ABSTRACT

This article reviews three recent books on labour politics in Vietnam and China: Angie Ngoc Tran’s Ties That Bind: Cultural Identity, Class, and Law in Vietnam’s Labor Resistance; Jeffrey Becker’s Social Ties, Resources and Migrant Labor Contention in Contemporary China: From Peasants to Protesters, and Eli Friedman’s Insurgency Trap: Labor Politics in Post-Socialist China. These three books capture the changing patterns of labour unrest and labour institutions in Vietnam and China, which are accounted for by the social foundation of resistance as well as the political economy of capitalist development. Their main contribution to the existing literature is that they draw out the new dynamics and new venues within the state that can both enable and constrain labour resistance and struggle in these countries. However, this article also argues that these works have not adequately theorised the nature of change within the state and the role of the law in labour resistance. It therefore suggests that bringing in the law to socio-political institutions is essential to a research agenda that explores continuity and change in labour politics in Vietnam and China as transitional economies.

The surge of scholarly interests in labour politics in the transitional economies of China and Vietnam is justified by the proliferation of workers’ strikes and disputes which has occurred as these countries have undergone rapid economic transformation in the past three decades. Three recent books that reflect this interest are reviewed in this article. They are: Angie Ngoc Tran, Ties That Bind: Cultural Identity, Class, and Law in Vietnam’s Labor Resistance (Ithaca: Cornell Southeast Asia Program Publications, 2013); Jeffrey Becker, Social Ties, Resources and Migrant Labor Contention in Contemporary China: From Peasants to Protesters (Lanham and London: Lexington Books, 2014); and Eli Friedman, Insurgency Trap: Labor Politics in Post-Socialist China (Ithaca: ILR Press, 2014). Each volume builds on the existing literature on this fascinating topic by distilling a new dynamic in the patterns of workers’ struggles, which interweave with changes within both trade unions and state institutions. These authors show that labour mobilisation in authoritarian states has experienced ebbs and flows throughout the phases of economic development, which entrench and reproduce...
working-class subjugation to capital’s interests. At the same time, these dynamics reveal a range of contradictions as states adapt to capitalist transformation without compromising their arbitrary rule rooted in socialist legitimacy.

Both China and Vietnam have seen several decades of market-based economic management since central leaderships made the decision to take this road. State-owned economic sectors have begun to shrink, giving way to private domestic and foreign investment. Their participation in global supply chains has largely been driven by their comparatively cheap and abundant industrial labour force. Meanwhile, the working class in each country, despite their economic significance, has had their political power considerably curtailed by the state’s prohibition of independent unionism. Lacking an institutional power to bargain on their behalf, workers in these countries have resorted to taking their problems to the streets to have their voices heard. The Labour Code in Vietnam and the Labour Law in China, passed in 1994 and legislating the labour contract system (Zhu and Fahey 1999, 185), are prone to many implementation gaps.

Studies on labour in China far exceed the quality and quantity of those on Vietnam. Relevant to the scope of this review essay are the contemporary schools that explore the nuances of the working class’s struggles amid capitalist development. Some eminent works are by Chan (2001), Gallagher (2005a), Lee (2007), Friedman and Lee (2010), Ngai and Chan (2012), with Chan (1993), Chen (2003; 2009) and Howell (2008) examining the corporatist nature of the union system. The subjects of interest are mostly migrant workers who dominate the industrial workforce but who are disadvantaged in terms of housing, social benefits, and the like, when compared to their urban counterparts. Work on Vietnamese labour regimes is more limited, with some of the stand-out works being Tran (2007), Clarke (2006), Chan (2010) and Do and van den Broek (2013), Siu and Chan (2015). These works, though empirically rich, have not effectively theorised the pattern of social and political change associated with and driven by labour unrest.

