SSOAR

Open Access Repository
www.ssoar.info

Social movements in China and Hong Kong: the expansion of protest space

Kuah-Pearce, Khun Eng (Ed.); Guiheux, Gilles (Ed.)

Veröffentlichungsversion / Published Version
Sammelwerk / collection

Zur Verfügung gestellt in Kooperation mit / provided in cooperation with:
OAPEN (Open Access Publishing in European Networks)

Empfohlene Zitierung / Suggested Citation:
Kuah-Pearce, K. E., & Guiheux, G. (Eds.). (2009). *Social movements in China and Hong Kong: the expansion of protest space* (ICAS Publications Series, 9). Amsterdam: Amsterdam Univ. Press. https://nbn-resolving.org/urn:nbn:de:0168-ssoar-271482

Nutzungsbedingungen:
Dieser Text wird unter einer CC BY-NC-ND Lizenz (Namensnennung-Nicht-kommerziell-Keine Bearbeitung) zur Verfügung gestellt. Nähere Auskünfte zu den CC-Lizenzen finden Sie hier:
https://creativecommons.org/licenses/by-nc-nd/4.0/deed.de

Terms of use:
This document is made available under a CC BY-NC-ND Licence (Attribution-Non Comercial-NoDerivatives). For more Information see:
https://creativecommons.org/licenses/by-nc-nd/4.0

gesis
Leibniz-Institut
für Sozialwissenschaften

Mitglied der
Leibniz-Gemeinschaft

Social Movements in China and Hong Kong

The Expansion of Protest Space

Edited by
Khun Eng Kuah-Pearce** and **Gilles Guiheux

Amsterdam University Press

Social Movements in China and Hong Kong

Publications Series

General Editor
Paul van der Velde

Publications Officer
Martina van den Haak

Editorial Board
Wim Boot (Leiden University); Jennifer Holdaway (Social Science Research Council); Christopher A. Reed (The Ohio State University); Anand A. Yang (Director of the Henry M. Jackson School of International Studies and Chair of International Studies at the University of Washington); Guobin Yang (Barnard College, Columbia University)

The *ICAS Publications Series* consists of Monographs and Edited Volumes. The Series takes a multidisciplinary approach to issues of interregional and multilateral importance for Asia in a global context. The Series aims to stimulate dialogue amongst scholars and civil society groups at the local, regional and international levels.

The International Convention of Asia Scholars (ICAS) was founded in 1997. Its main goals are to transcend the boundaries between disciplines, between nations studied, and between the geographic origins of the Asia scholars involved. ICAS has grown into the largest biennial Asia studies event covering all subjects of Asia studies. So far five editions of ICAS have been held respectively in Leiden (1998), Berlin (2001), Singapore (2003), Shanghai (2005) and Kuala Lumpur (2007). ICAS 6 will be held in Daejeon (South Korea) from 6-9 August 2009.

In 2001 the *ICAS secretariat* was founded which guarantees the continuity of the ICAS process. In 2004 the *ICAS Book Prize* (IBP) was established in order to create by way of a global competition both an international focus for publications on Asia while at the same time increasing their visibility worldwide. Also in 2005 the *ICAS Publications Series* were established.

For more information: www.icassecretariat.org

Social Movements in China and Hong Kong

The Expansion of Protest Space

Edited by
Khun Eng Kuah-Pearce and **Gilles Guiheux**

Amsterdam University Press

PUBLICATIONS SERIES

Edited Volumes 9

Cover design: JB&A raster grafisch ontwerp, Westland
Layout: The DocWorkers, Almere

ISBN 978 90 8964 131 1
e-ISBN 978 90 4851 055 9
NUR 761

© ICAS / Amsterdam University Press, Amsterdam 2009

All rights reserved. Without limiting the rights under copyright reserved above, no part of this book may be reproduced, stored in or introduced into a retrieval system, or transmitted, in any form or by any means (electronic, mechanical, photocopying, recording or otherwise) without the written permission of both the copyright owner and the author of the book.

Table of Contents

Acknowledgements 7

Note on Romanisation 8

1 Framing Social Movements in Contemporary China and Hong Kong 9
Khun Eng Kuah-Pearce & Gilles Guiheux

2 Social Protests, Village Democracy and State Building in China: How Do Rural Social Protests Promote Village Democracy? 25
Baogang He

3 Social Movements and State-Society Relationship in Hong Kong 45
Ngok Ma

4 Social Movements and the Law in Post-Colonial Hong Kong 65
Albert H.Y. Chen

5 Defining Hong Kong as an Emerging Protest Space: The Anti-Globalisation Movement 91
Khun Eng Kuah-Pearce

6 'Old Working Class' Resistance in Capitalist China: A Ritualised Social Management (1995-2006) 117
Jean-Louis Rocca

7 Justifying the New Economic and Social Order: The Voice of a Private Entrepreneur 135
Gilles Guiheux

8 The Rise of Migrant Workers' Collective Actions: Toward a New Social Contract in China 155
Chloé Froissart

9 Grassroots Activism and Labour Electoral Politics under Chinese Rule, 1997-2008 179
Ming K. Chan

10 Hong Kong's Trade Unions as an Evolving Social Organisation and Their Prospects for the Future 205
Sek Hong Ng & Olivia Ip

11 Non-governmental Feminist Activism in The People's Republic of China: Communicating Oppositional Gender Equality Knowledge 227
Cecilia Milwertz & Wei Bu

12 The Hong Kong Catholic Church: A Framing Role in Social Movement 245
Beatrice Leung

13 Religiosity and Social Movements in China: Divisions and Multiplications 259
David A. Palmer

Contributors 285

Bibliography 287

Index 309

Acknowledgements

The journey from the conception of the idea of this book to its final product was a long and arduous one. The idea first came out of the debates on the emergence of social movements in both China and Hong Kong at the end of the twentieth century. The excitement surrounding these developments was discussed between the two editors which culminated in a conference jointly organized by the Centre for Anthropological Research at the University of Hong Kong and the French Centre for Research on Contemporary China (Hong Kong). We are grateful to the authors for their contributions that were first presented at this conference on March 23rd and 24th, 2005.

Along the way, we have benefited from various people who have walked this journey with us and helped us realise the publication of this book. We would like to express our gratitude to the Faculty of Social Sciences and the Centre for Anthropological Research at the University of Hong Kong; the Consulate General of France in Hong Kong and the French Ministry of Foreign Affairs (D'Alembert scheme) for their financial support. We would also like to express our appreciation to colleagues at the Department of Sociology for administrative assistance.

In the production of this book, we are indebted to Huang Yedan who painstakingly helped to edit the stylistic contents of all chapters. We would also especially like to mention the anonymous reviewers for their comments that helped sharpen the arguments of the various chapters in this volume. We would like to thank Paul van der Velde and Martina van den Haak for their faith in our work and the editorial team at Amsterdam University Press for turning the manuscript into this wonderful book.

As editors, we have had the pleasure of working closely on this volume, and in this process we have come to appreciate our strengths and limitations and scholarship from different traditions. The editors have worked in equal partnership on this volume.

Khun Eng Kuah-Pearce and Gilles Guiheux
May 2009

Note on Romanisation

Chinese terms and place names in the text are transliterated using the hanyu pinyin system, unless otherwise stated.

1 Framing Social Movements in Contemporary China and Hong Kong

Khun Eng Kuah-Pearce & Gilles Guiheux

Introduction

Since 1979, economic reforms have led to a radical transformation of Chinese society. At the time of the planned economy, individual lives were being taken care of, and the citizens did not have to worry about their present and future livelihood, over which they did not have much influence anyway. Jobs, accommodation, education and health care were provided by the State or State-related institutions. Besides, society was almost static as social status was quasi-inherited from one generation to another and jointly decided by political factors and the position of the individual in the production system. It was considered, and stated in the Chinese constitution as such, that the People's Republic of China was 'based on the alliance of workers and peasants'.

Rapid industrialisation and urbanisation together with the progressive institutionalisation of a market economy has put the society back on the move. Chinese society is now fluid. Individuals are free to move from one location to another, and although the *hukou* system controlling population movement is still in place, it has been largely eroded. Masses of people have moved from the interior to the coastal cities in search of employment, resulting in a large floating population. Following Deng Xiaoping's tour of the south in 1992 and the relaunching of the economic reforms, civil servants and Party members have turned into entrepreneurs, with some of them becoming incredibly wealthy. On the other hand, some have experienced downward social mobility. Massive lay-offs started in the middle of the 1990s in the State sector, and many workers in their 40s or 50s without qualifications, especially women, were not able to find new jobs. Pensioners have also greatly suffered, living on very small allowances. Since we moved into the twenty-first century, Chinese society has become more diverse, and sociologists have been working on producing adequate tools to analyse mobility. One attempt to produce a comprehensive analysis of the new social stratification was published in 2002 and identified ten different strata on the basis of three types of capital: social or organisation capital, economic capital and cultural capital (Lu 2002), ranking the leaders

of State institutions at the top and the unemployed at the bottom of the social status ladder.

Individuals are freer to move socially and geographically. Paradoxically, the individualisation of society goes hand in hand with the collective movements that emerged as a result of individual wants. As witnessed in recent years, farmers are protesting against local governments and excessive fees; urban residents are opposing evictions from houses that are being torn down; migrant workers are asking for long overdue salary payments; activists are organising themselves to protect the environment; and women are fighting for their rights. At local levels, ordinary people (*laobaixing*) are taking a growing interest in organising themselves, sometimes with the help of lawyers or the support of non-governmental organisations, and fighting for various social or economic causes. We are not only talking about violent upheavals, but more generally of a growing capacity of certain groups in society to make their voices heard. The political leadership is conscious of the risks of social instability and has been promoting a more 'harmonious society' (*hexie shehui*) since 2003. Although past Chinese Presidents, Deng Xiaoping (1979-1989) and Jiang Zemin (1989-2002), were eager to promote economic growth at the cost of increasing inequalities, the current national leaders, Hu Jintao and Wen Jiabao, in power since 2002-2003, have repeatedly underlined that China needs more than steady economic growth, it is also time to pay attention to the distribution of wealth. Growth should be more balanced, socially and environmentally.

How should we understand these two simultaneous processes: the individualisation of society on the one hand, and the emergence of collective action on the other? The starting point of this book is the acknowledgement that individuals have to rely on their own efforts for their wellbeing and are freer from the constraints of the State, while in some circumstances, they gather together to defend their interests. The Chinese society is said to be individualistic, yet at the same time, people are willing to be involved in collective forms of action. This was recently illustrated by the reactions to the Sichuan earthquake (May 2008). The catastrophe led to an impressive movement of solidarity coming from all parts of Chinese society. This is evidence that we are witnessing the emergence of more individualised Chinese subjects and a new social fabric.

One of the main hypotheses of this book is that there are not only internal factors leading to the emergence of collective forms of action, but also external ones. One of the original features of the Chinese development path in the last quarter of a century is indeed the high level of internationalisation of the country (Zweig 2002b): capital, goods, services, ideas and people have been increasingly flowing across the

Chinese boundaries, thereby increasing the share of transnational exchanges. That is why we have chosen to encompass Hong Kong in our study. The links between the mainland and Hong Kong are various and intense. The two economies have integrated over the last twenty years, most Hong Kong industries having migrated over the border to Guangdong province, with Hong Kong becoming a service-only economy. Now that capital and goods flow freely across the border, Hong Kong entrepreneurs have become major economic actors, not only in the nearby province but all over the country; Hong Kong developers, for instance, are taking a major part in the reshaping of Chinese large cities. The land border between Hong Kong and Shenzhen is one of the busiest in the world, with several tens of thousands of people travelling back and forth across the checkpoints daily, most via train, bus and ferry for work, school and pleasure. Hong Kongers cross the border to survey their factories and take advantage of lower costs; mainlanders come to Hong Kong to learn the rules of capitalist economies and societies and to enjoy quality services at a high price. In this process, and facing vivid competition from other mainland cities, Hong Kong is less the gateway to China for foreigners that it used to be and more the door to the outside world for mainlanders. The growing number of students and professors coming from the mainland to study and work in Hong Kong tertiary education institutions is an example of the growing intellectual flows between the two territories. Of course, the increase of economic, social and intellectual flows across the border have been greatly enhanced by the hand-over of the former colonial territory to Beijing in July 1997; since then, Hong Kong has become (together with Macao in December 1999) a 'special administrative region' (SAR) of the People's Republic of China. For fifty years, Hong Kong will keep a distinct economic – capitalist, legal, common law, and political, with partially elected representatives – system inherited from the colonial era.

