

To empower or constrain? How emergent interest representation transformed workers' collective action in South China

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Abstract

It is commonly assumed that the best way to strengthen workers' voice in authoritarian contexts such as China is through the institutionalisation of collective interest representation. This article argues that this assumption oversimplifies and exaggerates the gains that can be expected, particularly when workers have previous experience in taking other forms of collective action. Revisiting the aftermath of the watershed 2010 strike wave in South China, it shows that trade union and collective bargaining reforms have had two constraining effects for workers. First, they were designed to curb rank-and-file activism; and second, they forced worker representatives to moderate their demands and practices. The article argues that these constraints are inherent in collective interest representation. In doing so, it challenges the prevailing consensus that collective interest representation strengthens labour voice in China, and two derived assumptions: the attribution of constraints on workers' voice to authoritarianism; and the inferiority of autonomous forms of collective action to collective interest representation. These challenges are contextually supported by the failure of trade union and collective bargaining reforms to match the material and institutional gains achieved by workers' autonomous action during the *status ante*. The article suggests that collective interest representation should be assigned a more modest role in the pursuit of labour voice, and that research should instead be

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recalibrated towards the study of different forms, logics and effects of workers' collective action.

Keywords

China, collective action, collective bargaining, industrial relations, interest representation, strikes, trade unionism

Introduction

Industrial relations in China are characterised by a single, state-controlled trade union that lacks independent collective bargaining (CB) and rank-and-file participation. To strengthen labour voice, academic observers and political activists have commonly emphasised the need for 'effective' collective interest representation (CIR) (Gallagher 2017: 215; Friedman 2014c; Lee 2007; Lee et al. 2016). The primary testing ground for these assumptions and questions have been the trade union and CB reforms in Guangdong Province, implemented after a now famous strike wave erupting in the autoparts chain in 2010. This article revisits these reforms and concurs with existing findings (e.g. Friedman & Kuruvilla 2015; Kuruvilla & Zhang 2016; Lee et al. 2016; Luo & Yang 2020) on the *de facto* and *de jure* institutionalisation of 'authentic' (Kuruvilla & Zhang 2016: 176) trade union elections and CB. Scholars such as Kuruvilla and Zhang (2016) and Gallagher (2017) have suggested that such reforms, if implemented consistently, could facilitate workers' collective action to the point of regime change. However, more recent retrospectives have found that while the Guangdong reforms have withstood the Xi administration's crackdown on labour and civil society activism, their impact has been to moderate workers' demands and practice (Froissart 2018; Luo & Yang 2020; Pringle & Meng 2018; Zhang & Yang 2022). Why has the practice of 'authentic' CIR in China not lived up to its promise?

The common response is that authoritarian politics, particularly the lack of freedom of association and the right to strike, prevent the empowering potential of CIR from being realised (Chan & Hui 2014; Froissart 2018; Gallagher 2017; Kuruvilla & Zhang 2016; Lee et al. 2016; Luo & Yang 2020; Zhang & Yang 2022). Such argumentation sidelines an interrogation of, and seemingly reaffirms, the axiom that institutionalised CIR empowers workers in China. I make three arguments to challenge this consensus. I first recall that CIR has been found to constrain workers' collective action in and of itself. Drawing on critical scholarship on trade unionism in various Western industrial relations (IR) systems (Aronowitz 2014; Hyman 1979, 1989; Offe & Wiesenthal 1980; Purcell 1993), I identify six incentives of external trade union recognition and internal organisational routines that constrain rank-and-file demands and activism, even in liberal democracies. Second, I show that these incentives have been at work in post-reform South China; and third, I argue that the focus on CIR *a priori* downplays the successes that workers can achieve in its absence.

Empirically, this article contributes to debates on labour voice in authoritarian contexts such as China. It shows that the absence of a representative organisation or institutionalised

CB during the 2010 strikes neither led workers to passivity nor forestalled collective coordination. Conversely, post-reform, constraints on workers' collective action in South China resulted not merely from authoritarian control but also from institutionalised self-containment, enshrined in new rules and practices for trade unionism and CB. The role of workplace trade union representatives was elevated yet circumscribed in professionalised routine operations at the expense of grassroots workers' interests and influence. CB outcomes were *a priori* delimited by being tied to externally defined benchmarks. Finally, the gains workers in South China made post-reform fell short of those previously achieved through wildcat strikes and a disruption of local economic and political order. The theoretical implications are that CIR per se is not a requirement for effective collective action; and that constraints on labour voice in China cannot be reduced to authoritarianism. Maintaining the *telos* of CIR therefore prevents an open inquiry into effective forms of collective action for workers. The article suggests to reframe the analysis of industrial relations and labour voice in China and other authoritarian contexts by decomposing the black box of CIR into institutional incentives for collective action.

Looking back at the 2010 strikes in the Guangzhou autoparts chain and the ensuing trade union reforms, the article draws on two enterprise cases, analyses of enterprise data and legal documents, and interviews with key actors involved in the institutionalisation of enterprise union elections and CB. It first reviews the debate and dominant consensus on CIR among China labour scholars, and proposes an alternative analytical frame gained from a review of critical IR scholarship. This informs the comparison of workers' collective action before and after trade union reform in South China, leading to the identification of new institutional constraints on workers. The article then discusses the case findings in light of the theory applied, before reflecting on changes under the Xi administration. Finally, the status of CIR in China's industrial relations is qualified and tentative directions for future research are outlined.