The three books reviewed here treat workers’ struggles as typical of spontaneous resistance as much as “contained contention” (O’Brien 2003, 53). This form of contention takes place within existing channels by the state and is often tolerated by political elites. In the labour realm, contained contention partially reflects how workers have exploited state-sanctioned means and rhetoric to seek redress for workplace injustices. Though in most cases workers’ claims are not directly targeting the state, workers’ collective actions have effectively exposed and exploited divisions within the state. This constitutes a form of mobilisation quite distinctive from conventional class-based struggles, which is the key point to be emphasised in considering these books. The role of the law and the power dynamics within the state and society have come to shape the form and content of workers’ actions. Specifically, their actions have benefited from and are constrained by the law which permeates the way state and society interact.

This review essay proceeds as follows. First, there is a focus on how critical moments of class struggles in Vietnam have occurred and been shaped by workers’ identities and their experiences in socio-economic relations. Also, from a sociological point of view, relations both at their hometowns and at work are shown to help migrant workers in China obtain strategic resources and information for their resistance. Second, I touch on the political economy of union reform in China, following waves of workers’ strikes
and protests, and investigate the implications for the bargaining power of the working class vis-à-vis capital and the state. Within the first and second sections, I will unpack important issues concerning the relationship between the state, capital, union and labour as discussed in these works. It is worth noting that the heterogeneity and divisions within each group can both overshadow and shape the institutional response to labour unrest. The last section provides a comparative analysis of continuities and changes in the state’s labour control in China and Vietnam. I then advocate the potential utility of the critical perspective on social conflicts and the societal facets of the law, and suggest a future research agenda in labour politics that shifts the focus from class-based societal transformation towards state-mediated societal incorporation.

Social and Cultural Foundations of Workers’ Protests in Vietnam

The key question explored in Ties that Bind (Tran 2013) is the significance of cultural identity, productive relations and social relations in creating critical moments of workers’ collective action in Vietnam. In this regard, factory workers’ struggles represent critical “class moments” (2) when workers’ agency realises its power through a sense of belonging to a class. Cultural factors, identified as native place, gender, ethnicity and religion, are instrumental in triggering the formation of labour organising in times of crisis, as Tran illustrated through her selection of 33 protest cases in Vietnam since the 19th century. My review of these historical cases will be brief, allowing more space to engage with key analytical issues, some of which have implications for understanding contemporary nuances of workers’ protests.

Chapters 1 and 2 in Tran’s work trace workers’ protests in Vietnam back in the French colonial era, from 1880 to 1954, and during the Republic of Vietnam, from 1954 to 1975. As proposed in the book’s introduction, the protest cases considered confirm E. P. Thompson’s thesis that the formation of class consciousness only manifests at the end of, rather than preceding, workers’ experiences and struggles (3). The first chapter examines ethnic relations in understanding patterns of workers’ collective behaviour and the nature of class conflicts. Tran demonstrates how their industrial experiences united workers of two ethnicities: the Kinh (the majority Vietnamese ethnic group) and the Hoa (the minority Chinese ethnic group) in resistant moments against the French colonialists and Chinese capitalists. Chapter 2 examines gender and religion as two further cultural factors that bind workers in their work–life interactions and resistance. The stories of two activist female Chinese workers in Vimytext, a United States-connected textile factory in the 1960s, stand out. They were able to mobilise fellow workers and gain broad-based support from other unions, as well as contribute to a legacy for union leadership in the factory (93). The labour movement in southern Vietnam enjoyed diverse ideological groupings and vibrant trade unionism, which is in contrast to the north under communist rule when trade unions were “part of the management apparatus of central planning … and in … maintaining tight Party control over the organisation of workers through its hierarchically organised structure” (Beresford and Nyland 1998, 69).

Working-class struggles under French colonial rule and under American tutelage, marked by political motivations and reference to law, were common as workers’ protests erupted and were emboldened by revolutionary movements across the country.
The political nature of workers’ activism is striking. For instance, in the Vimytex case, two aspects stand out: first, the demand for democracy, a fair justice system and sustained labour leadership; and second, and like other protests during this time, workers’ actions and language showed adherence to and beliefs in the (liberal) legal institutions. It seems that this constitutes a form of legal consciousness (Ewick and Silbey 1998), a term that was not used by Tran, but which usefully conveys an attribute of workers’ tactics that is also relevant in the contemporary era.