The intensity of Hong Kong-China link is only comparable to those between the mainland and Taiwan. Like in the Hong Kong case, Taiwan's economy is largely integrated with the mainland, notably Fujian, Zhejiang and the Shanghai region. There are large flows of people as well, but until the recent election of Ma Ying-jeou as President of the Republic of China (March 2008), who is willing to improve the relations with the mainland, these flows have been almost exclusively from Taiwan to the mainland, involving mostly businessmen and salarymen (and their families) working on the other side of the strait. Taiwan and the mainland are two politically separate entities, and there have been many hurdles to the deepening of people-to-people relationships. The democratisation of the island's political institutions that started in 1987 have been largely driving Taiwan, the only Chinese democracy in the

world, away from the mainland; it has greatly contributed to the emergence of a Taiwanese political and cultural identity. Besides, the ethnic divide between the Taiwanese – Chinese immigrants who mostly arrived on the island in the seventeenth and eighteenth centuries – and the mainlanders – those who arrived in 1949-1950 following Chiang Kai-shek's defeat in the civil war – is a unique feature of the Taiwanese society. The democratisation process, the ethnic divide and the uncertainties over the future relations across the Taiwan Strait explain why this book is not addressing the issue of Taiwan-mainland China interlocking relationship.

Comparatively, the hand-over of Hong Kong has never been debated as such, and the future of the SAR is irremediably linked to the mainland, major decisions being actually made in Beijing. The central government carefully scrutinises Hong Kong and its evolution because what is happening in the territory has an impact across the border. Because of Hong Kong's special status, the Beijing authorities cannot foresee what could happen one day across the border. Since the return of Hong Kong's sovereignty to China in 1997, the SAR has been ruled under the Basic Law. For a variety of reasons ranging from anxiety about the local economy, discontent with the Chief Executive leadership (Tung Chee-hwa from 1997 to 2005 and Donald Tsang ever since) to a sense of urgency for political reform, Hong Kong people have been increasingly politically conscious and active. On July 1st 2003, the largest protest ever seen in Hong Kong since the 1997 handover drew 500,000 marchers to oppose an anti-subversion law (abiding to Article 23 of the Basic Law). In the aftermath, two cabinet members resigned, and the bill was withdrawn after it became clear that it would not get the necessary support from the Legislative Council for it to be passed. The introduction of the Article 23 legislation has since been shelved indefinitely. As a consequence, the July 1st marches have been held every year as a means to demand democracy, universal suffrage, rights of minorities and a variety of other political concerns. In Hong Kong, besides calls for the hastening of the democratisation process, which includes universal suffrage, activists are calling for awareness of other issues such as environmental and heritage protection, or the implementation of a minimum wage law. Many of these movements are gaining rapid momentum and will become forces to be reckoned with in the near future.

One of the main hypotheses of all the contributors in this volume is that the integration of Hong Kong into China, and the integration of China into the global economy, has some consequences for the ability of people to mobilise and organise in the fight for their interests. Hong Kong and Chinese citizens are becoming more aware of the political dynamics of the world stage, and the dismantling of the old economic

and social order and its replacement by a new one, governed by the sole search for individual gains, is bringing to China new social dynamics. Parts of China, the mainland and Hong Kong are emerging as important physical spaces for social movements.

Bringing together papers on both mainland China and Hong Kong is heuristic for several reasons. First, if China is gradually becoming a social class-based society, social scientists have agreed for a long time that Hong Kong already is a social class-based society. So the question of the evolving relations between state and society will be addressed in a Chinese society returning to social class stratification in one case, and in a Hong Kong society where income inequalities are growing fast. Second, fruitful comparative analysis is also possible on the issue of the institutionalisation of social claims, or how protestors mobilise the law. In the Hong Kong case, the rule of law has provided institutionalised channels for the members of the society to make their voices heard for a long time; social activism in Hong Kong started in the 1970s, long before the latest British Governor Chris Pattern started to democratise political institutions (Lam 2004). For several decades, associations, unions, and political parties have been using the law as a weapon. In China, the socio-economic transformations have led to a reframing of social interactions. The commodification of resources, allocated through markets, has led to an increasing contractualisation of relations. Relationships between landlords and tenants, employers and employees, producers and suppliers, etc. are governed by a new system of formal contracts. That explains the extensive production of laws and legal regulations since 1979 and the rapid development of the legal professions such as lawyers and judges. This has led to an increasing awareness of legal rights among all kinds of people who may mobilise the law to protect their rights. Third, comparisons can be drawn between the issue of globalisation and its impact on the understanding of social movements. Hong Kong is a society that is highly integrated into global flows, which explains for instance why the city was chosen as the location for the sixth World Trade Organisation Ministerial Conference (December 2005); this was a unique opportunity for local activists to put Hong Kong on the global map. A comparison should be made with another event that took place in China a decade earlier, in September 1995: the Fourth World Conference on Women was held in Beijing, gathering representatives from almost two hundred countries. In both cases, we will try to assert how local forces have been shaped by their exposure to the international arena.

Understanding Social Movements

Social movements could be categorised into 1) conventional social movements based on the Marxist line of class differentiation and economic materialism, and 2) the new social movements that Calhoun argues are the characteristics of the contemporary post-industrial and post-modern world. Trade unions and other labour groups that fought for the labouring classes organised many of the earlier social movements. To Melucci, social movements are 'action *systems* in that they have structures' (Melucci 1985: 793). Here, social movement is viewed as 'a form of collective action a) based on solidarity, b) carrying on a conflict, c) breaking the limits of the system in which action occurs' (Melucci 1985: 795).

The emergence of '"new social movements" in a post-modern and post-industrial world worked outside of formal institutional channels and emphasised lifestyle, ethical, or "identity" concerns rather than narrowly economic goals' (Calhoun 1995: 173). Many of the new social movements were seen to be associated 'with the counterculture, the search for "alternative" forms of social and cultural life' (Touraine 1985: 749). Touraine argues that social movements 'should be conceived as a special type of social conflict' (Touraine 1985: 750) that revolves around 'the social control of the main cultural patterns' (Touraine 1985: 754).

One key factor for the emergence of the new social movements is the rise of the middle class, where the focus is on individualised non-economic needs. As such, they are seen as defending 'specific spheres of life', and those committed to defending various aspects of life choices are less likely to succumb to pressure for change (Calhoun 1995: 184). Many of these movements focus on people with a minority banner, as well as being sociocultural in orientation (Touraine 1985: 780). Likewise, they are seen as a way for people to exert their own power and attempt to free themselves from state power (Touraine 1985: 776). Others argue for the rise of a new middle class, people who are professionals but have flexible time schedules, which allow for such actions to take place. At the same time, there are a small group of the old middle class, as well as those in marginal positions but with time to spare for such actions, such as housewives, unemployed workers, students and retirees (Offe 1985: 832). Because of their penetrative influence on the various social groups in a society, the new social movements inevitably have the power to politicise those who converted to the causes expounded by these movements.

Calhoun, together with other scholars like Melucci, looked at various movements such as 'feminism, the ecology movement or "greens", the peace movement, and the youth movement, (...) the gay movement, the animal rights movement, and the anti-abortion and pro-choice move-

ments', as well as at the emerging new social movements which tackle new issues, use new tactics and appeal to new groups of people within the nation-state and the world (Calhoun 1995: 173). These new social movements are a contrast to what he sees as the class-based and economically oriented kinds of movements, such as the labour movements of the early nineteenth century (Calhoun 1995: 173). For Calhoun, these new social movements are concerned with 'identity politics', where the actions involved in the movements are construed not as a means to an end but as ends in themselves. In short, these movements are self-fulfilling (Calhoun 1995: 175). This is so because they deal with issues, concerns and values of the prevailing situation of the time (Offe 1985: 820). At the same time, their mode of operation begs to differ with the traditional social movements. The new social movements are alternative in their operation modus – they are individualistic and eclectic, to say the least. The movements attract individuals, with the more vocal ones becoming the spokespersons for the actions, and rely primarily on donations (Offe 1985: 829). It is argued that the participants in these new movements are 'class-aware' instead of 'class-conscious' (Offe 1985: 833). Their actions are seen as legitimate and recognised by the society, able to galvanise the community at large for their causes (Offe 1985: 826).

Both types of movements have created an expanded socio-political space and have enhanced the voices and visibility of those who participate in them. In this sense, the new social movements go beyond bureaucratic boundaries and seek to address a civil society that does not depend on bureaucratic regulations and controls (Offe 1985: 820). They are seen as rooted in 'free spaces', enabling protesters to move out of their subordinate positions and to collectivise and build up their arsenals of resistance (Polletta 1999: 6).

Chinese State and the Expanding Protest Spaces

As China and Hong Kong inch their way into the twenty-first century, we are more likely to see social activism flourishing, with an increased number of social movements, both on a large and small scale, demanding social participation and involvement in various causes that affect personal lives and the common good of the people and the nation. In this book, we are paying attention to voices from various social strata of the Chinese population who are now embracing sets of social values that differ from those of the old Communist state and ideology. These voices are contributing to the reshaping of an ideological stage marked by confusion and chaos – since there is still the communist morality

on one side and naked self-interest on the other, with various proposals in between.

We could consider that these social forms are revealing a struggle between competitive economic and social forces as has been observed in other industrialised societies, as if they are the signal of a return to (or another emergence of) the old form of class struggle that advocated revolution and overthrowing the existing regime, or at least questioning the main social and political orientations of mainland Chinese and Hong Kong society and fighting for general socio-economic and socio-political improvements. Another perspective would be to consider that we are witnessing societal movements, as conceptualised by Touraine, that is to say individualised movements that emerge to defend the rights of specific categories of people asking for individual autonomy and rights. These are the main questions we intend to address through papers based on first-hand empirical studies. Our aim is to look at what is going on at the grassroots level and analyse these evolutions in the framework of the Chinese historical trajectory.

All contributors to this book share the view that there is no reason to believe that socio-political change in China should resemble the experience of the West. As R. Bin Wong (1997) has argued, China and Europe have historically followed different paths. In Europe, the state had to compete and negotiate with other political actors: aristocracies (with their own land resources and military men under their control), the Church and the urban elites. This configuration led to legal systems that affirmed the rights of individuals and estates. In the European case, constructing state power meant acknowledging an increasingly well-defined boundary between what the central state could do and what lay beyond its powers. The formation of this boundary between the centralising state administrations and society at large is basic to European ideas about 'civil society'. The creation of the modern state and civil society were parts of a common process defining a particular construction of state-society relations in which sharp lines could be drawn between state and society (Wong 1997: 87). On the contrary, in Imperial China, there was no challenge to the Emperor by elites with independent bases of authority, nor were there municipal elites with claims to urban autonomy. There were no institutionalised separate social classes and estates, and no clear boundaries limiting state authority and power. Local elites were incorporated into the bureaucratic system as officials "relied on local elites to help them implement a common agenda for promoting domestic order, an agenda that included social persuasion, surveillance and welfare" (Wong 1997: 94). One of the main tasks of the Chinese State was monitoring and controlling the domestic population; that is, maintaining domestic order in rural areas

was the main challenge, the main threat coming not from the city as in Europe, but from the countryside.

Today's Chinese societal evolution is indeed very different from what is happening in many mature western societies. In the United States for instance, Robert D. Putman (2000) has argued that the entire spectrum of social connectedness in interpersonal, civil and social life is eroding. He is drawing a picture of an American society, on levels from family to nation, which has become, over four decades, atomised and lacking in social capital for investment in societal betterment. According to his (contested) analysis, the American society has become a fragmented one where the integrating and mobilising institutions have decayed. In China, the erosion of society was not the consequence of a declining level of involvement into social activism over generations but of deliberate action from the State and the Party that forbade autonomy. Whereas in the West we are witnessing the breaking of society, in China, the society has still to be produced. What is at stake here are not the threats that hang over an already institutionalised society but the hurdles that may jeopardise the production of a society yet to come (Shen 2007).