Labour unrest, trade unionism and collective bargaining in China and beyond

For nearly three decades, labour relations in China have been 'trapped' (Friedman 2014c) between unsanctioned bottom-up 'autonomous action' (Friedman 2014c: 5), such as wildcat strikes, protests and riots, and top-down institutional resilience (Friedman 2014c; Lee 2007, 2016; Gallagher 2017). Whether through internal reform of the official All-China Federation of Trade Unions (ACFTU) or through non-governmental organisations (NGOs) (Friedman 2013; Gallagher 2017; Hui & Chan 2015; Li 2020), academic observers agree that 'effective representation is needed' (Gallagher 2017: 215) to resolve this dilemma. CIR, the argument goes, would pave the way for a functional IR system (Kuruvilla & Zhang 2016; Lee et al. 2016), the institutionalisation of workers' associational power (Pringle & Meng 2018), and workers' 'ownership' of achievements and political demands that could galvanise a labour movement (Friedman 2014a, 2014c; Friedman & Lee 2010; Lee 2016). Emerging 'authentic' (Kuruvilla & Zhang 2016: 176) or 'effective' (Pringle & Meng 2018: 1053) forms of workplace representation and CB, mainly in South and East China, consequently occupy a critical place in this narrative.

This consensus on the need for CIR rests on two assumptions: that autonomous action is a transitory or deficient form of collective action; and that the empowering potential of CIR for workers' collective action will outweigh its limitations, if these are acknowledged at all. I challenge both assumptions in the next two sections, before drawing on a review of critical IR scholarship to construct a heuristic roadmap for identifying the constraints of CIR on labour voice in China.

Autonomous action in China

Quantitatively, labour conflicts in China have steadily increased since the mid-1990s. Official numbers on registered dispute arbitration reveal a 22-fold increase from 48,121 cases in 1996 to 1,069,638 cases in 2019 (China Statistical Yearbook, various years). Independent estimates based on media reports show similar trends for strikes, which peaked with 2,775 incidents in 2015 (*CLB Strikes Map*, n.d.; Elfström 2019a; Elfström & Kuruvilla 2014; Kuruvilla & Zhang 2016).

Interpretations of the quality of labour unrest have been divided. On one hand, high-profile cases, such as the strike wave of 2010 (Butollo & Ten Brink 2012), the social insurance strikes at the shoe manufacturers Yueyuen and Lide in 2014 (Schmalz et al. 2017), and the 'student-worker alliance' at Jasic in 2018 (Chan 2020) fuelled optimistic views about the trajectory of worker self-empowerment. Labour unrest up to the late 2010s was said to have shifted both in form towards cross-factory and more sustainable organising (Chan 2010; Chen 2020); and in content from defensive/rights-based to offensive/interest-based demands (Butollo & Ten Brink 2012; Elfström & Kuruvilla 2014; Gray & Jang 2014; Lu & Pun 2010; Pringle & Meng 2018). Optimists implied that worker self-organising was a necessary steppingstone to sustainable worker representation, raising class consciousness and exercising structural power (Chan 2010; Chan & Hui 2014; Lu & Pun 2010; Pringle & Meng 2018). Fledgling organisations on the fringes of official institutions, particularly labour NGOs, occupied a central place in this narrative (Chan 2020; Gallagher 2017; Li 2020).

On the other hand, evidence suggests that most conflicts continue to occur over wage arrears (Göbel 2019) and remain 'cellular' (Lee 2007: 236); that is, small-scale, short-lived and locally contained (Elfström 2019a, 2019b; Elfström & Kuruvilla 2014). This supports the more pessimistic view that workers' autonomous action remained limited to material demands without a political agenda, causing little more than diffuse disruptions to public order (Friedman 2013, 2014a, 2014c; Gallagher 2017; Lee 2007, 2010, 2016; Liu & Kuruvilla 2017). Pessimists rather saw labour unrest as the pathology of a dysfunctional IR system, best explained by the 'appropriated representation' (Friedman 2013: 295) of workers' interests by the state-controlled ACFTU and the absence of effective dispute resolution (Gallagher 2017; Lee 2007, 2010, 2016). They suggested that threats to social stability (Friedman 2013, 2014c) and positive effects on popular rights consciousness (Gallagher 2017; Gallagher et al. 2015; Lee 2007) should have triggered top-down, Polanyian-style institutional reform in order to establish officially sanctioned channels for labour voice and reduce open conflict.

These assumptions downplayed the fact that concessions outweighed repression in employer and government responses to labour unrest (Elfström 2019b; Göbel 2019);

and that ‘wildcat strikes were successful’ (Pringle & Meng 2018: 1057), particularly in South China. Instead, optimists and pessimists agreed that autonomous labour unrest was transitory, if not deficient, and that workers (or all stakeholders of the employment relation) would benefit from the formation of representative labour organisations. Trade union and CB reforms therefore attracted a great deal of scholarly attention, as will be discussed in the following section.

Trade union reforms, CB and authoritarianism in South China

To highlight the distorting effects of state control over elections, agenda setting or negotiations, trade unionism and CB in China are often contrasted with stylised ‘Western’ equivalents (Chan & Hui 2014; Friedman 2014c; Gallagher 2017; Kuruvilla & Zhang 2016) or abstract, ideal-typical ‘procedural means for dispute resolution’ (Lee et al. 2016: 216). By these benchmarks, the institutionalisation of CIR in China appears to be ‘stalled’ (Friedman 2013), ‘hybrid’ (Lee et al. 2016), ‘Party state-led’ (Chan & Hui 2014) or ‘inauthentic’ (Kuruvilla & Zhang 2016). However, Guangdong Province, especially the case revisited in this article, the Guangzhou autoparts chain, has been heralded as an outlier of ‘most authentic’ CB (Kuruvilla & Zhang 2016: 176) based on ‘effective workplace trade unionism’ (Froissart 2018; Pringle & Meng 2018: 1053).