Chapter 3 moves to the political, economic and legal contexts of labour in Vietnam after Doi Moi, the milestone economic reform of 1986, when the Communist Party shifted from central planning to a socialist-oriented market economy. Tran explains how labour disputes and protests have unfolded for state-owned, joint-stock, domestic private and foreign-invested enterprises. Subsequent chapters contain analyses of the languages of protest and workers’ tactics, at times becoming somewhat repetitive for this reader. On the positive side, readers learn of the extraordinary mobilisation and collective action of workers in Hue Phong Leather Shoe Factory in 2006, planned and organised by two female workers (240). These women took advantage of their kinship, social and productive networks, and their knowledge of the law to pressure management to comply with the official minimum wage and social insurance scheme. A resolution was reached after the intervention of state officials and district union officials. These chapters suggest that the role of cultural identity in labour contention has subsided since the Labour Code took effect. Tran’s account of this period puts more focus on workers’ collective actions, a process through which officials, the media and unions at the administrative levels were involved to seek a resolution. Her cultural approach to class struggles, which does not touch on the role of these actors from the state or attached to the state – or in other words, actors from above – falls short of conceptualising the political dynamics imbued within her lively account. Tran’s significant contribution is in documenting the increasing incidence of workers turning to the local newspapers to petition and redress in Ho Chi Minh City, the centre of industrial development in the south of Vietnam. The Labour (Lao Dong) and Labourers (Nguoi Lao Dong) are shown to be vocal and proactive in channelling workers’ complaints to the attention of the public and local authorities. This marks something of a departure from what had previously occurred, when the state media followed the wishes of local authorities in reporting of strike cases and only covered the happenings in foreign rather than state companies (Nghiem 2003).

It is essential to stress the role of the law in workers’ resistance. Protesting workers during the French and Vietnam War eras eagerly invoked legalistic language and appealed to formal institutions to express their sense of legitimate rights, and this also seems to be the case for workers today. However, workers nowadays appear to experience a distinctive form of legal mobilisation quite similar to their Chinese counterparts, one that is constrained by state institutions and has limited impacts on the existing legal-political arrangements (Chen 2004, 28). It is the colonial state which imbues a sense of democratic rights and the rule of law that make workers’ rhetoric in the past more legally forceful and resounding. The difference in the forms and outcomes of workers’ struggles between the past and present comes down to the role of the state and state ideologies. This is a crucial institutional factor that has yet to be properly delineated due to Tran’s predominantly cultural perspective of class actions.
One of the limitations of Tran’s approach is highlighted in her use of Marx and Polanyi to assess workers’ collective actions. She states:

Polanyi type struggle is not based on class interests, but rather on the need to protect social substances imperilled by the self-regulating market . . . A Marx type struggle is based on class, and on the fight against capitalist exploitation for better wages and other labor rights (8).

Using Polanyi, Tran identifies the emotional and social bonds of workers’ language. Her reference to Marx highlights economic hardship. However, her analysis mostly revolves around workers’ use of protest language and the content of their demands. Tran does not adequately identify workers’ protest languages with Marx- and/or Polanyi-type elements, thus failing to provide broader reflections on the nature of societal transformation that are resisted and adapted as capitalist relations are embedded.

Clearly, workers’ use of legal discourses and channels is indicative of the penetration of the law into the sphere of class struggle, and this significant point begs further theoretical consideration and analysis. By remarking that workers raise the legal flag and use both Marx- and Polanyi-type protests in seeking to gain benefits to which they are legally entitled (299), Tran is demarcating the legal means of workers’ struggles and their contents, which are based on both class experiences and understandings of the law. This is important, although Tran could have said more about the law as an analytical unit, showing how legal norms and discourses have infiltrated factory workers’ discourse and mobilised them as much as other cultural identity factors. This evidence would have allowed Tran to take an exciting research agenda on labour contention further, emphasising the role of legal contention and mobilisation in an authoritarian state in which the use of the law is mediating the power gap between state and society. Several China scholars have shown the potential of this approach (see Diamant, Lubman, and O’Brien 2005; Gallagher 2005b; Lee and Hsing 2010). In the last chapter, and to her credit, Tran gives striking evidence regarding workers’ lawsuits and how court decisions were manipulated in conformity with capital’s interests rather than following the law. As Ching Kwan Lee (2007) has shown for Chinese labour disputes, the proliferation and politicisation of the law characterises the ways the state mediates capital–labour conflicts while retaining its developmental interests and legitimacy.