Social movements in China are still at the nascent stage, and with the gradual opening up of China to the world, it is inevitable that they will start to challenge the once rigid Communist structures as well as to push the comfort zone of the central, regional and local governments. Increasingly and irrespective of whether the protest movements are well organised and large in size or small and sporadic, they have come to dot the urban and rural landscapes. Since the large-scale Falun Gong gathering around Zhongnanhai on 25 April 1999, ten years after the Tiananmen Massacre on 4 June 1989, to small groups of parents protesting against the kidnapping of their children to work in the coal mines in northern China, and to recent protests by parents about tainted milk powder and milk products, protests have come in a steady stream. What do these social movements represent in the Chinese context and what has been achieved as a result of these protests? Irrespective of whether we are witnessing rural folk with little education or urbanites with a more cosmopolitan outlook, the scenes are the same. They all come in groups to protest against what they regarded as corrupt practices and moral conundrum of those who abuse their power. In all these protests, the individuals and the groups have found voices and the strength to express and actualise their dissatisfaction and demand their rights amidst continued fears of persecution by local, regional and central governments. Unlike in the past where protests were not condoned and those involved routinely imprisoned for social disruption and attempting to usurp authorities, the last two decades have witnessed a changing political response to some of these protests. In

rural areas, protest movements against local government have resulted in the emerging process of democratisation in the villages in China, leading to the formulation of representative assembly and village citizenship. Likewise, the recent events pertaining to corrupt official practices, tainted milk powder, kidnapping of children, etc. that led to exposure in the media, have led to swift actions on the part of the central government, culminating in the arrests of those culprits involved in these activities. In addition, the government officials were also putting in measures to allay fears of these protesters and provide various actions, including medical treatment of children with kidney stones as a result of the consumption of tainted milk powder. In responding to such protests, the central government is attempting to portray itself as a caring government that is concerned about the welfare of its citizens. It is also attempting to project its administration as having the final control of the situation and of its ability to manage and contain protests of all scales.

In this sense, it is possible to argue that the emergence of a civil society is gradually gaining ground on the mainland, although its long-term future continues to be very much dependent on the attitude of the central government. At present, the central government under the leadership of Hu and Wen is likely to allow protests to take place as long as they do not rock the political stability of the country and challenge the political rule of these leaders. This political allowance is significant as China continues its march towards globalisation and its attempts to join the world leadership elites and to gain their acceptance. It is also an important signal to the global community that it is prepared to give limited concessions in the areas of political freedom, freedom of expression and human rights. Such acts could also be used as leverages in their political dialogue and trade talks with the developed nations, and it is plausible to argue that as the political leadership of China becomes more confident of itself, it is more willing to free up small spaces for its citizens to engage in protest actions within a managed framework.

In protest actions and movements taking place both on the mainland and in Hong Kong, it is possible to maintain that such developments have enabled the Chinese citizens to understand the role of the individuals and groups in expressing and actualising their voices. It has enabled both societies to expand their protest spaces. Hong Kong and mainland Chinese political activism and protest movements could help us to reconceptualise participation and citizenship. Our analysis connects with approaches that aim to bridge the gap between citizen and the state by recasting citizenship as practised rather than as given.

> Citizenship has traditionally been cast in liberal terms, as individual legal equality accompanied by a set of rights and responsibilities and bestowed by a State on its citizens (...). Placing an emphasis on inclusive participation as the very foundation of democratic practice, these approaches suggest a more active notion of citizenship – one which recognises the agency of citizens as "makers and shapers" rather than as "users and choosers" of interventions of services designed by others. (Hickey & Mohan 2004: 29)

Under a still authoritarian form of government, and though there is no free democratic public space, Chinese citizens have become the active creators of new social and economical rights, hence enlarging their socio-political and protest spaces.

Outline of the Book

This book is divided into three parts. The first part focuses on state-society relationships; chapters investigate how Chinese citizens, either on the mainland or in Hong Kong, make use of or contest existing political institutions at the local, national or international levels; authors consider how protests may lead to some sort of evolution in the political arena. The second part deals with the individuals at work; contributions look at how recent economic transformations are changing working conditions and how workers react. In the third and final part, the chapters deal with the most intimate and private dimensions of an individual: gender identity and religious beliefs and practices. In so doing, though not being absolutely comprehensive, we aim at covering the political, the economically productive and the private dimensions of people's lives in both Hong Kong and on the mainland.

Part 1 concerns the issues of citizenship, rights and identity. In Chapter 2, He explores social protests and their impact through key institutions of village democracy such as electoral rule, village citizenship, and village representative assembly. He focuses on the democratic function of social protests, addressing the essential question of how disruptive social events can be turned into a positive constructive force. The chapter draws on ten years of research, conducted between 1993 and 2003. While it is not easy to discuss how widespread the phenomenon is likely to be, the story he tells indicates a new trend that is significant for the democratisation of rural China.

In Chapter 3, Ma discusses the evolution of social movements in Hong Kong from the early colonial era to the post-handover period. Hong Kong has been regarded as a minimally integrated system with

weak links between state and society. However, years of development of social movement and civil society since the 1970s mean that civil society, by actively demanding social and political reforms, has been increasingly influential during the political transition and after the handover. This chapter shows that, with weak horizontal links between civil society organisations (CSOs), relatively weak organisational resources, and weak linkage between civil society and political society, the CSOs in Hong Kong have opted for more *ad hoc* organisational forms since 1997, and that this is not conducive to an accumulation of resources and experience for such movements.

In Chapter 4, Chen explores the relationship between social movements and the law in post-colonial Hong Kong society. By Western and international standards, social movements in Hong Kong are relatively few, weak, of small scale and of limited duration. However, Hong Kong does provide an interesting case study of the relationship between law and social movements. This chapter shows that theories of law and social movements developed by scholars on the basis of Western experience are by no means irrelevant to Hong Kong. The Hong Kong experience vividly demonstrates how the law can both constrain and support social movements, and how it can become a stage on which the mass media and members of the public focus their attention as the rights claims of social movement actors and organisations are fought out. Since 1997, the life of the law has apparently been strengthened by the coming into force of the Basic Law and the increasingly activist role of the Hong Kong judiciary in handling important issues of public policy. Social movements have begun to exploit the law and the legal system for the purpose of challenging government policies, or at least to make their claims highly visible.

Kuah-Pearce, in chapter 5, uses the Anti-Globalisation Movement in Hong Kong as a case study to explore Hong Kong as an emerging globalising protest space. As China marched into the twenty-first century, with an emergent consciousness of issues pertaining to rights and freedoms, there emerged in Hong Kong various forms of protest movements both in the rural and urban areas. Hong Kong, despite being a part of Greater China, continues to function as a great metropolis with Western and capitalist characteristics as it was under British colonialism. Perhaps because of its link with the colonial past and its current political status, political apathy has given way to a threefold jump into political consciousness, with various factions clamouring for political participation, expressing and demanding that various types of rights be put into the governmental structure of post-colonial Hong Kong. The result has been an emerging protest space for the Hong Kong people to exercise their emerging consciousness. Likewise, in this push for better representation, Hong Kong has gradually emerged as a globalis-

ing protest space, with the Anti-Globalisation Movement a testimony to this. This chapter explores how this emerging globalising protest space is being used to send strong political messages to the world, as well as to the mainland Chinese government.

Part 2 of the book examines the relationship between economic transformation and unrest and self-assertion in the China-Hong Kong polity. Rocca, in Chapter 6, examines the resistance of the 'old working class' in capitalist China. In contemporary China, new power relations lead to a particular mode of administration of conflicts called 'social management'. The authorities have set up procedures in order to prevent and/or to forestall protest movements. The objective is to ritualise dissatisfaction in order to channel protest. This way of dealing with conflicts is built on a common will of preserving the organic ties characteristic of socialist labour. On the one hand, workers do intend to maintain close relationships with local officials, and use socialist rhetoric. On the other hand, the authorities aim at avoiding any form of global repression that could result in the social marginalisation of the group.

In Chapter 7, Guiheux examines, through the voice of a private entrepreneur, the extent to which social movements are constrained by ideological arrangements. In mainland China, there is an increasing number of social actors who are taking part in the definition of the new social, economic and ideological order. This is partly due to the fact that the Chinese Communist Party is actively recruiting the winners in the economic reform, reaching out and co-opting newly emerging social elites, in particular the professional and technical elites and private entrepreneurs. In this chapter, we look at one social actor, a private businessman, who is not, strictly speaking, a member of the state apparatus (though he is close to it), and whose discourse contributes to the drawing up of forms of legitimisation for the present social and economic order. The use of a rhetoric simultaneously modernist, socialist and Confucian reflects the opportunism of the man himself and reveals the mixing and matching of values that characterises China today.

In Chapter 8, Froissart studies social movements among migrant workers on the mainland. Social movements among migrant workers in China emerged due to the contradictions of the State, which wanted to preserve social order without consenting to core political reforms. Migrants' autonomy was at first encouraged by the central government, urging state organisations to protect migrants' legal rights and to settle their conflicts according to the law. This legal procedure fostered individualisation while maintaining conflicts in the private sphere. However, this phase allowed migrants to fully experience their disempowerment and the failings of the system. New forms of mediation and representa-

tion, such as NGOs, have emerged. These organisations are now lobbying political power in the name of the migrants to promote new social and political values, and are also helping migrant workers in their everyday lives. However, these organisations are also working for the benefit of the party-state to which they adhere, minimising social conflicts and orienting reforms in a direction that can help the Party to maintain its power.

In Chapter 9, Chan examines grassroots labour activism and political participation in post-colonial Hong Kong under Chinese rule. He examines trends and noteworthy dimensions of labour inputs into Hong Kong's electoral campaigns, civil society outbursts and democratisation debates over the past decade under Chinese sovereignty. Hopefully, this essay may add to the ongoing discourse on the class line as an increasingly crucial socio-economic cleavage in Hong Kong's social mobilisation and party-electoral politics. The great socio-economic urgency and overriding political concerns vis-à-vis Beijing have become the two very significant forces in reshaping Hong Kong labour activism since 1997. A politicisation of organised labour, together with civil servant unrest and the intensification of labour militancy over rice bowl issues in an ongoing restructuring process have, so far, characterised the HKSAR labour scene.

In Chapter 10, Ng and Ip look at the changing posture of trade unions in Hong Kong, as the society has gone through a hectic transition during the last two and a half decades. In retrospect, organised labour had become self-effacing and even docile for almost three decades in post-war Hong Kong, for a plurality of reasons that have been well documented in the literature. However, the momentous impetus of the political transition of the 1997 'dateline', plus the re-structuring of Hong Kong's economy and industry because of the new 'paradigm' created by China's marketisation reforms, have precipitated far-reaching changes in the structure, power base, strategy and policies of Hong Kong's labour unions and their movement. In this context, Hong Kong trade unions and labour organisations are evolving towards a presence at the level of the neighbourhood community, outside the conventional 'industrial jurisdiction' of workers' combinations.

Part 3 explores the issues surrounding the emergence of social and religious activism. Chapter 11 examines the gender dimension and explores the development of Chinese women's social movements. This chapter is divided into two main parts. In the first part of the chapter, Milwertz and Bu describe the emergence and development of popular feminist organising in Beijing since the mid-1980s as one element of the new reform period of the Chinese women's movement, and discusses the relationship between such organising and the state. The second part shows how activists have gradually broadened the scope of the

modes of communication that they employ. She discusses the use of mainstream and alternative media in a politically restrictive context, arguing that, when activists use radical and alternative media for public consciousness-raising, it may sometimes help democratise the communication process. She argues that the success of the activists' endeavour to transform society may lie in these kinds of participatory processes, which may then lead to the widespread generation of emancipatory knowledge that challenges the dominant, inequitable gender order.