Some scholars have wondered why the Hu/Wen administration encouraged such authentic CB in the first place, when it ‘might result in collective activity that might threaten the regime’ (Kuruvilla & Zhang 2016: 165); while others have argued that the Xi administration has been engaged in rolling back these and other ‘pro-labour’ reforms (Howell & Pringle 2018; Li 2020; Lin 2019; Luo & Yang 2020; Zhang & Yang 2022). More recent reviews suggest that ‘the authoritarian regime and state-controlled union structure’ (Zhang & Yang 2022: 396), or the lack of freedom of association and the right to strike (Froissart 2018; Luo & Yang 2020), have thwarted the post-2010 reforms in South China. Authoritarian constraints ultimately prevailed, forcing workers to ‘moderate’ (Luo & Yang 2020: 418) or ‘tame’ (Pringle & Meng 2018: 1053; also (Deng 2020; Froissart 2018) what could otherwise become transgressive collective action. Indeed, the resurgence of authoritarianism and the general lack of civil liberties are readily available explanations for many social ills in China. However, such explanations sidestep the possibility that moderation is rooted in CIR itself, and that state support for reforms is strategic rather than puzzling. In the following section, an examination of how moderating effects have been associated with trade unionism and CB in capitalist democracies – that is, with institutions that observers suggest should be emulated in China – will inform my argument that workers’ collective action in South China has been constrained by more than authoritarian politics.

Critical views of interest representation and collective action

The debate on labour in China effectively contrasts empowering CIR with constraining authoritarianism. This overlooks the fact that in non-authoritarian contexts, including liberal democracies, unions function not only as ‘counter-power’ but also as a conservative ‘factor of order’ (Schmidt 1971). Critical IR scholarship has found that CIR

constrains workers' collective action through organisational 'bureaucratisation' (Darlington & Upchurch 2012; Hyman 1975, 1979, 1989; McIlroy 2014), reliance on formally equal interest representation within an unequal economic/class structure (Offe & Wiesenthal 1980) and legal restrictions on union recognition (Hyman 1989; Purcell 1993). Below, I propose a heuristic framework for a re-evaluation of the Chinese case along six behavioural incentives drawn from research on this ordering facet of CIR.

Hyman argued for the United Kingdom that union representatives tended to 'contain and control' (Hyman 1979: 58) dissent, having an interest in (1) political *caution* so as not to antagonise employers or authorities, (2) *routine* operations to stabilise bargaining relations and (3) a *professionalisation* of negotiations among experts rather than mass mobilisation. Offe and Wiesenthal (1980) echoed these observations for the German case, noting that trade unions could, on one hand, adopt 'opportunist strategies' (p. 109) based on the external (voluntary or statutory) recognition of their representative status. In doing so, they (4) substitute *legal and political guarantees* for internal power resources. This involves (5) an internal union *form* that 'maximises the independence of the organisation's functionaries from the collective expression of will and activity of its members' (Offe and Wiesenthal 1980: 107) and (6) an internal limitation of political *content* to 'not put into question the established political forms' (Offe and Wiesenthal 1980) that give the union its legitimate status (for the latter also Hyman 1989; Purcell 1993).

On the other hand, social movement scholars have found that looser or horizontal forms of worker organising are effective through socio-economic disruption (Piven & Cloward 1979); collective ownership, participation and learning (McAdam et al. 2001: Chapter 2); and a transformative transgression of the status quo (Van der Linden 2008). Offe and Wiesenthal suggest that unions could display a 'counter-power' face and emulate some of these characteristics by relying on collective identity formation, mobilisation and militant conflict (Offe & Wiesenthal 1980: 116). However, they acknowledge that such unions are unlikely to be recognised as representative (Offe & Wiesenthal 1980).

Nationally specific institutions, such as the extent of civil liberties, trade union laws and the (de)centralisation of trade unionism and CB, modulate the extent to which CIR functions as a 'counter-power' or a 'factor of order' (Katz & Darbishire 2000). However, this tension persists across different IR systems and helps to explain not only the existence of unrepresentative fringe unions, but also why mainstream unions have historically been unable to fully absorb workers' autonomous action, attempting to preempt or suppress it during periods of heightened conflict (Aronowitz 2014; Hyman 1975, 1989; Katz & Darbishire 2000; Piven & Cloward 1979; Schmidt 1971; Silver 2003). With notable exceptions (Pringle & Clarke 2011; Traub-Merz & Zhang 2010), the case for CIR in China has been made without explicit comparison to IR systems outside China, thereby missing the opportunity to discuss possible similarities. This article acknowledges the need for more cross-country comparative studies, but can at this stage only provide a framework for identifying the most common constraints of CIR. Following a discussion of research design and methods, the remainder of the article applies this analytical frame to unravel the transformation of workers' collective action from autonomous forms to institutionalised CIR in the South China autoparts chain.

