working class]. Hong Kong: China Prospect Publishing Limited. [In Chinese]

Wetterberg, Anna Maria. (2009). *Catching codes: The institutionalization of private labor regulation in the global apparel industry*. Unpublished Doctoral dissertation, University of California, Berkeley, 2007,

Xu, Xiaojun, & Li, Ke. (2006). Zhigong yanzhong de qiye gonghui. [The Trade Unions in Enterprises from the Workers Vision] *Journal of China Institute of Industrial Relations,* (2). [In Chinese]

Yu, Xiao Min. (2006). *Putting corporate codes of conduct regarding labor standards in a global-national-local context: A case study of reebok's athletic footwear supplier factory in china*. Doctoral dissertation, The Hong Kong University of Science and Technology.

Yue, Jing Lun, & Qu, Heng. (2007). Fei zhengfu zuzhi yu nongmingong quanyi de weihu-- yi panyu dagongzu wenshu chuli fuwubu wei ge'an. [NGOs and rights defending for migrant workers-- a case study of Panyu Dagongzu] *The Journal of Sun Yat-Sen University (Social Sciences), 47*(3). [In Chinese]

Zhan, Shao Hua, & Han, Jia Ling. China Sociology Net (2005). *Zhongguo nongmingong feizhengfu zuzhi: Jingyan yu tiaozhan.* http://www.sociology.cass.cn/shxw/shzc/t20050624_6321.htm   [In Chinese]

Zhang, Hongyu. (2008). Nongcun laodongli zhuanyi jiuye qingkuang, wenti ji zhengce jianyi (employment, problems and policy suggestions on rural migrant labor). In Microsoft (China), & Department of Sociology Tsinghua University (Eds.), *Nongmingong: Shehui rongru yu jiuye (peasant workers' social engagement and employment)*. Beijing: Social Sciences Academic Press. [In Chinese]

Zhao, Xiumei. (2004). Zhongguo NGO dui zhengfu de celue: Yige chubu kaocha. [The strategy of Chinese NGOs towards governments] *Open Times,* (6). [In Chinese]

Zhu, Jian Gang. (2009). Gongming shehui zai zhongguo qingjing xia de yingyong. [Applying civil society in China's context] *Xibei Minzu Yanjiu (North West Ethno-National Studies),* (3). [In Chinese]

Zhu, Jian Gang, & Chen, Jian Min. (2009). Kangzhen jiuzai: Zhongguo gongmin shehui jueqi de qiji? [Working against earthquake and disaster: An opportunity for the rise of China's civil society?] *21 Shijie (21st Century),* (114). [In Chinese]

Media reports and websites:

Mainland China:

21st Century Business Herald (18 Aprial 2008)

Beijing News (21 February 2008)

China Daily (12 May 2010; 18 June 2010; 26 June 2010)

China Youth daily (17January 2001)

Diyi Caijing Ribao (1st Financial Daily) (19 April 2010; 31 August 2010)

Meiri jingji xinwen (National business daily) (17 April 2008)

Nanfang Dushi Bao (Southern Metropolis Daily) (25 July 2007; 16 December 2007;21 July 2009)

Nanfang Renwu Zhoukan (South People Weekly) (7 May 2008)

Nanfang Ribao (South Daily) (13 May 2008)

Nan feng chuang (Southern Window) (12 April 2006. 1 June 2007)

People's Daily (29 June 2010)

Shenzhen Shangbao (Shenzhen Economic Daily) (19 March 2011)

Zhongguo Gongyun (Chinese Workers Movement) (2010. No.4)

XinhuaNet: http://news.xinhuanet.com

Caing.com: http://policy.caing.com

CCSG: http://followcoca.blog.163.com

Netease Financial column: http://money.163.com

Sina Finance: http://finance.sina.com.cn

Weibo: http://weibo.com

Hong Kong:

Apple Daily (10 June 2010)

Da Gong Bao (Ta Kung Pao) (4 November 2011)

South China Morning Post (3 Mar 2010)

Yazhou Zhoukan (Asia Weekly) (25 July 2010)

Others:

Digitimes (5 August 2010)

GoodElectronics: http://goodelectronics.org

Reuters (22 July 2010)

The Economist (29 July 2010)

iSuppli: http://www.isuppli.com

The Occupy Movement: http://www.occupytogether.org

USAS: http://usas.org

Statistics and Other Documents:

ACFTU. (2010). *Guanyu xinshengdai nongmingong wenti de diaoyan baogao.* Retrieved 2010,

June http://www.acftu.org/template/10004/file.jsp?cid=222&aid=83614   [In Chinese]

China Data online: http://chinadataonline.org

Foxconn Technology Group. (2010). "2009 CSER Annual Report". Available:

    http://www.foxconn.com/CSR_REPORT.html

Hong kong economy yearbook.(1999). Hong Kong: Jingji daobao she. [In Chinese]

Ministry of Commerce. (various years). "Foreign direct investment in China".Online. Available:

    http://egov.mofcom.gov.cn/

Ministry of Human Resources and Social Security. (2010). "Minimum wages". Available:

    http://www.mohrss.gov.cn

National Bureau of Statistics of China. (2010). *2009 nongmingong jiance diaocha*

    *baogao.*Available: http://www.stats.gov.cn/tjfx/fxbg/t20100319_402628281.htm   [In

    Chinese]

National Bureau of Statistics of China. (various years). *China statistical yearbook.* Hong Kong:

    Jingji daobao she. [In Chinese]

National Bureau of Statistics of China. (various years). *China labor statistical yearbook.* Beijing:

    China Statistical Publishing House. [In Chinese]

State Council of PRC. (2006). *Zhongguo nongmingong dianyan baogao* [Report on China's

    migrant workers]. Beijing: Zhongguo yanshi chuban she. [In Chinese]

SZFTU, & Labor and Social Security law center of Shenzhen University. (2010). *Shenzhen*

    xinshengdai nongmingong shengcun zhuangkuang diaocha

    *baogao.*http://acftu.people.com.cn/GB/67582/12154737.html   [In Chinese]

UNCTAD (United Nations Conference on Trade and Development). (1993). *World investment*

    report 1993: TNCs and integrated international production. New York and Geneva: United

    Nations.