In Chapter 12, Leung examines the role of the Hong Kong Catholic Church in initiating the movement of resistance to the Chinese government. From the beginning of the colonial period, the Hong Kong Catholic Church played a 'framing' role, helping the colonial government to stabilise the society. The return of Hong Kong to Chinese rule in 1997 turned the tide of this Church-state relationship. With an ideological incompatibility between religious belief and Communism, the suppression of religion in China legitimised HKSAR Catholics' fears of Beijing's repressive religious policy. Following this, the proposal to legislate Article 23 of the Basic Law led to the Catholic Church taking a prominent role in framing the political protests. Bishop Joseph Zen led the Hong Kong Catholics to take up resistance. Paradoxically, the annulment of the legislation of Article 23 has redeemed the prestige of HKSAR as a metropolitan city where the HKSAR government, since the return of sovereignty, has been subjected to much criticism for their various actions. In other words, it is the Hong Kong Catholic Church, with its global vision, that has played a framing role to preserve the dynamics of Hong Kong as a metropolitan city.

In Chapter 13, Palmer examines how temple revivals and the *qigong* movement, though very different from each other, represent two ends of the wide spectrum of Chinese popular religiosity. Neither clearly fits conventional definitions of 'religion', nor does either fit conventional definitions of social movement. But applying the concept of social movement is useful to help us derive models of social agency that would better describe the dynamics at play when Chinese religious groups find themselves in antagonistic relationships with the state. This chapter suggests that two types of dynamic can be observed around Chinese religious practices of the body and the temple: division and multiplication, showing that the two often coexist asymmetrically, with ever-extending lines of division ironically opening ever more zones of multiplication. The symmetrical mirroring of lines of division leads to a highly polarised conflict which collapses the possibility of a *social* resolution and turns into a *physical* conflict, either through forceful repression or by eliminating, through regime change, the hands at the levers of state violence.

2 Social Protests, Village Democracy and State Building in China: How Do Rural Social Protests Promote Village Democracy?

Baogang He[I]

Introduction

Social protests are frequent occurrences in rural China. In facing rural unrest, disorder and instability, the government has adopted various strategies. The main one aims to contain collective actions through prohibiting any unofficial national associations, punishing the organisers of collective actions, and disciplining local officials who are corrupt or incapable of controlling social protests. As a result, rural social protests and movements are not able to form a national political movement. They take place on a small scale – they are minor and mild, informal, isolated, sporadic, and dispersed.

The total suppression of political participation is dangerous. Alexis de Tocqueville (1955) observed that when the centralised French state reduced local autonomy and inhibited institutional participation, resultant confrontations were violent and led to chaos and disorder. This historical lesson seems to be relevant to today's China. In order to prevent large-scale violent events from occurring and to direct all rural social protests into an institutionalised area within villages, the Chinese state has promoted and encouraged the establishing of village democratic institutions such as village elections and village representative assemblies. The Chinese government granted village committees the status of 'mass organisations' which are able to control village affairs through village autonomy. It also encouraged the development of limited local democratic institutions in order to avoid social trouble and reduce social conflicts. Rather than demonstrating on the streets or in public places, villagers are 'seduced' into fighting for their interests through village representative assemblies or elections; any potential radical social movement, therefore, can be turned into a constructive force to build an orderly society in rural China. Social protests thus constitute an essential process of state building and an instrument in the art of governance. In addition, the relationship between the state and rural society has been reconstructed in such a way that social pro-

tests have exercised great pressure on the state, and villagers through their social protests and limited collective actions have been able to negotiate with the agencies of the state at local levels.

State building and the rural policies concerning rural order and village autonomy have provided social protesters with 'an opportunity structure', a term coined by Sidney Tarrow (1994). Drawing on the State's Organic Law, villagers have carried out what Kevin O'Brien (1996) calls 'rightful resistance'. Social protests as a form of political participation are a driving force in making formal village democratic institutions meaningful and in improving the existing democratic institutions. When villagers are given an opportunity to exert control over their lives through self-governing institutions, their participation in village affairs is a central determinant of whether these institutions can actually work. Indeed, it is only through the political participation of villagers that formal institutions, which exist on paper, can be transformed into genuine democratic institutions. It is through 'rightful resistance' – a form of participation where villagers use official policies and state laws to confront local leaders (O'Brien & Li 1996) – that so-called 'cosmetic' village elections can be transformed into meaningful village democracy (Kennedy 2002).

This chapter studies social protests and their impact on key institutions of village democracy, such as electoral rule, village citizenship, and village representative assembly. It focuses on the political impact of social protests, addressing the essential question of how disruptive social events can be turned into a positive constructive force. My approach is different from that of Lianjiang Li and Kevin O'Brien (2002), who study political attitudes and behaviour in choosing different forms of collective actions, and examines how village elections bring village committee members and villagers together in resisting unlawful local policies (Li 2001).

The chapter draws on ten years of research, conducted between 1993 and 2003, which has enabled me to track various trends and developments in the implementation of village elections and the rise of village democracy. Official controls on the information about social protests make it very difficult to get reliable statistical data on rural social protest. The chapter presents anecdotal data on the situation in particular villages. While it is not easy to discuss how widespread the phenomenon is likely to be, the story described in the chapter indicates a new trend which is significant for the democratisation of rural China.

Rural Social Protests

According to one study conducted by Professor Jae Ho Chung of Seoul National University, collective public security incidents (CoPSI, *quantixing zhian shijian*) – incidents whereby groups of people gather to disrupt public order and destroy public properties – have been increasing annually, from 8,700 in 1993 to 11,000 in 1995, 15,000 in 1997, 32,000 in 1999, and 40,000 in 2004 (Jae 2004). In my fieldwork I often encounter demonstrations and villagers' visits to towns or townships to complain about corrupt village leaders. In December 2004 in front of the official building at one township in Wenglin, Zhejiang, more than three hundred villagers gathered to read aloud collectively the Organic Law's provision that any major decision with regard to land and village welfare must be discussed by and passed through the village representative assembly. They were protesting against one exploitative developer who had bribed a few local officials for cheap land, and against corrupt officials who had appropriated village lands without gaining consent from the village representative assembly.[2] In Hanyuan, YaAn, in 2004, hundreds of villagers protested against a relocation plan to such an extent that the government had to send the military to crush the public demonstration.

The issues concerning rural protesters are villagers' rights, the misappropriation of collective land, the collection of illegal fees, corruption and the misuse of public funds. Rural social protests express the following values: rights-based morality, personal autonomy, and a clear and accountable local government, as opposed to centralised control and bureaucratisation. The forms taken by social protests and collective action include the mobilisation of villagers to launch complaints, public appeals, demonstrations, actions against manipulated elections, the collection of signatures to submit a dismissal proposal, and many others. The social bases of rural protests are village kinships, factions, and even elected village committees or village representative assemblies. Increasingly, villagers appeal to elected village committees who organise collective protest complaints against excessive fees extracted by township leaders (Li 2001: 2).

Rural social protests can be understood as a diverse and multilayered critique of the Chinese authoritarian system. Villagers are struggling against the exploitation and corruption of local governments. It can also be explained partly as a result of the inadequacies of the existing market system. In facing an unequal distribution of wealth created by the market economy, the most disadvantaged groups have to organise themselves to fight for their interests and rights.

In addition, it can be seen to be a result of the transformation of rural society in the age of modernisation. In traditional and communist

Chinese rural societies, the purpose of individuals is seen as contributing to the good *of society*. Indeed, the very existence of individuals is believed to rely *on society*, and the way of thinking and behaviour of individuals are said to be defined *by society*. Society, with its hierarchy and customs, is understood as a great source of the individuals' values and beliefs. It is a safe haven which offers individuals a sense of belonging. With the marketisation of the Chinese economy, Chinese rural society has been commercialised and individualised in the sense that rural individuals care about and pursue their self-interest. The individualisation and atomisation of Chinese society have been accompanied by increasing collective actions and social protests. Indeed, social protests and social movements can be seen as an instrumental tool whereby individuals can maximise their individual liberty and secure their individual rights. In facing ruthless markets and corrupt governments, a single individual is powerless and carries no weight at all. Individuals have to organise themselves, either by forming various associations or launching social protests.

Social protests and collective actions give the individual bargaining powers and a sense of social solidarity. Under the pressure of maintaining order and stability, local officials sometimes meet the demand made by social protesters. In subsequent sections, we will see how rural social protests have pressured the state as well as local governments into developing a system of village citizenship, improving electoral procedures, establishing a recall procedure, introducing competitive elections, and institutionalising the village representative assemblies. Of course, not all social protests lead to village democracy.[3] I personally encountered a professional protester in Beijing in May 2005, who went to the capital city five times from a remote village in Hunan Province to launch his petition to get a fair deal on the appropriation of village land, but was beaten and arrested by local policemen several times, with the issue concerning the village land still unresolved, and there has still been no village representative meeting to address the common land issue in his village.[4]

Fighting for Village Citizenship[5]

Merle Goldman (2002) highlights the importance of citizens' initiative and struggle in the post-Mao era, by individuals and groups asserting their political rights, rather than waiting for them to be granted by the government. Indeed, it is through struggle that villagers now defend their village citizenship.

The following examples highlight key aspects of struggles for democratic village citizenship:

- Retired cadres, who were members of a village and who had household registration in a city but who are now living in their home village, demand the right to vote.
- Those who have gained household registration in cities, after their collective lands were appropriated by the government or other agencies in the cities, demand their original villager status and their right to vote.
- Married-out women demand their right to vote in many townships, as they attempt to retain their household registration in their native village and refuse to acquiesce to the village leaders' demand that they should re-register their household in their husbands' villages. One woman, who did not have proper marriage registration and was therefore deprived of her right to vote, demanded its restoration.
- Migrant workers demand their right to vote in the village where they have worked for a long period.
- Ordinary villagers demand the right to vote. During the 1998 village election in Tianli, Huiping township, votes from one household were somehow left uncounted. Though the electoral working team tried to convince the family that it was due to a technical mistake, the family was very angry. They went all the way to the township leaders to protest against 'being unlawfully deprived of voting rights'. The leaders had to apologise profusely before the family's anger was appeased.
- Those who were deprived of their right to vote, due to their breach of state laws under the one-child policy, have fought for their right to vote and the right to run for election.
- Ordinary villagers demand the right to run for election. Zhang Yubin, who was deprived of his right to vote by township leaders, appealed to a local court and won back his right to contest the village election in 1998 (Ding 1999: 32-34).
- Even family members whose parents died in the wake of the village's first round of elections argue that their parents should have the right to vote in the second round of elections (Wei 2001: 65).

Villagers are fighting to realise their political, social and economic rights and to force local cadres to respect and honour these rights. They equally defend their rights against the misuse of power by village cadres. For example, a widow defended her right to inherit the properties of her husband against the village leaders' decision that the properties should go to her son. An ordinary villager who was contracted to run a village enterprise defended his right against the decision of the village committee to end the contract before the term expired.

Migrant workers are fighting for village citizenship. In some villages, the decision whether or not to grant village membership to a migrant is made in village meetings on a case-by-case basis. Some village committees respect and guard the legal rights of migrants in the running of their business and consult them when migrant affairs are involved. In village enterprises, migrant workers participate in management through their representatives. In Beicun, Wuyan township, the local population is outnumbered by migrants. Taking this fact into account, the village has set up a system of multi-level consultations with the aim of collecting opinions from various groups, including migrant workers and business people in the village.

Women are fighting for their rights. In Zhejiang, married-out women in rich villages desire to retain village status in their home villages and refuse to register in their husbands' residential area. These married-out women are frequently denied their right to vote and entitlement to economic benefits by village assembly or village representative assemblies, which act democratically but in authoritarian fashion against these women's interests. In Zhejiang, several villages I visited held village representative assembly meetings to decide the tough question of whether these women should retain their status. The decision was often made that if a woman marries out, she loses her village citizenship. In one village in Wenzou, even if a divorced woman returns to her home village and is registered there, she is still denied the right to vote.[6] Only those who marry in are entitled to village status.

Twenty-two women in Simen Village at Anyang township demanded the economic right to village wealth. Their request was denied by the village representative assembly. They appealed to county leaders who did not want to take any responsibility and only requested the village representative assembly to reconsider the case. The women also approached the local newspaper to publish their stories. Finally, they went to the local court, which decided that the question of village status is a matter of village autonomy and should only be decided by the village representative assembly.[7] In 2002, however, in Shuangqiao village, it was decided that a married-out woman can retain her right to vote within one year of her marriage. In Guangdong, a few women challenged such a decision through judicial appeal and won the case. The local court in that instance decreed that the village assembly had no right to make a decision that denies women their political rights, which are protected by national law.