Research design and methods

Knowledge about labour unrest, trade unions and CB in China remains unsystematic. Given the unreliability of official data (Lee 2018), attempts at quantification have relied on unofficial data collection efforts (Elfström 2019a; Göbel 2019; Lee 2018). Insights into China's IR system continue to rely on case studies, of which the 2010 strike at Honda Nanhai is the most researched (Lyddon et al. 2015). The ensuing strike wave in the PRD's autoproducts sector remains a critical 'before-and-after case' (McDonald 2010), marked by unprecedented union and CB reform in a locale prone to labour unrest. More than a decade later, reassessments of the strike wave and its aftermath continue to inform inquiries into changes in labour relations in China (e.g. Deng 2020; Luo & Yang 2020; Zhang & Yang 2022). In this article, the trajectory of workers' collective action between the *status quo ante* and *post* trade union reform functions as a 'pathway case' (Gerring 2007), allowing for an alternative explanation to interpretations dominant in the literature.

The article is based on a research project on labour relations in China's automotive industry, for which 54 semi-structured interviews were conducted during 6 months of fieldwork in 2012/2013 and a 1-month follow-up visit in 2017. It draws on a selection of interviews with key actors involved in the autoproducts strike wave and subsequent CIR reform in Guangdong Province. These include strike participants, enterprise union representatives, local government officials and the (deputy) chairmen of the Guangzhou, respectively, Guangdong Federation of Trade Unions (hereafter, GZFTU and GDFTU, respectively), who are seen as the architects of the reforms (Friedman 2014c; Pringle 2011). Interviewees were selected through purposive sampling: workers involved in the strike wave, in this article specifically at two of Honda's strike-affected suppliers (Suppliers 1 and 2); and trade union and government officials involved in institution building thereafter. In particular, the data for Suppliers 1 and 2 draw on two informants with insights into both the *status ante* and *post*-reform, that is, participants in the strike wave who subsequently became union representatives and key actors in CB. All interviews were face-to-face, recorded, translated and transcribed. The interview data was coded thematically and deductively based on existing research on trade unionism and strikes in southern China, and inductively where the interview data went beyond existing knowledge. Emerging codes, such as autonomous action, union elections, CB or institution building, were developed from early interviews and revised and enriched with later interviews. Verbal information from participants was triangulated with content analysis of (various drafts of) legal documents and company-level collective agreements, quantitative union surveys and expert interviews with local labour scholars. This simultaneously improved the interpretation of participants' behaviour and the legal/grey literature, for example, of trade union representatives acting within company-level stipulations on CB, or of higher-level trade union officials' reform intentions compared with the final version of the legal regulations in Guangdong Province. The theoretical generalisability of the main argument about the limits of CIR in the Chinese context is based on the richer picture of events, chronology, actors' intentions and behaviour, and outcomes that emerge from the complementary use of different sources.

The *status quo ante*: autonomous action in the summer of 2010

In 2010, Guangdong's formal approach to labour conflicts involved the ACFTU as the only legal workers' association; and in the absence of the right to strike, work stoppages were neither illegal nor sanctioned, but met with *ad hoc* interventions by the authorities, ranging from concessions to mediation and repression (Elfström 2019b; Friedman 2014b; Friedman & Kuruvilla 2015). While formally complying with national regulations, the provincial government and the GDFTU, in particular the GZFTU, informally tolerated the activities of labour NGOs and considered strikes to be common and inevitable (Han 2010).

Double-digit economic growth, local labour shortages and tightknit supply networks increased the marketplace bargaining power of workers in the autoparts sector (Gray & Jang 2014). The strike at Honda's Nanhai transmissions plant between 17 May and 1 June 2010 therefore took place in a legal grey area and under favourable economic and politic conditions. It involved the entire 1,800 strong workforce who blockaded the factory gates and clashed with police and GDFTU. The strike resulted in a wage increase of RMB 500/33% (Lyddon et al. 2015) and sparked a cross-sectoral expansion of copycat actions with wage gains of between 20% and 40% (Butollo & Ten Brink 2012). Among the enterprises affected were the case study companies of Supplier 1 and 2.

Two months into the strike wave, labour conflicts had replicated the RMB 500 wage increase at several component manufacturers. Supplier 1, a Japanese–Taiwanese spring manufacturer employed 400 permanent and 100 dispatch (i.e. agency) workers in 2010, with the largest group working in manual assembly and earning around RMB 1,300 before the strike. The strike at Supplier 1 began in June and lasted from 5.30 pm to 4 pm the next day, starting with a handful of workers downing tools. Although it appeared spontaneous, uncoordinated and short-lived, the strike was not an *ad hoc* reaction, as Qiao, the new trade union chairman explained:

Generally speaking, the strike was not the result of anything wrong in the company but simply of how the situation [the strike wave] was progressing, the trend. (Interview Qiao, 2013)

In what Lin (2020) characterises as 'networked and decentralised mobilization' (p. 56), information from other factories had circulated among workers via instant messengers and conversations in dormitories, enabling them to contextualise their situation. The RMB 500 wage increase and the absence of harsh retaliation at Honda suggested the instrumentality and low risk of a work stoppage:

A strike was something that greatly excited those on the assembly line. A strike, if successful, brings only benefits to them, if it fails, little harm. (Interview Qiao, 2013)

Wang, the union treasurer at Supplier 2 in 2011, gave a similar account. Supplier 2 was established in Nanhai in 2005 as a subsidiary of a Japanese tier-one supplier of electrical parts. It employed around 800 workers in 2010 (1,480 in 2013). The strike here

broke out in mid-July, almost 2 months after the events at Honda, which Wang explained was the result of a slower learning process:

At the beginning our workers did not know what kind of benefits a strike could bring. But they gradually became aware of the close connection between auto component manufacturers; and that a strike could be an effective means of demanding a wage increase. (Interview Wang, 2013)

