



DISTURBANCES IN HEAVEN

‘There was a rock that since the creation of the world had been worked upon by the pure essences of Heaven and the fine savours of Earth, the vigour of sunshine and the grace of moonlight, till it one day split open, giving birth to a stone egg, about as big as a playing ball which then turned into a stone monkey.’

These words, translated by Arthur Waley, open the classic sixteenth-century novel *Journey to the West*, a masterpiece of Chinese literature. This is the story of the monk Xuanzang’s pilgrimage to India to collect Buddhist sutras for the court of the Tang emperors. One of his escorts is the Monkey King—Sun Wukong, ‘Aware-of-Vacuity’—a mischievous and ambitious character born out of a primordial stone. At the beginning of the journey, Sun Wukong

is nothing but a failed rebel. Having taken offence at not being assigned an office high enough in the heavenly hierarchy, he had dared to challenge the supreme divinity of the Chinese pantheon, the Jade Emperor, creating disturbances in his celestial palace. For this reason, he had been imprisoned under a mountain for five hundred years, until Buddha had decided to give him a chance at redemption: he was to accompany and protect Xuanzang in his travels. Even then, the Monkey King proves unruly and

the only way to control him is to trick him into wearing a magic metal headband that causes him terrible pain whenever he does not obey the orders of his master.

According to the traditional Chinese zodiac, 2016 was the year of the fire monkey. What better character than Sun Wukong to inspire this inaugural volume of the *Made in China Yearbook*? In this past year, Chinese workers and rights activists from all walks of life have struggled under heightened repression by the Chinese party-state, but showed remarkable endurance even under these dire circumstances. With their fights, however small or short-lived, they repeatedly challenged the message of ‘harmony’ of the Chinese authorities, creating ‘disturbances’ in the imaginary heaven engineered by the party-state. All of this is nothing else but proof of the survival of the monkey spirit in Chinese society. Even when trapped under a mountain of repression, or in terrible pain due to the curse of the magic headband of state control, the monkey still manages to briefly wriggle free, reminding us that not all is well and not everything is predictable.

However, what happened in 2016 leaves little room for optimism concerning the future of the labour and rights movements in China. Although the Chinese government has never been reluctant to repress dissent, in this past year we have witnessed an authoritarian drift that only a few years ago would have been unthinkable. Not only have labour activists fallen victim to more regular and severe forms of intimidation by the party-state, but new laws and regulations have also been passed in order to curtail civil society space by, among other things, restricting international sources of funding for labour and rights NGOs while at the same time limiting their abilities to register as social organisations or charities and raise funds domestically. This happened in concomitance with an economic slowdown, prompting local

governments to erode labour protection by freezing minimum wages and lowering the rate of social security contributions shouldered by companies in order to prevent capital flight. However, Chinese workers have continued to be restless, as they see their very livelihoods threatened by these new developments, but in absence of any meaningful representation they have been largely unable to resist these trends.

This Yearbook aims at tracking the changes that have been taking place in the realm of labour and civil society in China in the past year. All chapters have already appeared during 2016 either in the open-access journal *Made in China: A Quarterly on Chinese Labour, Civil Society, and Rights*, or in the Essays section of the website *Chinoiresie.info*, but they have been updated to reflect recent developments and references have been included. The whole project—journal, website, and book—stems from a belief in the need to bridge the gap between academic research and the general public. We also believe that recent developments in China call for more serious analysis from both scholars and practitioners, as well as for critical engagement with a broader international audience interested in forging international solidarity. More pragmatically, we were compelled to re-edit this material and compile this volume because we think that such a book will be a useful reference for a wide audience—especially scholars, activists, unionists, policy-makers, and students—with an interest in Chinese labour and civil society.

Besides a series of ‘briefs’, in which we summarise some of the most important events that took place in China over the past year, we have regrouped the chapters into five general sections. The first section, ‘Steer Your Way’, focuses on the relationship between the party-state and workers, offering some perspectives on how the Chinese authorities have navigated

the uncharted waters of labour politics in a time of global economic uncertainty. It opens with three chapters that deal with the reform of the state industry and its impact on the Chinese working class. In the first, William Hurst invites readers to consider the fractured and segmented history of the Chinese working class, as well as its rapidly homogenising present, and emphasises the need to refrain from too-facile comparisons with other foreign experiences; in the second, Kevin Lin looks into the new wave of mass layoffs announced in the state coal and steel sector and outlines similarities and differences with the previous massive restructuring of the state economy in the late 1990s; in the third, Nicholas Loubere, offers an analysis of the political and ideological implications of resorting to microcredit to promote entrepreneurial activity among laid-off workers. The section also includes an article by Beatriz Carrillo, in which she describes the trajectory of China's welfare system towards the inclusion of migrant labour and highlights the challenges posed by the economic slowdown, and a forum in which labour scholars Anita Chan, Kaxton Siu, and Sarah Swider discuss how precarisation has impacted the Chinese workforce in key sectors of the economy.