In sum, Tran’s book is an important contribution. It utilises a wide variety of sources, including historical and archival sources that are not easily accessible, and is enriched by the use of multiple in-depth interviews with current and past workers. Other authors have carried out ethnographic research into the life and struggles of factory workers in Vietnam, demonstrating how cultural norms, workplace politics and place-based identity come to shape and reshape working-class experiences (see Nghiem 2003; Chae 2003). These works, focused on specific factories, provide a substantive and persuasive account of workers’ subjectivities shaped by their industrial experiences, power relations and cultural identification. Tran’s research, however, is the first comprehensive work to cover the historical development of this issue over the last century in a political context that has been highly sensitive towards independent collective actions.
I will return to Tran’s book later in this article, in order to draw some useful theoretical implications and comparative insights of labour regulation in Vietnam and China.

**Rethinking Urban Networks and Information in Labour Unrest in China**

*Social Ties, Resources and Migrant Labor Contention in Contemporary China* (Becker 2014) draws attention to the significance of social ties in migrant workers’ protests. Becker examines how the rural and urban ties of migrant workers influence their collective actions. In doing this, Becker combines both quantitative surveys and qualitative interview methods. The book offers a causal analysis of the social dynamics of labour contention, showing how workers’ rural ties with their families and hometowns and their new connections with fellow workers (urban ties) varyingly affect their behaviours and strategies when faced with workplace grievances (10). In particular, while workers rely on their rural ties for material support, they can obtain critical information from new urban networks to take action and make their claims. The role of information from social networks and other media sources has also been demonstrated in Tong’s 2009 *The China Review* article, which finds that information access increases the chance of people turning to the courts to resolve their civil and labour disputes. In Becker’s findings, information helps “workers learn new protest options and strategies, navigate legal institutions, connect with others sharing similar disputes, and identify additional resources” (129). He uses sociological network theory to construct the key argument: the urban ties developed by migrant workers in and around their workplaces are the key to exploiting informative and strategic resources to demand justice.

In the introduction, Becker draws upon concepts from the social movements approach and identifies opportunities for and constraints upon Chinese migrant workers in seeking to protect their interests. Interestingly, the wider availability of non-violent forms of dispute resolution, for example through arbitration and litigation, provides both opportunities and constraints, since this availability does not necessarily mean that workers can gain access to and utilise them to their benefit (7). The empirical question of this book is whether and how workers choose to act in certain ways when contention arises. As discussed in Tran’s book, the contagious effects of strikes across nearby factories are often triggered by workers of the same ethnicity or from the same native place; in other words, the emergence and spread of workers’ protests are instigated by old cultural ties in the new spatial context. Becker by no means negates the role of kinship in binding workers together for collective actions. His principal and original argument is that it is the newly found relations with other workers in and around their workplaces that are crucial sources of information for them to determine resistance strategies (11–12).

Becker surveys how migrant workers turn to different forms of media, resources and connections to obtain information. In the right contexts, word-of-mouth among fellow workers is key for them in strategising their actions and effectively dealing with the state’s dispute system. The impact of this information is different for individual and collective disputes. Becker gives an example concerning how one worker learned from others about steps and preparations for dealing with the administrative system in order to retrieve his wage (131), while another story is of how a group of workers planned to delay their
protest to gain a better chance for management compromise (130). From these specific examples it seems that information obtained from fellow workers can facilitate and optimise strategies but it does not necessarily determine the course of action.