Initially, at both suppliers, the strikers were directly involved in the process of organising and the formulation of demands. They were met by a concerted response from the management and GDFTU, who had drawn their own conclusions from the Honda strike. At Supplier 1, the senior management arrived on the scene within an hour of the strike breaking out and tried unsuccessfully to persuade workers to return to work. A list of demands for better wages, food, transportation and pay for dispatch workers was already circulating. The union chairman at the time of the strike was a department head. He remained passive throughout the dispute. However, the local government and the GDFTU quickly intervened to facilitate negotiations. They made the workers choose six representatives and focus on demands that were 'considered feasible and reasonable' (Interview Qiao, 2013). Honda sent delegates to advise the supplier's management. The strike ended with an agreement that detailed a wage increase of RMB 500 for all employees (including dispatch workers and managers), the establishment of a new bus connection between factory and workers' dormitories, the replacement of the canteen management, overtime pay for dispatch workers in accordance with the law, and a commitment not to further investigate the strike.

At Supplier 2, the management had made an offer to the enterprise union at the first sign of a strike, albeit below comparable results in the area. In light of the successful demand for RMB 500 at other plants in the area, the union leadership rejected the offer. Aware of the conflict at Honda, this highly unusual decision allowed them to avoid a similar alienation of workers from union-led negotiations. Wang recalled that the old union was even supportive of a strike:

The union more or less hoped that the workers could somehow do something, like a strike, in order to bring the company back to the table. So the workers were led to believe that the union was on their side, and so there was no demand for its restructuring at that time. (Interview Wang, 2013)

The union adopted a dual tactic here. It did not actively oppose the strike but contacted the GDFTU and the local government for advice. The authorities issued a broadcast, asking workers to cooperate in electing representatives to negotiate. Although the workers agreed to the proposed course of action, an agreement was not reached until the third day of the strike and after repeated government intervention. The strike ended with a wage increase of RMB 500 – a 40% increase from the average monthly wage of RMB 1,270 – and improved food, transport and housing allowances.

At first glance, the strikes at Suppliers 1 and 2 seem to confirm the dynamic of 'cellular' activism: spontaneous and short-lived strikes followed by *ad hoc* intervention by local authorities and quick settlements. However, all parties had learned from previous

events in the supply chain and adjusted their demands and tactics accordingly.¹ Workers comparatively assessed the rationale for a strike, finding it a low-risk and rational approach to securing a higher income. The absence of a representative organisation or institutionalised CB did not lead to workers' passivity – nor did it negatively affect collective, cross-factory coordination, as would be expected from Lee's (2007) cellular activism argument. Workers used means of communication outside official institutional channels, overcame the labour force dualism between formal and temporary workers, and were able to mobilise and carry out strike action along the local supply chain. They pressured employers and authorities to meet their demands, leading not only to a cross-factory convergence of strike outcomes – but also to wider, if unintended, institutional change, namely enterprise union reform and the emergence of regular CB, as will be discussed below.

The status quo post: enterprise union elections and collective bargaining in the making

While the national ACFTU leadership had already called for greater collective contract coverage in foreign-invested and private enterprises (Ligorner & Liao 2010), the strike wave catalysed local institution building in South China, pushing an *ad hoc* approach to industrial relations towards formal regulation. In coordination with provincial-level authorities and the 'pro-labor' (Friedman 2013: 317) GDFTU and GZFTU chairmen, the Shenzhen municipal government began drafting the province-wide *Guangdong Provincial Regulations on Collective Contracts in Enterprises* (hereafter *Regulations*). After an early withdrawal and several rounds of redrafting (IHLO 2014) they came into force in 2015.

The *Regulations* formalise CB procedures at the provincial level. Negotiations are to be based on enterprise profitability and comparable industry-wide or regional wage increases (Art. 10 and 11), a practice similar to that in Jiangsu province (Lee 2018: 172). Employee bargaining teams should be headed by an enterprise union representative (Art. 13). During negotiations, employees are bound by their contractual obligations and are prohibited from striking, picketing or disturbing public order (Art. 24). Not all of the GDFTU reformers' visions, still present in earlier drafts, were ultimately realised. The quorum for CB requests was increased from one-third to one-half of the workforce, and provisions for industry-wide agreements were removed, as were restrictions on employers' ability to terminate or amend workers' contracts while negotiations were ongoing (Art. 17; 26; 30 of the 2013 draft). Importantly, a clause that prohibited the dismissal of workers for striking in response to an ignored CB request was removed – a politically sensitive article that made a case for legitimate strike action (Art. 59 of the 2013 draft).

Lyddon et al. (2015: 10) have argued that in 2010 Honda workers ignored without consequence threats that their strike was 'illegal', because neither the legality nor the illegality of strikes was enshrined in Chinese law. The *Regulations* raised the bar for such defiance by specifying circumstances under which strikes are explicitly banned (Art.24), or, *ex negativo*, by allowing only certain forms of collective action within specified procedures.² GDFTU reformers would have liked to see fewer restrictions on workers and

were particularly keen to formalise industrial CB – but were met with resistance from the local government (Interview Official GZFTU, 2013). Policymakers sided with Hong Kongese and foreign trade associations, which had called for amendments to the earlier drafts (IHLO 2014). Despite these limitations, and *pace* Friedman and Kuruvilla's earlier observations (Friedman 2014b; Friedman & Kuruvilla 2015), the *Regulations* provided a framework that went beyond *ad hoc* responses to labour conflicts.