Minority groups are also struggling for their village rights. Village citizenship has the normative requirement that demands equal treatment within a village. The citizens of a village have the right to share equally in a portion of village wealth. In turn, the differentiated treatment sometimes imposed by the majority of villagers upon a minority

challenges this fundamental aspect of village citizenship. I will now examine a detailed case to illustrate this theme.

Jianshe village in Wuyun township in Lishun city has a population of 872 (400 are male, 472 female) and consists of six village teams. It has 171 mu of land, of which 109 mu are to be contracted to the villagers during the new contract period, and 62 mu are managed by the village committee. In 2000, the total income of the village was 625,000 yuan, and total expenses 697,000 yuan. Its annual average per capita income is 3,366 yuan.

On 18 August 1999, the first village representative assembly was held to discuss the new contract. The task was completed on 18 March 2000, taking seven months. The proposal that the first contract, with a few modifications, be continued for another 30 years was passed with the support of 72.7 per cent of votes in the second village representative assembly.

A dispute occurred during the process. The key issue was whether the fifth team should be treated equally. Historically, the fifth team was amalgamated into Jianshe village in 1958 by an administrative order. Geographically, it is located on the top of a mountain, far away from the rest of the village and the site of Wuyun township, so that its lands have little commercial value and contribute little to the collective wealth of the village. For these reasons, the other five village teams demanded that the fifth team maintain their old contract and that it should not enjoy the same benefits as all other village teams. While the villagers of all other five teams are given the amount of money equal to 12.5 kilogram rice, the fifth team is denied this benefit.

Subsequently, village representative meetings were held ten times. Each time the fifth team lost its appeal because its four village representatives were outnumbered among the 36 representatives. It then appealed to the township authority and local newspapers, and held a public rally. In the end, through compromise and persuasion inside and outside village representative meetings, a deal was reached. While the villagers of the fifth team are entitled to most of the benefits, a differentiated policy towards contracting and village welfare provision was also adopted.

In this case, the fifth team demanded a fair share of collective benefits. Basic village citizenship and the right to appeal enabled the minority group to defend its rights and interests. This case reveals that village democracy is making progress and that compromises can be made, a balance struck, and relative fairness achieved. Despite the dominance of majorities, village assemblies provide forums in which minority groups can express their needs and dissatisfactions, and ultimately reach accommodations.

In conclusion, villagers' willingness to fight for status and the right to vote signals a broad trend towards development from peasants to citizens. It might be argued that village democratic institutions have turned peasants into modern citizens, as villagers empower themselves by using democratic institutions and procedures to defend their interests. They are simultaneously active in establishing, consolidating and entrenching the democratic institutions of the village assembly or village representative assembly. The increasing importance of village citizenship is changing the local political culture and establishing a rights-based political morality. In such a context, we should use the term of 'villager' seriously and give up the older term of 'peasant', which seems inadequate to describe people, at least in the area I have visited, if not in the whole of rural China.

Procedures

Through various forms of protest, villagers have resisted manipulated elections and demanded fair and free elections. They have resisted election procedures they consider unfair, irregular or corrupt by refusing to pay tax. Such resistance has forced the state to adopt and promote open and transparent procedures, in particular, the state has endorsed *hai-xuan* (naming from the floor or direct nomination for candidates) to resolve practical problems.

My earlier field trips found that party secretaries appointed candidates in the earlier village elections in Zhejiang. In Jiangxia village of Chengguan township, village cadres decided their candidates through negotiation amongst themselves. Beizhang, Pukou and Cangyan townships each had one village where the candidates were secretly decided. Such a practice was justified by one official in the Ministry of Civic Affairs in 1994 as normal since party leaders decide candidates in all elections in China.[8] In 1994, Wang Yongfei, an official from the Department of Civic Affairs in Zhejiang, stated that villagers did not have the time and knowledge for complex procedures, so the normal practice was that the party secretary or party branch would decide on the candidates. He also argued that it was too costly for villagers to take more than twenty days and to run four or five preliminary elections to choose the candidates in one village in Jinghua.[9]

The appointment of candidates by party secretaries, however, faced resistance from villagers who did not vote for the official nominated candidates. Sometimes official nominated candidates lost elections, sometimes elections failed to produce any village leader, thus leading to a vacuum in village governance. To overcome this practical problem, some villages experimented with direct nomination by villagers, and

township leaders had to make a compromise in letting villagers nominate candidates.

In the process of resisting manipulated elections, villagers invented and practiced *haixuan*, which originated in Lishu county, Jilin province (Jing 1999; China Association of Study of Grass-root Institutions & Research Team for Project of Chinese Village Autonomy 1994). In one village, 571 out of 693 eligible voters took part in *haixuan* (Chan 1998: 511). *Haixuan* was quickly adopted in the Xiangtan and Suining counties of Hunan province as well as five counties and two districts in Gansu province. This was a small minority in national terms (Ma 2003: 5). *Haixuan* was ultimately endorsed in the 1998 Organic Law. Article 14 stipulates, 'In village elections, candidates should be nominated directly by the eligible voters of the village, with the number of candidates exceeding the number of positions available.'[10]

Recall

Elected village leaders might misuse power and/or fail to keep promises made in election campaigns. They might be incompetent or unaccountable or irresponsible. Villagers have collected signatures, submitted petitions, put forward motions, gone to local official offices or media institutions, and even marched in the streets to demand the removal of some incompetent and corrupt village leaders. Villagers' struggles have improved the recall procedure and made it work in some cases.

The 1987 provisional Organic Law made a very general and vague reference to the issue of recalling. Article 11 merely stipulates, 'the villagers' assembly has the right to recall village committee members or call for by-elections to elect new members' (The Division of Local Governments, The Ministry of Civic Affairs 1994: 4). It was insufficient to simply have a law that grants voters the right to recall the elected official but that does not lay out a procedure for doing so. In the face of protests and demands for recalling, the national government has had to revise the 1987 Organic Law. Specific dismissal terms ultimately were written in the 1998 Organic Law, Article 16 of which states:

> (...) a proposal of dismissal of committee members is valid when it is put forward and signed by 20 per cent or more of eligible voters in the village. Reasons must be given for the dismissal. The members involved have the right to defend themselves. The village committee should in due time convene a meeting of villagers to vote on the proposal, which takes 50 per cent or more of votes for a pass.[11]

According to the Organic Law, the dismissal should be handled by the village committee. The several cases we have at hand indicate that the village committee may be unwilling to carry out the process, in particular if the dismissal involves the village head. To solve this concrete problem, Article 27 of the Regulations of Village Election of Zhejiang, passed by the 16th session of the 9th Provincial People's Congress, stipulates:

> A proposal to dismiss a committee member is valid when it is put forward and signed by 20 per cent or more of eligible voters in the village. The proposal should be submitted to the village committee in written form with reasons given for the dismissal. Copies of the proposal should be sent to township governments as records. Upon receiving the proposal, the village committee should convene a meeting of villagers to vote on the proposal no later than within a month. Meanwhile, the sponsors of the dismissal should have their representatives state their reasons at the meeting. Committee members involved in the dismissal proposal have the right to defend themselves. It takes 50 per cent or more of votes to pass the proposal, and the result should be reported to the township government. If the village committee does not convene a meeting 30 days after it has received the proposal, the township government should intervene and help to hold the meeting of villagers.[12]

It is apparent from this regulation that township governments have an important role to play in the recalling of committee members. Township intervention has proved invariably to be crucial in the dismissal of the village chiefs of Xikouwang, Bailian and Jile villages.

Since the promulgation of the new law, there have been quite a lot of dismissal cases. Almost all motions of dismissal are triggered by corruption in village affairs.[13] In Yiwu county, 305 village leaders were dismissed through village representative meetings in 2000.[14] Below is a case of the dismissal in the village of Bailian in Pandai township (Zhou 1999: 2). I describe this case in detail to elaborate on the detailed procedures and the whole process.

1. To *put forward a proposal of dismissal*. Because of an 'irregular deal' that involved the selling of a hundred *mu* of land and 'mismanagement of economic affairs' by the village committee, tension built up between villagers and the village committee in Bailian. On 13 November 1998, 451 villagers signed a motion to dismiss He Guangshou from his post of village head. The motion was directed to the leadership above.

2. *Approval*. On 29 March 1999, the township government sent its representatives to check the signatures on the dismissal motion and found that those who had signed amounted to over one-fifth of the total number of voters in the village. The next day, the deputy township head came to the village to announce the start of the dismissal procedure.
3. *Villager representatives' meeting chaired by township government and the making of rule*. On April 6, the township government held a meeting of ten village representatives, during which the Procedures of Voting on the Dismissal of Village Head in Bailian were passed.
4. *Villagers' meeting and the hearing of charges*. On 9 April, a villagers' meeting was held at Bailian Primary School, during which the township head Ding Shichun asked the villagers to 'speak truthfully and vote prudently'. Then, Li Jiankai, a member of the supervisory group of village finance, listed reasons for the dismissal.
5. *The village head defending himself*. As stipulated in the Organic Law of Village Committee, 'village committee members who are facing dismissal charges have the right to defend themselves'. Accordingly He Guangshou presented a different story on the issues of finance and the land deal.
6. *Voting*. At the conclusion of the villagers' meeting, voting took place. The result was that 413 votes were for the dismissal, 248 against it, and 3 abstained. On the afternoon of 9 April, township head Ding Shichun announced that the dismissal proposal was passed on the basis of the 664 votes collected out of a total of 666.

I must point out, however, that many villages, for one reason or another, have difficulty in convening a meeting of all villagers. The voters of Baoziying village in Hebei province, for example, were not so successful in their bid to recall their committee. Incensed by corruption, heavy taxes and a number of other problems, the villagers took the initiative and held a meeting on 11 December 1998 to vote on the motion to dismiss the village committee. Over 100 representatives took a petition to Shijiazhuang, Hebei's provincial capital, but they were blocked on their way by the police. Zhao Zengbing, Wang Liying, Fan Zhengjie, Zhao Lijun, Liu Yanfang and other young villagers were detained on 23 December 1998, and later arrested on charges of 'disturbing social order' and 'interfering with official business'.[15]

Competitive Elections[16]

Before examining competitive elections, I would like to briefly discuss two types of non-competitive elections. The first genre is muddled elec-

tions in which electors lack information about electoral procedures, and township and village leaders conduct elections without following a set of electoral procedures. These muddled elections are nothing more than a formality.

The second genre is manipulated elections in which village party secretaries manipulate electoral procedures, select their own favoured candidates, and pre-determine the result of elections. Prior to these elections, electors already know who will win, and elections lack uncertainty and excitement.[17] These manipulated elections take place in authoritarian villages where competitiveness is absent and popular participation is low (O'Brien 1994: 54).

Both muddled and manipulated elections tend to invite the villagers' criticism, scepticism and resistance, and contribute little to good village governance. During the village elections in September 1999 in Shengzhou, the city received over 1,900 telephone calls, letters and personal visits. Approximately ten per cent of the calls, letters and visits sought election information, sixty per cent complained about violations of regulations by electorate staff and Party secretaries, twenty per cent the violations of the Organic Laws by election staff, and ten per cent financial mismanagement. Petitioners demanded that action be taken before elections could continue (Qiu 1999). Villagers adopted various measures against these forms of elections, such as non-participation, appeal to upper levels, or nomination of their own candidates. Through villagers' constant struggles, semi-competitive or full competitive elections have been gradually tolerated and adopted by the state.