The most interesting chapter of the book is Chapter 8 on migrant labour organisations and activists. These organisations often provide workers with free legal assistance, advise them about a range of claim-making strategies, show dedication to workers’ welfare and are even more knowledgeable about the labour law than government lawyers (155). It is worth noting that these groups experience different relationships with migrant workers and the government. While early generation non-governmental organisations grew out of the state’s intention to transfer the burden of public services to societal domains, grassroots migrant organisations began to expand from the late 1990s (157–158). Despite facing a number of limitations on their activities such as burdensome registration procedures, scant funding and close monitoring, Becker suggests that these requirements “have not stopped the growth of migrant labor organisations as much as they have influenced the shape and direction of that growth” (159). It is unsurprising that large organisations with well-established links to the local bureaucracy and the media have greater capacity to effectively negotiate on behalf of workers than small and bureaucratically detached ones. But what is striking is that these smaller units, and the actions of labour activists, still provide social spaces and help connect workers in their collective actions (167). For example, they connect factory workers with disaffected white collar workers, allowing them to share concerns and develop social awareness.

One of the observations that comes from this chapter is that it appears that semi- and non-official labour groups in China have advanced further than they have in Vietnam. This informative chapter, however, does not offer a particularly new perspective on the nature of migrant labour organisations. It is generally accepted that these organisations are a useful source of support for workers’ engagement in disputation. The development of these entities exemplifies state–society dynamics at the intermediary level from which political and social changes may take root (Ding 1994; Howell 1994, 203). It would have been useful to see more in Becker’s book on how these organisations link political-legal apparatuses and the migrant worker community. Services and support from migrant worker organisations are considered as intervening variables within Becker’s formulae of workers’ social ties and dispute/protest activities, but this does not tell us enough about the patterns of flexible strategies that are blurring the boundary between formal and informal practices in labour disputes.

Overall, this book contributes to a better understanding of the social dynamics of contention and the mechanisms of workers’ protest and dispute resolution options. It disaggregates the general notion of social ties, draws distinctions among different sources of support, and explains the ways they shape workers’ struggles and dispute resolution within and without the formal institutional contours. For all its strengths, Becker’s work might have gone beyond information and delved more into the discursive practices among aggrieved workers, explaining how information shapes the language of workers and workers’ leaders (see Hurst 2004; Chen 2009). Furthermore, classifying workers’ tactics into violent and non-violent forms does not allow for an analysis of complex situations. Clearly, non-violent forms of dispute resolution are made possible through extended legal and bureaucratic arrangements, and for that
reason, we need a conceptual framework that takes into account the impact of formal institutions and how they could be utilised by the workers as well as non-state migrant labour organisations.

The Political Economy of Labour Insurgency

The final book examined here goes some way to addressing the role of the state and also seeks to explain how and why it produces certain political and economic outcomes for labour power. *Insurgency Trap* stands out among the expanding literature on labour in China because of its critical engagement with Polanyi’s social transformation theory and a rigorous conceptualisation of the ambiguous role of trade unions in labour issues (Friedman 2014). Within limited space, only three aspects from Friedman’s theoretical constructs on the politics of labour contention are considered. The first is his argument that workers’ protests manifest in two distinct but intertwining moments: the insurgent and the institutional. Workers’ insurgency will transform into institutional moments when labour can realise its bargaining power vis-à-vis capital and the state, an outcome of “class compromise” (6) in which workers are entitled to “guaranteed health care, pensions, job security, increased wages, and having a say in how the labor process is organized” (19). The second aspect brings trade unionism to the forefront of interactions between capitalist transformation and labour movement (24). Here Friedman notes that representation and incorporation are not interchangeable terms: while trade unions in China were granted an exclusive right by the state to represent the working class, they fail to incorporate the working class’ interests into the state. As such, incorporation means that an organisation gains legitimacy from the represented and is able to channel their interests into bargaining and deliberative processes. The third aspect involves the causal mechanisms that explain success and failure in workers’ protests in the political and economic spheres. Friedman, while claiming that insurgent and institutional moments are not part of temporal and linear processes, is deeply concerned with the reason why workers’ insurgency fails to realise its institutional power (21). The reason, briefly, is the state sanctioning of the legitimate representative role of the All-China Federation of Trade Unions (ACFTU) which allows little space for genuine participatory engagement by the working class.