The drafting of the *Regulations* was accompanied by experiments with enterprise-level union elections and CB in the autoparts chain. In both Suppliers 1 and 2, elections were held within a year after the 2010 strikes. In one case they had been regularly scheduled, in the other they were brought forward, but in neither case had they been demanded during the strike. These elections were indirect, with higher union levels proposing the final candidates, ensuring that unwanted workers were not among the union representatives. At Supplier 2, assembly line workers, who were the backbone of the strike, ended up not being represented on the union committee, which was still the case after the 2017 elections. In both cases a foreman became chairman of the union. This confirms earlier (Hui & Chan 2015) and more recent observations of elections in larger enterprises in the area (Luo & Yang 2020).

In both cases, a separate bargaining committee was formed for CB, chaired by the enterprise union leader but composed equally of employee representatives from the union and the Staff and Workers Congress (SWC), formally selected by the latter. The SWC, which formally exists in all larger enterprises in China, is akin to an independent, directly elected works council with wide-ranging powers but in practice often either staffed by the enterprise union or dominated by management (Luo & Yang 2020; Pringle 2011). The post-2010 reforms in the autoparts chain also included recognition of its status and role in negotiating and approving collective agreements at Suppliers 1 and 2 (author's fieldnotes). Confirming Luo and Yang's (2020) observations, Supplier 2's 2013 bargaining round was preceded by a union-led survey on pressing issues for negotiation (in this case, wages and food quality) and a joint meeting between union/SWC representatives and management on sales and profits. Several rounds of bargaining followed, culminating in a wage increase of 11.5%, down from initial proposals of 15.7% versus 9.2%. In addition to provisions on wages, benefits and other entitlements, the collective agreements for Suppliers 1 and 2 included a commitment by both parties not to change or revoke the negotiated agreement, which in the case of Supplier 1 was interpreted by Qiao to mean that 'workers cannot strike and the company cannot cut wages' (Interview Qiao, 2013).

The strike wave prompted GDFTU and employers to coordinate wage increases along the autoparts chain. Although CB remained confined to the enterprise level, informal but regular communication between enterprise unions developed:

In the development zone, we have a federation of trade unions for us component manufacturers; 11 companies in total. [. . .] The unions of these 11 companies have meetings every one or two months. (Interview Qiao, 2013)

These meetings were mirrored by coordination between employers through their membership of local business associations (Interview Qiao (2017); author's fieldnotes).

They were limited to the tightly integrated autoparts chain, whose mostly Japanese firms displayed an interest in coordinated wage setting (Deng 2020; Luo & Yang 2020). This embryonic sectoral CB was initially neither legally formalised nor entirely informal. It relied on the GDFTU's willingness and ability to channel the momentum of the strike wave into more functional workplace trade unionism. Top-down relations were recalibrated to professionalise and formalise election and bargaining procedures. Non-management staff were encouraged to become trade union leaders. And regular inter-union coordination replaced worker-led cross-factory communication during the strike wave.

Wage growth within the autoparts chain declined with each annual bargaining round between 2010 and 2013 (Interview Official GZFTU, 2013), although enterprises with CB experienced higher income gains than those without it (Luo & Yang 2020). At Supplier 1, CB took place in 2011 and 2012, leading to monthly wage increases of RMB 250 and RMB 220, respectively (Interview Qiao, 2013). When interviewed again in 2017, Qiao explained that wage increases between 2013 and 2017 had slowed down among the group of autoparts suppliers, and were distributed as follows: '60% [of enterprises have had wage increases] in the range of 10% to 13%. About 30% are lower and 10% are higher. [. . .] In terms of income gains, I think we have almost reached a ceiling' (Interview Qiao, 2017). This decline in monetary gains needs to be contextualised, given the low starting point of wage increases in 2010, declining profit margins with each increase, inflationary pressures between 2009 and 2011, and the higher structural bargaining power of workers in 2010 due to domestic labour migration lagging behind the post-crisis economic recovery. By 2012, however, gross domestic product (GDP) growth in Guangdong had fallen below crisis levels and was on a downward trend (from 8.2% in 2012 to 4.8% in 2023; stats.gd.gov.cn). Nevertheless, CB has neither been able to match the material gains of the 2010 strike wave nor acted as a catalyst for further institutional change. As I will argue below, this was an intended outcome of the post-2010 reforms.

Rationale of reforms

For ACFTU reformers, the strike wave provided an opportunity to both absorb bottom-up momentum through increased rank-and-file permeability at lower union levels and to contain bottom-up demands. This is well illustrated by their behaviour during subsequent strikes in the autoparts chain.

The bargaining results at Honda Nanhai set the benchmark for upstream suppliers such as Suppliers 1 and 2 (Interview Official GDFTU, 2013). In the summer of 2010, the slow and antagonising responses by management and union had strengthened the collective cohesion of workers, as one of the strike leaders explained:

The longer the strike went on, the more disappointed I became with the lack of response from management to our demands. And the more frustrating it got, the more we felt the need to stand together. (Interview Shao, Honda Nanhai, 2013)

To avoid a repeat of this dynamic and to instead 'build faith and trust among workers' (Interview Official GDFTU, 2013), the GDFTU intervened in another conflict at

Honda on 18 March 2013 with a more conciliatory approach. One hundred assembly line workers went on strike after CB had resulted in a 10.2% wage increase – well below the 19.8% for senior employees. They pushed the result to 14.4% (Cheung 2013). To gain legitimacy, the union needed practical results, so the GDFTU suggested that management should have started negotiations with a lower offer:

I told them: [. . .] ‘If you had started with an 8% increase and we compromised on 13%, then there would have been 5% attributable to the effort of the union. Workers would not have gone on strike’. (Interview Official GDFTU, 2013)

Workers’ autonomous action at Honda was midwife to the birth of enterprise union reform and CB. But once these institutions were in place, extra-institutional collective action and demands threatened their desired functioning:

I think collective bargaining is good, but what we should focus on now is how to make it sustainably compatible with the growth rate of companies. [. . .] The issue at stake now is not the lack of cohesion among workers, but rather the irrationality of the demands they propose, which is a headache for the union. The union must not only keep the workers together but also lead them to more reasonable demands. (Interview Official GZFTU, 2013)

This guidance presupposes that the union is aware of workers’ collective action in the area, particularly in sectors not yet covered by CB. To this end, the GDFTU stepped up its monitoring of workers in cooperation with local authorities:

We, the provincial union, have set up a system to survey the public opinion on the Internet. This system allows us to be informed in good time when and where a strike breaks out. (Interview Official GDFTU, 2013)

Strengthened self-governing bipartite and tripartite workplace institutions and new formal procedural and substantive guidelines are intended to prevent workers from engaging in deviant ‘drastic behaviour, such as damaging machines or people’ (Interview Official GDFTU, 2013). However, should the new institutional incentives fail to induce such behaviour, the union can still fall back on a repurposed authoritarian approach of surveillance and control to keep workers’ collective action within the bounds of corporate profitability. In essence, ACFTU reformers envisioned the union as a stabilising arbiter between capital and labour, leading to a quasi-Fordist link between wages and profits.

Discussion

With the formalisation of CIR in enterprise union elections and CB in China’s most populous province, workers’ autonomous action triggered one of the most significant changes in China’s IR landscape. Even Chinese officials agreed that the 2010 strike wave made these reforms seem sensible (Interview Officials, GZFTU and GDFTU; Nanhai Government). It had effectively legitimised the more moderate demands of ACFTU reformers – namely the Guangdong branch – in ‘positive radical flank effects’ (Haines 1988: 2; Piven & Cloward 1979). The

lasting impact on workers' collective action has been ambivalent at best. The intentions of the GZFTU and GDFTU, the *Regulations* and the post-reform practice of enterprise unions demonstrate that CIR has indeed opened up new avenues for collective action. A closer look, however, reveals that it has also brought with it the six constraints extracted from the works of Hyman, Offe/Wiesenthal and others.

First, union elections and CB became *routine*, and second, *professionalised* processes. Enterprise unions established monthly coordination meetings and professionalised internal operations through membership consultations. Contractual peace obligations imposed a temporal division of membership involvement around bargaining times and periods of passivity in between. Representatives were *de jure* obliged to make demands aligned with company performance or local economic indicators, a rationality initially installed through external interventions in wildcat strikes – by the ACFTU, legal advisors (Lyddon et al. 2015) and labour NGOs³ – and later formalised in the *Regulations*. Substantive and procedural aspects of union elections and CB were predefined externally in the *Regulations* and at higher union levels, and remained beyond the influence of rank and file members. Third, this *external delimitation of workers' demands* was intended to contain expectations beyond the confines of private profit or development policy goals.

Fourth, the resulting clearer demarcation between legitimate and illegitimate collective action incentivised a shift from *collective* action to that of a smaller number of representatives acting within externally structured procedures.⁴ Once Wang and Qiao were elected union representatives, CB procedures incentivised them to comply, learn negotiation skills, become experts in company figures and legal procedures, and to empathise with management's rationale – rather than to organise collectively with their colleagues, as they had done previously. Workplace representatives gained greater ownership of the bargaining process but also found themselves caught between institutional constraints and the demands of the rank and file.

Rank and file workers also faced a new collective action dilemma. On one hand, the reforms delegitimised ex negativo autonomous action that had remained in an informal grey zone in 2010, such as protests, strikes, slowdowns and so on, opening it up to harsher reprisals. Adherence to election and CB procedures, on the other hand, implied, fifth, an indirect reliance on the bargaining skills and integrity of their representatives, as well as *external guarantees* that electoral and CB outcomes would be respected. When strikes occurred over CB outcomes, as they did at Honda in 2013 or again at Supplier 2 in 2015 (Interview Wang, 2017), they were symptomatic of an *institutional failure* of CB to preempt autonomous action with orderly negotiations – and not an *institutional incentive* for workers to exercise their structural power, as scholars have argued (Pringle & Meng 2018).

Sixth and finally, the general incentive created by CIR is for a 'cautious approach to policy', similar to that diagnosed by Hyman (1979: 55) for British trade unions. CB and trade union reform in South China has been designed to enable a labour voice that limits workers' aspirations in terms of demands and practice, preempts autonomous action and radicalisation, and does not challenge the economic and political order. Moderate collective action in South China therefore cannot be reduced to constraints unique to authoritarian rule, such as ACFTU surveillance and interference (Chan & Hui 2014; Hui & Chan 2015) or the inability of enterprise unions to legally organise strikes (Luo & Yang 2020). Higher union levels controlling and overriding local branch decisions, authorities

intervening to restrict strikes or legislators strictly limiting trade union rights is not unique to China but is institutionalised in most IR systems (Katz & Darbishire 2000). Conversely, there is ample evidence that the absence of the right to strike does not prevent workers from taking effective strike action (Elfström 2019b; Göbel 2019). Commentary on trade union and CB reform in China has therefore exaggerated the assumed benefits for workers, as some gains can be, or are better achieved through autonomous action. At the same time, it has downplayed the disadvantages of CIR and instead attributed inherent constraints to authoritarian politics.