In the second section, 'Hammer to Fall', we focus on grassroots organising by Chinese workers, activists, and farmers, describing some instances of resistance in front of increasing repression. In it, Ivan Franceschini describes how Chinese labour NGOs have evolved in recent years and argues that the latest crackdown by the party-state might also open some small window of political opportunity; Anita Chan highlights the historical importance of the recent struggle of Walmart workers in China and dissects the factors that led to its ultimate failure in spite of much initial optimism; and Luigi Tomba analyses the protests that recently took place in

Wukan village, challenging some widely-held assumptions about the political nature of such land-related social movements in the Chinese countryside. To conclude the section, we publish a compendium of the highly controversial Law on the Management of Foreign NGOs' Activities within Mainland China that came into force in January 2017 edited by Ivan Franceschini and Elisa Nesossi, and a forum in which international labour activists Ellen David Friedman, Kevin Slaten, and May Wong discuss the implications of the new legislation for labour NGOs in China.

In the third section, 'Eye in the Sky', we look into the ambiguous role of the law as a tool of social control. The section opens with three chapters related to the labour law. First, Elaine Sio-ieng Hui reflects on the role of labour law in China as a vital vehicle through which the Chinese party-state has constructed capitalist hegemony with regard to state-capital-labour relations in the country; Ivan Franceschini then discusses the 'rights awakening' of Chinese workers, challenging some widely held assumptions regarding the rights awareness and legal knowledge of the Chinese workforce; finally Aaron Halegua delves into the challenges that Chinese workers face when they seek to enforce their rights through the legal system. We also included a chapter by Thomas DuBois in which he analyses the new Religion Law in China within the context of the debate on 'universal values' and offers his take on the relationship between academia and activism; and a forum, edited by Elisa Nesossi, in which legal scholars Joshua Rosenzweig, Ewan Smith, and Sue Trevaskes put the concept of the rule of law in China into a wider historical and political perspective, deconstructing its multiple dimensions and specificities.

In the fourth section, 'Heart of Darkness?', we look into Chinese labour and investment in Africa, offering a series of thought-

provoking perspectives with a focus on two countries—Zambia and Ghana—where conflicts related to Chinese capital and labour inflows have recently emerged. Mukete Beyongo Dynamic examines the claim that Chinese investments in Zambian copper mines have led to a ‘race to the bottom’ in labour standards, criticising this view as overly simplistic in that it doesn’t take into account the agency of local actors. Regarding Ghana, Nicholas Loubere and Gordon Crawford investigate the media discourse and popular depiction of Chinese miners in Ghana as stealing resources from marginal sectors of local society, revealing that in fact we still do not know much about who these people actually are, or the labour relations that exist between the miners themselves. Finally, Jixia Lu draws from her fieldwork in Ghana’s agricultural sector to challenge both the western narrative that frames China’s expanding presence in African countries as a project in empire building, and the narrative of the Chinese authorities depicting engagement as a form of South-South cooperation that is beneficial to the local populations.

Finally, in the fifth section entitled ‘Soul Sacrifice’, we do some soul-searching through a series of essays in which the authors review artistic works or intellectual trends that offer insights into the impact of modernity on the inner life of the Chinese people. First, Christian Sorace reviews Zhao Liang’s *Behemoth*, a recent documentary on the environmental and social tragedy behind China’s economic miracle. Ivan Franceschini then discusses *The Cow and the Goat Descend the Mountain*, an album of ancient Chinese poems set to music by folk singer Zhou Yunpeng, taking an opportunity to reflect on the role of poetry as a form of resistance. Finally, in the face of much loneliness and pressure experienced by Chinese citizens today, not least migrant workers, Gerda Wielander considers the role of happiness in the ‘Chinese dream’

and looks at the different options from the field of psychology and psychotherapy available to Chinese citizens for achieving happiness, as well as at the role of the state in choosing between these.

All of these chapters have been written with the aim of reaching as wide an audience as possible. For this reason, in them you will not find the theorising typical of much academic literature on labour and civil society. Similarly, we have tried to go beyond parochial divisions by including writings by contributors coming from different backgrounds and disciplines, such as labour scholars, legal scholars, activists, and lawyers. We have also welcomed essays by writers who hold generally optimistic views about the future of the Chinese labour movement, and others who remain definitively sceptical. In such difficult times, it is only through such a dialogue that we can take the discussion forward, not only gaining a better understanding of the challenges that Chinese workers and citizens are facing today, but also giving credit to the Chinese authorities wherever this is deserved. Such understanding is a necessary precondition to build those bridges of international solidarity and mutual comprehension so important in the period of global turmoil that we all now face, as the whole world seems to be descending into provincialism, xenophobia, and worse. It is in times like these that we need more than ever to keep alive the monkey spirit that resides inside each and every one of us.

Ivan Franceschini
Canberra, 11 January 2017

This text is taken from *Disturbances in Heaven: A Year of Chinese Labour, Civil Society, and Rights, Made in China Yearbook 2016*, edited by Ivan Franceschini, Kevin Lin and Nicholas Loubere, published 2017 by ANU Press, The Australian National University, Canberra, Australia.