Appendix
The List of Labor NGOs based in mainland China

Name of organization	Year of foundation	Location
深圳当代社会观察研究所 Shenzhen Institute of Contemporary Observation	2001	Shenzhen
深圳市春风劳动争议服务部 Shenzhen Chunfeng Labor Dispute Service Center	2004	Shenzhen
小小鸟打工互助热线 Little Bird Hotline for Mutual Help	1999	Beijing, Shenzhen, Shenyang, Shanghai
深圳市龙岗区打工者中心 Longgang Migrant Workers' Center	2004	Shenzhen
深圳市宝安区大浪爱心之家 Baoan Dalang Aixin Home	2007	Shenzhen
深圳龙岗区志强信息咨询服务部 Longgang Zhiqiang Information Consulting Center	2004	Shenzhen
深圳市小小草信息咨询中心 Little Grass Information Consulting Center	2003	Shenzhen
深圳市雨点在行动信息咨询中心 Yudian Zaixingdong Information Consulting Center	2008	Shenzhen
深圳青草工友成长服务部 Qingcao Worker Service Center	2008	Shenzhen
深圳市圆典工友服务部 Yuandian Worker Service Center	2006	Shenzhen
深圳市职业病关注小组 Occupational Disease Concern Group	2008	Shenzhen
深圳市手牵手咨询部 Hand-in-hand Consulting Center	2007	Shenzhen
爱才劳动争议服务中心 Aicai Labor Dispute Service Center	N/A	Shenzhen
翻身社区劳务工权益服务中心 Fanshen Community Labor Rights Service Center	2007	Shenzhen
桂花社区劳务工权益服务中心 Guihua Community Labor Rights Service Center	2007	Shenzhen
人在他乡劳工服务部 Renzai Taxiang Worker Service Center	N/A	Shenzhen
红花草信息咨询部 Honghuacao Information Consulting Center	2008	Shenzhen
时代女工服务部 Time's Female Worker Service Center	2011	Shenzhen
协作者文化传播中心 Facilitator Culture Communication Center	2003	Beijing, Nanjing, Zhuhai
北京工友之家文化发展中心 Migrant Worker's Home Culture Development Center	2002	Beijing
北京打工妹之家 Migrant Women's Club	1996	Beijing
北京在行动国际文化中心 On-action International Culture Center	2006	Beijing, Suzhou

同心希望家园文化发展中心 Tongxin Hope Culture Development Center	2005	Beijing
北京社区姐妹行 Female Migrants Community Participation	2007	Beijing
北京行在人间文化发展中心 Xing-zai-renjian Culture Development Center	2008	Beijing
北京一砖一瓦文化发展中心 Yizhuan Yiwa Culture Development Center	2010	Beijing
打工之友法律咨询服务中心 Friend of Migrant Workers Legal Services Center	2007	Beijing
北京市农民工法律援助工作站 Beijing Migrant Worker Legal Aids Center	2005	Beijing
北京义联劳动法援助与研究中心 Yilian Labor Law Service and Research Center	2006	Beijing
广东番禺打工族文书处理服务部 Panyu Dagongzu Service Center	1998	Guangzhou
广州珠江工友服务中心 Pearl River Worker Service Center	2005	Guangzhou
安康信息咨询服务部 Ankang Information Consulting Center	2004	Guangzhou
中山大学法律诊所 The Law Clinic of Sun Yat-sen University	2002	Guangzhou
南华劳动法律服务中心 Nanhua Labor Law Service Center	2002	Guangzhou
东莞市新莞人服务部 New Guan Ren Service Center	2010	Dongguan
东莞市工友文化活动策划服务部 Worker Culture Activity Service Center	2009	Dongguan
友维咨询服务部 Youwei Consulting Service Center	2006	Dongguan
达县民众劳工权益服务部 Da County Labor Rights Service Center	2002	Dongguan
珠海工友联谊中心 Zhuhai Worker Liaison Center	N/A	Zhuhai
惠州市前程文化传播有限公司 Prospect Culture Communication Company	2004	Huizhou
青岛"小陈热线" Xiao Chen Hotline	2000	Qingdao
南京大学法律援助中心（劳动法律援助） The Law Clinic of Nanjing University （Labor Law services）	2007	Nanjing
永康市小小鱼劳动服务中心 Yongkang Little Fish Labor Service Center	2009	Yongkang, Zhejiang Province
杭州草根之家 Grassroot's Home	2008	Hangzhou
苏州工友图书室 Suzhou Worker Library	2009	Suzhou
厦门国仁工友之家 Guoren Workers' Home	2009	Xiamen
云南连心社区照顾服务中心	2007	Kunming

Lianxin Community Service Center		
新晨工友家园 Xinchen Workers' Home	2009	Wuhan
重庆市忠县自强残疾人服务站 Zhong County ZiQiang Service Center for Disable People	2002	Chongqing

Note: This list was compiled with the data collected through the following methods: interviews with labor NGO activists and one foundation supporting labor NGOs, a dataset collected by Shenzhen Chunfeng Labor Dispute Service Center, and also research paper and internet searching. It covers the names of the most well-know labor NGOs but maybe far from a complete one.