There are good reasons to believe that the 2010 strike wave was a one-off event, heightened by a conjuncture of favourable political–economic conditions. In contrast, the Xi administration has since cracked down hard not only on labour NGOs, strikers and supporters, but also on feminist/LGBTQ+ and environmental activists (Chan 2020; Fuchs et al. 2019; Lin 2019). However, amid this general resurgence of authoritarianism (Howell & Pringle 2018) CIR reforms in South China have not been reversed, but rather expanded (Luo & Yang 2020). This suggests – *pace* Gallagher (2017) and Kuruvilla & Zhang (2016) – that the state does not perceive CIR, even in an authentic form, as an incentive for regime-threatening action. Rather than a roll-back of earlier progress (Howell & Pringle 2018; Lin 2019), the Xi administration has combined two distinct but complementary logics for containing workers' collective action: pacification within CIR and repression of deviance. Despite the increased risk, wildcat strikes and other autonomous action in South China have persisted throughout the Xi era not only because CIR reforms do not match Western standards, but also because CIR only recognises as legitimate demands and actions that do not threaten the political and economic order. However, in the case of the 2010 strike wave, workers' collective action was most effective when it disrupted that order.

Conclusion

CIR is often seen as essential to improving labour voice in China. Trade union and CB reforms in South China have been a critical case for scrutinising this assumption: they have been seen as far-reaching and 'authentic' (Kuruvilla & Zhang 2016), leading observers to expect an encouragement of workers to take collective action (Gallagher 2017; Kuruvilla & Zhang 2016). However, in retrospect, the impact on workers has been found to be a moderation of their demands and practice (Froissart 2018; Luo & Yang 2020; Pringle & Meng 2018; Zhang & Yang 2022). Why?

To provide an explanation, this article applied critical insights into the constraining effects of CIR on workers' collective action in liberal democracies to the case of trade union and CB reform in southern China. It shows that post-reform, Chinese workers were equally incentivised to delegate their agency, to rely on their representatives to follow the routine and professionalism of regular CB, and to adjust their demands and practice to external regulation aimed at safeguarding private profits and public order. The Chinese case illustrates that CIR legitimises a very particular form of labour voice, namely one that does not challenge the political and economic *status quo*.

The findings of this article depart from and challenge two common assumptions among China labour scholars: the (mis)attribution of CIR constraints on workers to

authoritarianism; and the belief that autonomous forms of collective action are inferior to CIR. First, if CIR has *inherent* constraints on workers' collective action, authoritarianism, or regime type, alone cannot explain their presence in South China – especially in cases where trade unionism and CB are deemed authentic. Second, workers' autonomous action during the 2010 strike wave had far-reaching effects. It brought about large-scale institutional change, namely the implementation of union and CB reform in Guangdong. And it provided grassroots workers with material gains, learning effects and experiences of collective empowerment beyond what CIR could achieve post-reform. The combined implication is twofold: CIR in South China either deliberately prevented or inadvertently failed to replicate the benefits of autonomous action; and, more broadly, workers do not need CIR *per se* to take effective action.

This article challenges the axiomatic place of CIR in the academic consensus on labour relations in China, and arguably beyond, questioning its adequacy as a roadmap for effective labour voice in transitional economies and authoritarian states. However, the contextual observations made here are not a call to replace the axiom of CIR with that of autonomous action. Political–economic circumstances may imply that CIR is the least risky, most sustainable or even only possible form of workers' collective action – just not necessarily so. The ensuing task for labour researchers would be to discard the *telos* of CIR; to gather evidence and evaluate patterns of workers' collective action both in their own right and in light of the official responses they elicit; and not to presume that autonomous action is transitory and deficient. This could also open up a conspicuously absent debate on the socio-political implications of promoting CIR as a means of empowering workers in, or even democratising, authoritarian regimes, namely its link to corporatist industrial relations. Recognising not only the shortcomings but also the virtues of autonomous action for labour voice leads in turn to a more modest but accurate assessment of the impact of CIR on ordinary workers in China and beyond.

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Notes

1. Economic pressure played into the fast and conciliatory response to the strike. Honda lost an estimated RMB 240 million per day (CLB 2011: 24), and local tax revenue fell by nearly a third between the second- and third-quarter of 2010 (Interview Official, Nanhai Government).
2. Delegitimisation occurs not through a lack of institutionalisation (e.g. of the right to strike) but through selective recognition (of wage demands along CPI/company performance, achieved in orderly collective bargaining (CB)) that excludes previously informally normalised practices. Enjuto Martínez (2016) has similarly argued that the selective recognition of labour rights in Chinese legal text and practice is in conflict with workers' perceptions of justice.
3. Until 2015, a legal-aid non-governmental organisation (NGO) in the PRD promoted *ad hoc* interest representation among workers (Chen 2020; Enjuto Martínez 2016; Li 2020). The aims of this NGO and ACFTU reformers were markedly similar, namely to install lasting CB (Froissart 2018). The NGO was closed under the Xi/Li administration, coinciding with the formalisation of CB under GDFTU auspices.

4. Piven and Cloward (1979: 158) similarly argued for the US context that the institutionalisation of industrial relations included 'rituals of democratic representation [. . .] which tended to delegitimise worker defiance when it did occur' and 'elaborate grievance procedures which were substituted for direct action'.

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