This does not mean that the current institutional arrangement in China is static. The labour federation in Guangzhou in Guangdong province is the first case in focus that represents new dynamics for improving migrant workers’ conditions. One highlight in Friedman’s analysis of trade unions is his particular attention to pro-labour union cadres in this municipality, as one of the ACFTU branches. His institutionalist account at first shows how constraints of the state-union machinery impede the initiatives of individual cadres to reform union functions. These pro-labour union cadres, for instance, managed to introduce new dedicated people into the union ranks who were openly critical of the state’s labour policies and union functions, but were unable to bring into effect a range of pro-labour initiatives. Given the potential contestation that might emerge from these actors within the system, Friedman could have revisited, if not redefined, his initial configuration of unions in China as unifying organisational entities, and parts of the state (5).
To a great extent, these union cadres exemplify resisting forces towards the state agenda and state corporatist arrangements. Friedman shows that, in the Guangzhou union, there is a split between pro-labour and state-loyalist officials. And even though the union is organisationally a part of the state, this does not always mean that it is ideologically and functionally so. The gist of this chapter is that there is a seed for transforming unions, induced by actors working within the state structure.

In Chapter 4, Friedman looks into union changes in Zhejiang in more depth and makes a comparison with the case of Guangdong, noting the differences in the political economy of development of the two regions. While the Guangdong economy has been reliant on foreign direct investment, growth in Zhejiang is largely attributed to domestic private business. As the provincial state in Zhejiang has a “greater potential to organize, if not coerce, employers” (96), it creates conditions for the dynamism of business associations, which then become potential bargaining partners for trade unions (104). These conditions in Zhejiang made it ripe for a form of tripartite industrial relations, yet the actual outcome falls short. This, Friedman argues, is a consequence of the politics of “oligarchic decommodification,” the formulation of a sectoral wage agreement that was imposed from the top “without consultation with or participation of workers” (123). It is evidenced in the failure of the sectoral wage agreement to be implemented and monitored in a proper way. In his remarks on the passage of a sectoral wage agreement, Friedman observes:

[These agreements] do indicate that there are moments when the interests of the state and at least some segment of capital overlap with those of workers and that under the right conditions, Chinese unions can play an important institutional role in the realization of such contracts (96).

This cautious statement shows that, after all, the bargaining power of unions is circumscribed by the nexus of state and private capital. However, the word “interests” is too generic to give sufficient nuance to what lies behind the behaviour of the state and capitalists and the statement treats the local state as a homogenous and static entity. Friedman’s original formula anticipates a causal process that consists of intervening variables and obstructions during the course of societal transformation.

Unfortunately this framework fails to capture the interactive mechanism among and within sections of the state, its corporatist and quasi-corporatist apparatus, and private capital. As social conflict theorists have articulated (Rodan, Hewison, and Robison 2006; Jones 2014), capitalist development produces new forms of coalitions and competitions that reproduce the power relationships between and among different political, economic and social forces. This suggests a continuum of exchanges, engagements and disengagements when different actors respond to market institutions. Friedman effectively shows the relative power and interactions among different actors in the state-capital-labour nexus, yet delineates essentially a one-way causal process rather than elaborating the ongoing dynamics and possibilities for change within and across this nexus.