Elections to positions on village committees have become increasingly competitive since they were introduced over ten years ago. The 1998 election was particularly competitive. The practice of direct and open elections, called *haixuan* (direct elections) in many localities, has dramatically increased the competitiveness of the village elections. One indication of this was the gap between the number of candidates and that of open positions: there were many more candidates than positions. Between April and July 1999, 786 villages in the Yuyao municipality held elections under the 'Organic Law of Village Committee'. The ratio of candidates to positions was 48:1, which was unprecedented in the history of village election.[18] In Laofangqiao, a township selected by the Yuyao municipality for test elections, the villagers nominated 959 candidates for the 57 open seats. The candidate-seat ratio was 17:1, promising intense competition.[19]

Competition was also intensified as elections shifted from 'one-candidate' elections, which dominated in 1994, to 'multiple-candidates' elections, which dominated in 1998–1999. In Linhai, for example, the number of candidates in 1995 was generally the same as the number of positions. In 1998-1999, however, multiple candidates were nomi-

nated for the position of village head.[20] In 1995, the Ministry of Civil Affairs assessed the degree to which elections across the country met three criteria: competitive electoral process, public campaigning, and secret ballots. Judged by these criteria, Zhejiang was behind Fujian, Heilongjiang, Shanxi, Jilin, Hunan, Henan, Sichuan, and other provinces (Howell 1998: 96). Take the Tongxiang municipality of Zhejiang as an example. In late 1992, the then-Tongxiang county held its second round of village elections. Of its 306 villages, 244 (86.9 per cent) took the non-competitive approach: the same number of candidates for the same number of positions. Only 40 villages (13.1 per cent) held semi-competitive elections. By 1998, however, as Zhang Biao has found in his case study of the elections in the 10 administrative villages of Taoyuan township in July of that year, competitive elections were common. Quite a large number of villagers nominated themselves as candidates for village committee positions. As the township government made no effort to limit the number of candidates, elections became very competitive (Zhang 1998).

The competitiveness of elections is also related to the nominating procedures and the number of candidates. The intensity of competition very much depends on how candidates are nominated, how many can be nominated, and whether the number of candidates is larger than the number of posts. In past elections in Liuzheng township, candidates were chosen by the village branch of the CCP and were approved by the township party committee and government leadership before they were introduced to the voters. Voters actually had no right or opportunity to nominate candidates. In addition, in the case of elections for village heads, it was official policy to limit the elections to one candidate for one position. Thus, competition was simply not expected. Township leaders, out of concern for either employment or vested interests, would have a hand in the nomination process, particularly the nomination of the village head. Sometimes they even manipulated the nominations, ruling out the possibility of real competition.

One major difference between the 'Organic Law of Village Committee' of 1998 and its 1987 predecessor is that the new law stipulates that the village committee should be directly elected by the villagers. After the April 1999 elections in Laofangqiao township, we interviewed a number of villagers and asked them to compare the recent election with past ones. During the past elections, they said, the candidates were all hand-picked by the leadership above. The number of candidates was exactly the same as the number of positions open to election. As a result, villagers did not think much of the election, because their will was ignored, and all they were expected to do was draw a yes-circle around the names of the anointed candidates.[21] However, nominating procedures in the new elections, such as *haixuan*, involve and encour-

age much competition. In such cases, the authorities do not try to control or dominate the nominating procedure. Instead, they allow the villagers to exercise their rights and nominate the candidates of their choice.

The Establishment and Improvement of the VRA

Village representative assemblies (VRA) were designed to elicit people's support for local projects or voice their opinions. Concerned with a fair distribution of village wealth, many villagers demand the regular and frequent holding of these assemblies. In this way political participation becomes meaningful, and villagers empower themselves by using formal democratic institutions to minimise corruption and to demand a fair distribution of village wealth.

As early as 1991, Li Qiaobai, the head of party organisation in Li Shui prefecture, advocated and promoted the VRA. However, many township and village leaders disclosed to me in my interview their reservation as to the multi-function of the VRA. They would cite the following cases in which the VRA could do little to solve a problem:

1. If a resolution passed by the VRA could not come into effect, help from township leaders would be indispensable for its implementation.
2. If a pre-made village decision proved to be inappropriate and needed some change, it would be up to the party committee and village committee to make the change.
3. The effectiveness of the VRA would be seriously impaired when some representatives express radical views or hold meetings without getting consent.
4. When the head of a village committee proved incompetent, s/he would need help from a stay-in-village cadre with functions such as chairing a meeting.[22]

VRAs were established only in a limited number of villages. It was not until 1998 that Wuyun township in Li Shui prefecture embarked on a trial stage in seven of its villages. When we conducted interviews in 1997-1998, most villagers there knew very little about the system. Only in some model village did the VRA play a full role and was appreciated by both representatives and villagers.

While the national law does not specify the timing and number of the village representative meetings, the provincial regulations of Zhejiang stipulated that it should be held at least once a year. The timing and the number of the meetings vary in different areas. Diyiqiao village was said to hold at least two meetings each year, in July and November.

Xiacun village also had two meetings, but the time was March and September. Laiwang village had four meetings each year, presided over by the village committee. These figures are consistent with Oi and Rozelle's survey in 1995 which found that the average number is 2.76 VRA meetings a year (Oi & Rozelle 2000). Local officials in Tangxiang township argued against frequent meetings of VRAs, contending that they gave too much power to village representatives, who would feel the importance of their positions but whose different views would make it difficult to reach a conclusion.[23] Similarly, the party secretary, Zen Heping, in Tuanjie village in Hongshang district in Wuhan, insisted that the proposal about the privatisation of village enterprises not be discussed in the VRA, citing as a reason that the representatives are not able to make a good decision when interests are involved.[24] By contrast, in Beiwang village, 'the VRA is particularly active, meeting on the third day of every month' (Lawrence 1994: 64).

According to a survey by Yang Min, 57.8 per cent respondents in 1990 and 73.3 per cent in 1996 confirmed that they participated in VRAs only 1-2 times a year. Some 32.7 per cent and 20.7 per cent participated several times a year (Yang 2000). In Kent Jennings's survey, 47 percent of the respondents reported that they went to all-village meetings (Jennings 1997: 363), and David Zweig's fieldwork revealed that 16.4 percent of the 3,078 respondents looked to the village assembly if village cadres carry out unfair policies (Zweig 2002a: 44).

The decision made through VRAs tends to gain legitimacy, face less resistance and be implemented more easily, while decisions, for example, on village land, made by village leaders alone without going through VRAs often invite criticism and protest. Realising the value of VRAs' contribution to maintaining social order and containing social conflicts, the state has actively called for the institutionalisation of VRAs. Starting in 2000, VRAs became more active in Zhejiang province. For example, Jianshe village held more than ten representative meetings to decide the tough question of how to carry out the second round of contracting collective land in Wuyun township. Increasingly, more and more villagers are using VRAs to challenge village leaders. For example, one village chief in Yuhuan county signed a contract with a factory without consulting with the representatives of the VRA in 2000. Some representatives sued the village chief in the local court for violating the 1998 Organic Law, and they won the case. Such a successful story inspired many villagers who went to local courts to sue their village chiefs who failed to consult with VRAs when they made various decisions.

Liaodong village in Wenzhou municipality, Zhejiang, is another example of VRAs taking an important role in governance. On 24 May 1999, a villagers' meeting was held to vote on a motion of dismissal.

The result was that 87 per cent of the people voted yes for the dismissal of Pan Hongchong as village head, who three years ago was voted into office with a large majority. Pan was charged with, among other things, abuse of power and mismanagement of village affairs. As the check of village accounts revealed, during Pan's three years in office, he and others had squandered 660,000 *yuan* or one-fourth of the village income for their social entertainment.[25]

In recent years, village leaders, recognising the importance of the VRAs, are more frequently using the meeting in their decision-making process. One such example is Shuangqiao village in Chengjiao township of Wenzhou. Believing it would pay off in the long run, the village leaders bought a 4-storeyed office building from a business company at 8 million RMB. However, since the deal was made without any consultation in advance with the village representative meeting, some villagers grew angry and suspicious. They challenged village leaders and demanded a say in the decision-making process, and they went to the leadership above to voice their anger and suspicion, which did not die down until half a year later. Drawing from this incident, the village committee began to pay more attention to the views of the representative meeting. Consequently, in the latter half of the year 2000 alone, as many as ten meetings were held. A record of these ten meetings shows the topics of the meetings. According to Bai Gang and Zhao Shuoxing's survey study, 21 percent of the respondents out of 34 village leaders confirmed that VRAs have made final decisions on major village affairs in Lishu county, Jilin province; 82.27 out of 51 in Hequ county in Shanxi province; and 14.99 out of 101 in Lunan county in Yunan province (Bai & Zhao 2001).

Conclusion

This chapter has focused on the role of social protests led by ordinary villagers in promoting village democracy.[26] The opposition between the interest of ordinary villagers and the vested interests of cadres are driving forces for village democracy. This gives rise to an unstable and conflictive circumstance in which elections and village democracy are employed by the state as a mechanism to ease these tensions. In particular, the institution of village representative assembly has been developed and improved to deal with structural conflicts of interests.

Village democracy provides a mechanism whereby the state can coopt the new rich into the system in order to prevent them from becoming a disruptive force. It is regarded by the state as a check system in which villagers can use the VRA to express their views, while village chiefs can use village committees as a counterbalance to the power of

Table 2.1 *Agenda of Villager Representative Meetings, Shuangqiao Village (June to December 2000)*

Meeting	*Date*	*Agenda and Action*
1	8 June	Discussing and passing the bill to turn the parking lot in the village into a household electronics market.
2	20 June	Discussing and passing the bill on welfare distribution on a household base.
3	27 July	Discussing and passing the bill to raise the seniors' pension from the current monthly 70-80 to 200 RMB.
4	31 July	Discussing and passing the bill that a woman is no longer eligible for village benefits once she gets married and lives away from the village.
5	4 August	Deciding to get a lawyer to sue on the false report by the *Zhejiang Daily Legal Report.*
6	24 August	Discussing and deciding to settle the contract dispute between the village and the packing machinery factory through legal means.
7	16 November	Rallying support for the construction of the electronics market.
8	29 November	Further discussion and passing of the bill to settle the contract dispute between the village and the packing machinery factory through legal means, despite opposition from the township leadership.
9	7 December	Most representatives stick to the resolution of the previous meeting.
10	20 December	Discussing and deciding to reject the shares of one company. The rejection was partly the result of the villagers' dissatisfaction with the deal.

Sources: A Chronicle of Village Meetings in Shuangqiao

the party secretary. Electoral institutions empower elected village chiefs and committee members. Village committees and representative assemblies in turn restrict the behaviour of village party secretaries.

Village democracy is now seen as an integral part of state building in rural China. The state has discovered that the benefits of village democracy outweigh its costs and that it helps to reduce conflict and promote stability. Township leaders were originally opposed to village elections that removed their power to appoint village leaders. But through the process of village elections, they found that VRAs can assist them in solving controversial questions about village membership. Furthermore, *haixuan* saves their energy and time by reducing conflict. Of equal importance, they discovered that democratic means can be used to regain their control over village leaders. For example, they even encourage electoral rivalry within a village so that competing factions will seek help from the township. Often they are able to use VRAs to dismiss village leaders whom they do not like. Most importantly, local officials find that 'village democratic institutions such as public consultation and the VRAs can help to avoid and reduce social troubles and vil-

lagers' protests'.[27] Fang Lizhi, the famous Chinese dissident, is right to claim that democracy is not bestowed as a gift, rather that it is fought for by the people themselves (Fang 1987). Villager participation that takes the form of protest and appeal, collective action, and the mobilisation of village factions and kinship is what transforms formal institutions, which may exist on paper, into fully functioning ones.

The above Chinese story of social protesters and village democracy is a testament to the life project of Alain Touraine, a French thinker and renowned sociologist, who devoted his life to a study of democratic action through new social movements (Touraine 1985). According to Touraine, it is only through participating in social movements that individuals can recover their liberty diminished by the neoliberal state and markets (Touraine 1995). For him, the ideas of democracy have three basic elements: (1) basic rights, (2) citizenship, and (3) representativity (Touraine 1997). Indeed, in the case of village elections, some social protests have fought in these three areas through social protest and some villagers are struggling to assert what Touraine terms 'the autonomy of the human subject' in controlling village affairs.