These two important chapters contain two broader theoretical understandings. First, reforms in the labour and the union system in China are mostly triggered from within rather than outside the state. Reform-minded union leadership and government interests, in balancing the labour market and rationalising capital accumulation, are key
prerequisites for changes in discourse, policies and practices towards labour issues. Still, this leaves the need for a careful consideration of how “appropriated representation” and “oligarchic decommodification” embody both adaptation and resistance from union ranks to the ways the state manages industrial conflicts. Second, the approach of the state towards organised business and local developmental interests is instrumental in influencing union capacity and pro-labour policy outcomes, though in a formalistic and precarious way. This resonates with Friedman’s Chapter 1: that politics matters in the realisation (or not) of the institutional moments of workers’ resistance. However, instead of asking why certain insurgent moments and union reforms have failed to produce desirable institutional outcomes, we need to ask which patterns of political intervention make certain policy and structural changes possible, but not others. I will return to this below.

Friedman uses the word “class” frequently throughout the book. This seems at odds with his endorsement of Polanyi’s theory, as Polanyi considers social resistance against the self-regulating market, rather than class struggle, as a major driving force for change (Selwyn and Miyamura 2014). However, the notions of the “decommodification” and “incorporation” of labour do not really encapsulate the means and purposes of workers’ protests. Furthermore, his attachment to Polanyi means that contemporary debates on the social dynamics of class struggles are not fully explored. According to Chhachhi (2014, 914):

Rather than keeping the binary implicit in combining Marx and Polanyi, we need perhaps to also read Marx into Polanyi and vice versa. The nature of the re-embedding of markets depends critically on the class composition of the counter movement, in what ways it can represent the “interests of society” as a whole … and whether it comes from above or below.

Overall, what is novel in Friedman’s book is that it sheds light on how economic governance and the pattern of local economic development shape the condition for labour. This is pertinent to other findings by Hurst (2004) and Agarwal (2013) on regional economic situations and their impacts on labour dispute outcomes in China and India. Compared with the other analyses, Friedman does a good job in considering the complexities of the state–capital relationship, rather than concentrating on an ideal type of local economic model and policy orientations. Another strength in Friedman’s analysis is that it reveals the complex interplay of social and economic contention with political dynamics; in other words, he provides an analysis of the multi-layered contestation and accommodations from below and above.

At the same time, more attention should have been paid to conceptualising the Chinese state. As other scholarship has shown, the lack of coherence in policy and practices between central–local levels necessitates an analytical disaggregation of the state (see Sargeson and Zhang 1999; O’Brien 2003; see also Migdal 2001). As in Vietnam, there is a political dilemma associated with prioritising growth for economic integration and concerns for workers’ welfare (Beresford and Nyland 1998, 77).

**Beyond Labour Contention: Re-thinking Politics and Law in Post-socialist Regimes**

A common issue of Tran’s and Friedman’s studies is how state institutions and the political economy of state development impact workers’ struggles. Towards the end of
Ties that Bind, Tran shifts her focus from the patterns and factors behind workers’ protests, towards the way the local state and unions respond to labour tensions. Like the case of the Guangzhou union in China, not all union cadres in Ho Chi Minh City are silent on workers’ demands nor subordinate to the state’s mandates. Yet the efforts and influence of labour-supporting cadres are often seen in spontaneous situations of strikes and disputes, rather than in concerted actions to improve the bargaining power of labour. Rather, Ho Chi Minh City authorities employ administrative measures to contain workers’ collective actions in subtle ways rather than resorting to repressive measures. The creation of “social opinions” and “workers’ self-managed units,” which might appear as the rise of workers’ representational initiatives, are indeed surveillance tools of the local state and unions to pre-empt and reduce labour activism (243). Tran acknowledges that the operations of these units shore up the regulatory power behind management behaviour while also affording workers channels to voice their demands. Yet she maintains a pessimistic view, suggesting that “the net effect empowers the state and management more than workers” since these units give the state an upper hand over potential activists and protest leaders (269). The gist of this is that despite structural changes from the state that seem to benefit workers’ affairs, they hardly bode well for workers’ organisational power.

The protest cases of Ascendant and Nanhai Honda strikes in China, and that of Hue Phong Shoe Leather Factory in Vietnam show how the evolution and resolution of strikes entail the intervention of local state officials and unionists at administrative levels. Problems within the state are also evidenced in the way officials react and respond to strikes: we can see how disagreements occurred among different government departments and unions in the case of Hue Phong, and a crack was created between central and local level governments in the other two. As already mentioned, it is precisely these conflicts, as well as continuity within the system, that characterise the way Chinese and Vietnamese states organise and channel industrial tensions not only on a single-case basis but also on a broader governance context.