Notes

1 Professor Baogang HE (BA, Hangzhou Uni, 1981; MA, People's University of China, Beijing, 1986; Ph.D, ANU, Australia, 1994) is chair in International Studies at the School of International and Political Studies at Deakin University, Australia. Dr. He is a member of the editorial board of *New Political Science, China*: *An International Journal, Political Science Forum,* and *Rural Studies* and the author of *The Democratisation of China* (New York and London: Routledge, 1996), *The Democratic Implication of Civil Society in China* (London: Macmillan, New York: St. Martin, 1997), *Nationalism, National Identity and Democratisation in China* (Aldershot: Ashgate, 2000, with Yingjie Guo), and *Balancing Democracy and Authority: An Empirical Study of Village Election in Zhejiang*, (Wuhan: Central China Normal University Press, September 2002, with Lang Youxing). He has co-authored and co-translated several books in Chinese (including John Rawls's *A Theory of Justice*) and has published 23 book chapters and more than 31 articles in English.

2 The author's interview with the local official in November 2004.

3 For a theoretical discussion of the issue of whether social protests lead to democracy, see Tilly, C. (2003), 'When do (and don't) social movements promote democratisation?', in P. Ibarra (ed.), *Social Movements and Democracy*, 21-45. New York: Palgrave.

4 For a comprehensive survey of citizen complaints, see Luehrmann, L.M. (2003), 'Facing citizen complaints in China, 1951-1996', *Asian Survey* 43 (5): 845-866.

5 In this section, I have used some material from my article, 'Village citizenship in China: a case study of Zhejiang', *Citizenship Studies* 9 (2): 205-219.

6 Refer to the author's interview in Wenzhou on 4 June 2001.

7 See also Note 6.

8 Refer to the author's interview in Beijing on 29 October 1994.

9 Refer to the author's interview with Wang Yongfei in Hangzhou on 2 November 1994.

10 *Zhejiang Daily*, 5 November 2003, p. 5.
11 *Zhejiang Daily*, 5 November 1998, p. 5.
12 *Zhejiang Daily*, 10 September 1999, p. 6.
13 The former head of Xikouwang village of Pingqiao township, Zhejiang, for instance, had embezzled tens of thousands of *yuan* of village money. Self-willed, he had sold village housing grounds without any consultation. In addition, he was a heavy gambler. As a result, public opinions were against him. At the request of the villagers, the township CCP committee, government and people's congress held a villagers' meeting for the dismissal of the village head. All procedures were carried out according to the provisional 'Organic Law of Village Committee'. Being a small village, it had only 175 voters. The motion of dismissal was passed with 154 yes votes. Dept. of Civil Affairs of Tiantai county, ' Jiaqiang dang dui cunweihui de lingdao, gaibian luohou mianmao' (Make improvement through the Strengthening of Party Leadership over Village Committee), 20 May 1994.
14 *Zhejiang Daily*. 22 November 2000.
15 On dismissal, see *Democracy and the Rule of Laws*, no. 15 (1999); no. 2 (2000); *Tribune of Villages and Townships,* no. 7 (2000); *China Civil Affairs*, no. 1 (2001).
16 In this section, I have used some material from my book chapter. See He, B.G. (2003), 'Are village elections competitive?', in Y.S. Cheng (ed.), *China's Challenges in the Twenty-First Century*, 71-92. Hong Kong: City University of Hong Kong Press.
17 The terms 'muddled or manipulated elections' come from Mackenzie, W.J.M. (1958), *Free Elections: An Elementary Textbook*, 169-172. New York: Rinehart and Company.
18 Department of Organisation of Yuyao Committee of CCP (1999), 'Yuyaoshi nongcun jichen zuzhi qingkuang zongji' (Summary on the conditions of grass-root units in rural Yuyao).
19 CCP Committee and Township Government of Laofangqiao, Yuyiao (June 1999), 'Renzheng guanche cunminweiyunhui zuzhifa, yi fa gaohao cunweihui huanji xuanju' (Implementing the Organic Law of the village committee and doing a good job in the elections of village committee).
20 Interview with the cadres of the provincial Department of Civil Affairs in 1995, and a number of field trips in 1995 in Zhejiang.
21 'Cunmin nen zizhi, dangjia shuan zuozhu' (Villagers: now master of the house), a feature program by Zhejiang Educational TV Station, 10 August 1999.
22 The author's interview with Li Qiaobai, deputy head of Party Organisation Dept. of Lishui Region, November 1998.
23 Refer to the author's interview in 1998.
24 Refer to the author's interview in Wuhan in 2000.
25 *People's Daily (overseas edition)*, 14 June 1999.
26 Other studies of village elections have already excellently covered the role of central leaders and the Ministry of Civic Affairs. See O'Brien, K. (1994), 'Village committees: implementing political reform in China's villages', *Australian Journal of Chinese Affairs* 32 (July): 33-59; Tianjian Shi (1999), 'Village committee elections in China: institutional tactics for democracy', *World Politics* 51 (3): 385-412; and Lang Youxing, my PhD student, has also written a thesis on Chinese elite's grafting of village elections in China. Also as Suzanne Ogden argues, 'the resistance or support of local town and township leaders for elections and local autonomy has been far more decisive than the ministry's wishes in determining the extent of village democratisation'. See Ogden, S. (2002), *Inklings of Democracy in China*, 255. Cambridge, Massachusetts: Harvard University Press.
27 Refer to the author's interview with the local officials in Wenling in November 2004.

3 Social Movements and State-Society Relationship in Hong Kong

Ngok Ma

Introduction

This chapter discusses the evolution of social movements in Hong Kong from the early colonial era to the post-handover period. Hong Kong has been regarded as a minimally integrated system with weak links between state and society. However, years of development of social movement and civil society since the 1970s mean the civil society in Hong Kong, by actively demanding social and political reforms, has been increasingly influential during the political transition and after the handover.

This chapter analyses the historical development, in particular the form of organisation, of the social movement in Hong Kong. It shows that with weak horizontal links between civil society organisations (CSOs), relatively weak organisational resources, and weak linkage between the civil society and the political society, the CSOs in Hong Kong opt for more *ad hoc* organisational forms after 1997 which are not conducive to the accumulation of movement resources and experience. By a case study of the experience of Civil Human Rights Front (CHRF), the loose coalition that led the movement against Article 23 in 2002-2003, I show the strengths and limitations of this organisational form of *ad hoc* coalitions. In general, the civil society in Hong Kong after 1997 has been better able to defend itself against encroachment by the state, but less able to accumulate enough political prowess to force the government to adopt social and political reforms. This leads to more strained state-society relations, as the social interests represented by the myriad of CSOs were not effectively channelled into the state, with sporadic and spontaneous resistance movements the norm of the social movements in Hong Kong.

State-Society Relationship in the Early Colonial Era

During the early colonial era, the non-interventionist philosophy of the colonial government meant that the Hong Kong society had ample social and economic freedom, although movements or activities that chal-

lenged colonial rule were kept under close surveillance. Before the 1970s, the colonial state exercised relatively little intervention in the economy, did not try to penetrate or transform the society, and played a very limited role in providing social services. Unlike most non-democracies, where freedom of speech and press are usually constrained, and the state actively tries to control and penetrate society, Hong Kong has had a long tradition of relative societal autonomy during the colonial era.

The dominant paradigm of Hong Kong studies saw the colonial state as largely autonomous from societal influence, with the civil society too weak to enforce changes in government policies. The most famous formulation for the colonial state-society relationship was Lau Siu-kai's 'minimally-integrated socio-political system' (Lau 1984). To Lau, colonial rule was marked by mutual non-intervention between state and society, with the society having few socio-political demands on the colonial government. King (1975) saw politics in the early colonial era as 'administerised', with the Chinese elites co-opted by colonial honours and appointed positions in the administrative machinery.

As Chiu and Hung (1999) pointed out, these early sociologists had a 'high threshold of instability', as any collective action at that time that fell short of fundamentally challenging colonial rule was seen as insignificant. By focusing mostly on social and political stability, these early sociologists naturally overlooked the diverse forms of grassroots protests and resistance movements in Hong Kong in the early colonial era (Lui & Chiu 2000: 5-6). More detailed studies of post-war Hong Kong revealed that there were significant social and political movements from society (Lam 2004: 53-64). These movements varied in terms of scale, publicity, and intensity. They included movements seeking change in government policies (e.g. campaign against rent control, campaign to change marriage laws), industrial action (e.g. tram workers' strike), outbursts of violence with political and nationalist underpinnings (e.g. the 1956 and 1967 riots), and campaigns against private corporations (e.g. against the rise of telephone tariffs). Lam (2004: 59) counted 212 and 137 events of political participation in the decades 1949-59 and 1960-69, respectively, a not insignificant figure even if compared with those of the 1970s and beyond. Industrial conflicts were far from absent, although trade union movement had only a marginal influence at the workplace, industry and society levels (Lui & Chiu 2000: 6; England & Rear 1975; Turner et al. 1980). These studies all pointed to significant political participation from civil society during the early post-war years. Nevertheless, conventional political participation by the masses and CSOs was still weak, as Lam pointed out that participation before the 1970s was mostly discursive in terms of strategies, actions and channels of influence (Lam 2004: 221). The actions

ranged from public violence (the 1956 and 1967 riots), conventional labour union action (the beginning of the 1952 Tramway workers' dispute), public petition (the campaign to change the marriage law), and lobbying of legislators and government officials (the campaign to change the marriage law). There were no designated institutions of participation, as the formal consultation channels or the appointed councils were mostly used for co-optation of elites, not for voluntary participation from the civil society. More political participation from the masses came only after the 1970s, as a budding social movement industry began to bring the society much closer to the state.

The Coming of the Social Movement Industry

The rise of social movements in the 1970s in Hong Kong was the result of a number of factors. Politically, the emphasis on 'consultative democracy' by the colonial government led to better tolerance of social protests and petitions, creating a 'political opportunity structure' that encouraged political participation (Lui & Chiu 2000: 7). Economically, the economic take-off and colonial social reforms in the 1970s meant that the fruits of development finally trickled down to the lower class, which encouraged more demands for social improvement. Socially, there was a distinct gap between the quality of services provided by the government and the needs for social development and desires of the local residents, creating extra demands for social reform (Lui & Kung 1985: 72). Demographically, while before the 1970s Hong Kong was largely regarded as a refugee society, the 1970s saw the coming of age of a new class of educated youth, who were born or brought up in Hong Kong, having a better sense of belonging to Hong Kong, and were more eager to correct the ills of the colonial regime. By starting a fresh wave of student movements in the early 1970s, and pressure group movements in the late 1970s, this new educated class became the backbone of CSOs afterwards. Culturally, a Hong Kong identity was beginning to ferment. The disturbances in 1966-67 led to a resuscitation of the young generation for the future and the identity of Hong Kong (Lui 1997). The enhanced international recognition of the PRC, including the normalisation of PRC-US relationship and the entry of the PRC to the United Nations, stirred nationalist sentiments in the territory. It was a period where the Hong Kong people collectively thought about their future and identity.

The 1970s' movements were a confluence of various sentiments and concerns fermented within the local civil society. It started from movements with nationalist flavours such as the Protection of Diaoyu Islands Movement and the movement to make Chinese the official lan-

guage in the early 1970s. These nationalistic movements more or less had anti-colonial implications, and so were the social movements directed against colonial injustices, the most representative being the anti-corruption/ anti-Godber movement in 1973-4. Entering the 1970s, residents' movements at the neighbourhood level took centre stage. Housing has been a key issue of concern in densely populated Hong Kong, and the residents' movements played a prominent role in the urban social movements in the 1970s to 1980s (Lui & Kung 1985: 5). Adopting the social movement theories of Alinsky, the residents' movement of this stage used professional community organisers to train and organise residents' leaders, mobilised residents by community issues and used social protest actions to force the government into negotiations (Fung 1990). The movements ranged from demanding improvement of living conditions in public housing and squatter areas to resettlement, and to more progressive demands of housing policy. A study of social conflicts in 1975-86 showed that housing issues were the second most common area of conflict, only after labour conflicts (Cheung & Louie 2000: 70). The study also showed that workers, unionists, residents and community activists were frequently involved in social conflicts in this period (Cheung & Louie 2000: 89).