Both Tran and Friedman make interesting statements in regard to the nature of political responses to worker insurgency. Friedman (2014, 121) explains that “the state is attempting to resolve labor-capital conflict through purely administrative means.” This observation shows that it is not only politics that matter, but also the changing form of politics. Specifically, the issues at stake are not only the existing state institutions, but also how they have been complemented, rather than replaced, by new rules and mechanisms. What is revealed in Friedman’s account of the constrained role of trade unions and the tripartite negotiation of wages without genuine implementation is a form of societal incorporation in which the state manages the scope and limit in a certain policy arena (Rodan and Jayasuriya 2007). In other words, the state designates the avenues for political participation and strategically defines which issues are permitted within these constraints. From this perspective, despite the corporatist unions’ limited representative role of the working class, they are essentially a component of the state’s administrative project that is aimed at manoeuvring social conflicts without altering state domination (Jayasuriya and Rodan 2007, 798; Bal 2014). The creation of “surveillance” units in Vietnam that serve to pre-empt workers’ independent activism and management malpractices exemplifies the blurring of the line between formal and informal administrative
functions. It would be interesting to see how these operational entities influence the patterns of strikes and disputes in the years to come.

**Concluding Comments**

Given the murky nature of the state-capital-labour nexus in market economies like China and Vietnam that continue to proclaim socialism, we need to move beyond conventional theories of class relations and analyse the social dynamics of workers’ protests within the contested and variegated arenas of bureaucratic and legal reforms. Doing so would allow researchers to capture the causality between social conflicts and the political strategies in response. These three books add a range of fascinating contemporary dimensions to discussions of labour and the state in China and Vietnam. Tran and Becker point to the social dynamics and strategic forms of workers’ collective actions while Tran and Friedman add to our understanding of how union cadres sometimes support workers’ interests. Finally, Friedman explains the ebbs and flows of labour incorporation within the state.

One under-emphasised element of these works is the increasing significance of legal discourses, practices and mobilisation in shaping workers’ collective action. The effects of the law manifest in the connections and disconnections among state and society actors. For instance, on the one hand, individual use of legal services in China can provide an opportunity for workers to connect and share their grievances (Gallagher 2006). On the other hand, the resolution process of labour disputes reveals how the law is ignored by state officials or employed by legal professionals in favour of workers’ claims (Lee 2007). Whether and how actors behave in relation to the law is rooted in their political economic interests as much as the way they perceive the utility of the law to help serve their interests.

Findings by Tran and Friedman partially resonate with previous comparative studies of labour politics in Vietnam and China that suggest the continuity of a state corporatist rule over the trade union system (Chan and Norlund 1998; Zhu and Fahey 2000; Knutsen and Hansson 2010). For more than ten years, most labour scholars, as well as Tran and Friedman, have agreed on one point: what may be deemed positive changes to labour regulatory and legal systems in China and Vietnam by no means herald an opportunity for workers’ independent unionisation. The works also suggest a new set of potentially useful inquiries. Becker’s *Social Ties* is asking a type of question that is similar to popular inquiries of law and society scholars: “when, where, and under what circumstances do citizens turn to law?” (Silbey 2005, 335). Given the growth of legal communication between society and the state, these questions can usefully be asked in the context of labour disputes in China and Vietnam. Carving out how workers’ collective actions unfold within or beyond existing political and legal institutions is a worthwhile analytical exploration for researchers interested in the dynamics of labour unrest in China and Vietnam. Another interesting issue is about incorporation by the state. This applies to existing institutions such as corporatist unions and also to new institutions such as migrant labour organisations. This would bring the study of labour tensions towards labour governance, which defines the scope for old and new institutions to turn social contestation into spaces of accommodation.
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