Over the years, the residents' movements allowed the groups to accumulate experience and resources and stimulated the awareness of residents. It also left a major legacy for the subsequent social and political movements in Hong Kong. The advantage of the Alinsky model was that it did not require a lot of resources or a change in the power configuration of the political system. It stressed empowerment of the masses by stimulating awareness and participation, and did not need the intermediation of other political actors. There was a major limitation, though. With the undemocratic nature of the colonial regime, the residents' movements in the 1970s had little actual political prowess to change government policy. With little institutional leverage, the activists had to rely on mobilising public opinion support to put pressure on the government. Street-level protests were a major means to attract media coverage to earn public sympathy and embarrass the government. This in the end posed constraints on the form and actions adopted by the movements: as earning public sympathy was key to their success, activists were usually loath to take radical or confrontational actions (Luk 1994: 41).

Because of this lack of institutional channels in the 1970s, when democratisation started in the mid-1980s, the activists saw that as a good window of opportunity to increase their political leverage and to further the movement. Many social activists ran in the District Board and Urban/Regional Council elections in the 1980s and participated actively in the democracy movement in the 1980s. To them, the democracy

movement, by demanding the opening up of the political regime so that the average citizens can share power, was a natural sequel of the broader social movement. The 1980s thus saw an integration of social and political movements. At the community level, livelihood concern groups were formed as alliances of grassroots movement groups in a wider geographical area. At the societal level, CSOs invariably formed *ad hoc* coalitions for territory-wide movements. Social activists also began to share some institutional power through election into District Boards and the Urban/Regional Council.

As Lui and Chiu (2000) pointed out, pressure groups at this stage had little difficulty in joining together to form *ad hoc* organisations to fight for a common cause. Although they had different ideological persuasions and concern areas, they were all reformist in nature, and saw various social movements as parts of a larger movement of decolonisation and regime reform. The limited political opportunities in this era and the common experience of fighting against a bureaucratic, closed, colonial administrative state drove them together (Lui & Chiu 2000: 9). For example, the movement to shelve the Daya Bay Nuclear Plant in 1986, originally an environmental issue, brought together 117 groups from various sectors (see Ma 1999; Scott 1989: 309-316). There were also better integration and coordination between community groups from different districts, and between CSOs and the emerging political society. For example, the People's Council on Public Housing Policy (PCPHP) was a pressure group that organised neighbourhood associations in different districts in the 1980s. It also actively fielded candidates in the district-level elections in the 1980s and liaised with pro-democracy political groups during the elections.

The New Social Movements

The 1990s saw a gradual detachment of the political society from the civil society in Hong Kong. This trend had to do with new trends of development within the social movement industry, with a gradually widening ideological gap between the political parties and the CSOs, and with the CSOs' disappointment with the performance and political effectiveness of the elected legislators in the 1990s. These factors, however, were mutually reinforcing, leading to new forms of social movement in the 1990s and beyond.

When the District Boards (DBs) were first introduced in the 1980s, many social activists saw participation in the DB elections as 'wars of position' (Public Policy Research Centre 1985) that were vital to the future development of democracy and social movement in Hong Kong. To these activists, the DB seats represented institutional resources and

influences that had never been opened for competition, which could be used to further social and political reforms. They generally believed that with elected legislators or DB members as allies in the establishment, social mobilisation could bring greater pressure on the government to effect policy changes.

After 1991, the CSOs quickly discovered that this was only a myth. Limited to a minority in most of the elected councils in a partly democratised regime, the pro-democracy councillors could not bring as many policy changes as they wished. Electoral politicians' preferences or incentives were also different from the social activists. They were more constrained by the mainstream public opinion and were more bent on compromise with the government and other groups. Popularly elected legislators were also loath to support the more radical or confrontational actions of some grassroots CSOs. This, coupled with the trend of 'new social movement' in the social movement industry in the early 1990s, sped up the detachment of CSOs from political parties.

The early 1990s saw the rise of 'new social movements' among CSOs. It stressed more thorough discussions among the participating masses about the goals and courses of action, and collective decision-making among the participants, with the professional organisers taking a less dominant role. It valued equality between the organisers and the masses, with a view that the masses, and not the professional activists, were the true subjects of movements. It emphasised direct dialogue between the masses and those in power, often with the help of more confrontational actions, in the process of which doing away with the mediation of politicians or mass media. To these activists, the direct confrontation and dialogue would lead to a fundamental resuscitation of the power relationship within the society among the participants (Luk 1994; Mok & Yu 1996).

The coming of this trend was due to several developments since the late 1980s. The debate over democratisation and the drafting of the Basic Law had turned the attention of most Hong Kong people, and in particular the mass media, towards constitutional and not livelihood issues. The pro-grassroots CSOs found it more and more difficult to attract public and media attention and to arouse public sympathy with social policy issues. Secondly, the partly elected councils absorbed a lot of political participation, which drove the masses to become more 'reliant' on 'professional' politicians to channel their interests, dampening political participation. However, social activists quickly found out that the elected politicians were not that effective in influencing government policy after all, and may not accurately reflect the interests of the grassroots citizens. They also found that the media had their own biases and agendas, which could not be relied upon to articulate the interests of the grassroots (Luk 1994). For these reasons, the new social

movement activists stressed the initiatives and participation of the masses to empower them, and believed that direct action confronting the authorities could transcend the limitations of the media and elected politicians.

Ideologically, some activists of the new generation have also become more anti-establishment and particularistic in orientation. Student movements in Hong Kong after the 1989 Beijing democracy movement bore a new generation of activists who were more anti-establishment, were inclined to less formal and more spontaneous modes of action, and preferred to distance themselves from electoral politicians (Choy et al. 1998). In short, they were more likely to buy into 'new social movements' ideas. Affected by civil society theories of action which had been in vogue since the late 1980s, they were more inclined to disengage themselves from the formal political institutions. With many of these student activists serving in the CSOs in the 1990s and beyond, the CSOs became more single-issue-oriented, had a tendency to shy away from mainstream politics and from constitutional issues when compared to their predecessors. They also had more of a 'not-in-my-backyard' mentality, seeing specific policy issues as concerns of their own individual communities and not broader problems of societal development and reform (Lui & Chiu 2000: 13; Lai 2000). They stressed equality in participation and refused to accept the leadership of the older generation of mainstream democrats, preferring to have a more pluralistic movement that confronted the establishment on various fronts.[1]

The years 1991-95 saw a few incidents where social protesters took confrontational actions that embarrassed senior government officials.[2] For the mainstream democrats who were appealing to the broader electorate, these actions were too radical, and they were generally reluctant to stand behind these movements. This in turn was seen by the grassroots activists as betrayal of the pro-grassroots position by the party politicians. The failure of the mainstream pro-democracy parties to support some of these more radical movements led to a gradual detachment of the grassroots CSOs from the pro-democracy parties out of disappointment. The Democratic Party, the flagship party of the pro-democracy camp, also grew increasingly middle-class oriented after 1997,[3] which partly contributed to its detachment from the pro-democracy unions and other grassroots groups. After 1997, the links between CSOs and the political society were severed, with little mutual trust between them. The two became more and more 'specialised': the political parties focusing on the parliamentary and electoral arena and had weakened linkage with grassroots CSOs, while the CSOs did not believe that the partly elected councils were important battlefields. They preferred to focus on their sporadic, issue-oriented actions in their own is-

sue areas. It was also relatively difficult for the CSOs and political groups to form territory-wide coalitions or movements after 1997, as they often did in the late 1980s.

New Movement Forms after 1997

The detachment of civil society from the political society does not mean that the social movements in Hong Kong died down after 1997; they just took on new forms. After Hong Kong became a Special Administrative Region (SAR) of China after 1997, the constitutional framework more or less provided a shelter for social movements and civil society activities. The Basic Law guarantees a high level of civil liberties rivalling the West for post-1997 Hong Kong. The international community sees the preservation of Hong Kong's freedom as the benchmark by which 'One Country, Two Systems' is judged. Beijing thus has a genuine incentive to keep Hong Kong's outlook of freedom to show the West and Taiwan that it is honouring the promises of 'One Country, Two Systems'.

Figures showed that social movements went unabated after 1997. Table 3.1 shows that after 1997, there were on average more than 2,200 public meetings and processions every year, an average of 6.3 per day, most of them protests against government policies or at least expression of policy demands. At one point, public protests were so frequent that the international media nicknamed Hong Kong 'the city of protests' (*Washington Post* 28 June 2000, p.A21).

Post-1997 events showed that the CSOs had been effective in using protests to resist perceived infringement by the state on civil society. Human rights activists and pro-democracy politicians were quick to voice their opposition whenever they perceived that the autonomy of civil society was going to be curtailed. Professional bodies such as the Hong Kong Journalist Association and Hong Kong Bar Association played an important role in defending press freedom and rule of law. State actions that allegedly infringed on press freedom or rule of law would immediately receive condemnation from these professional bodies. The religious sector was also adamant in defending religious freedom and the freedom of speech. For example, in 2000 the Vatican canonised 120 foreign missionaries and Chinese Catholics martyred in China, a move not welcomed by the PRC government. An official of the Central Government Liaison Office (CGLO) in Hong Kong asked the Hong Kong Catholic Church to adopt a low-key approach. The move was retorted by the Hong Kong Catholic Diocese, which accused the Chinese government of infringing religious freedom and went ahead with the celebration.[4] When *Falun Gong* was accused as an 'evil

Table 3.1 *Classification of Public Meetings and Processions since 1997*

	1997	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*	*2004*	*2005*	*2006*	*2007*	*Total*
Need to notify and notified	1118	1388	1283	1136	1324	1326	1447	988	1067	981	1004	13741
Need to notify and not notified		126	183	121	55	52	34	31	23	24	30	
No need to notify but notified	72	733	860	807	210	187	177	183	229	326	427	11364
No need to notify and not notified					758	725	1047	782	581	897	2363	
Total no. of public meetings and processions	1190	2247	2326	2064	2347	2293	2705	1984	1900	2228	3824	25108
Rejected public meetings and processions	0	2	3	0	5	10	1	0	Not provided	Not provided	Not provided	-
Notified in less than 7 days	-	-	111	62	86	135	204	105	111	103	129	1046
No. of people arrested	12	30	13	21	24	31	1	3	1158	23	30	1346
No. of people prosecuted	12	4	3	0	13	29	3	0	7	7	24	102
No. of people convicted	11	0	4	3	9	22	0	0	0	7	0	56

Sources: Information from Hong Kong Police and Security Bureau

cult' from both the pro-Beijing circles and the SAR government in 2000-01,[5] the Christian churches stood firm in defending *Falun Gong*'s freedom to practice in Hong Kong.

The vibrant civil society and vocal CSOs of Hong Kong were key factors in defending the autonomy and liberty of Hong Kong after 1997 (Holliday, Ma & Yep 2002). The watchful eye of the foreign governments and international media certainly played a part, as both the SAR government and the central government did not want to tarnish Hong Kong's international reputation as a free city, and the image of 'One Country, Two Systems' and 'high autonomy' in that regard. The CSOs, however, were less successful in forcing the government to change its policies. With very limited resources, weak horizontal linkage, little collaboration with political parties or elected legislators, and only a partly elected legislature in an executive-dominant system, it was difficult for the CSOs to effect changes in government policies.

The post-1997 movement industry saw the rise of *ad hoc* united fronts formed by different CSOs in various areas. Most social activists interviewed by the author said that this organisational form began to become popular in the mid-1990s. CSOs with similar concerns would join together for a series of actions, usually over a certain policy issue, cause or incident. There was generally no formal organisation and few organisational resources (e.g. usually they do not even have paid staff for the coalition), and the coalitions usually did not even register as a formal organisation or registered society. The *ad hoc* united fronts usually lasted only months, and would be inactive after the passing of the issue or the series of actions.

A quantitative survey on the social movements after 1997 showed that this kind of *ad hoc* united fronts was very common. Based on newspaper reports from January 1998 to December 2007[6], I counted the frequency of social actions (including street-level protests, signature campaigns, press conferences, public declarations of positions, petitions to the government or the Legco, legal actions, etc.) involving CSOs in the name of 'coalitions', 'joint conferences', 'united fronts', etc. The results showed that a total of 453 such coalitions or united fronts existed and acted during this period. Altogether they had 1764 counts of social actions, on average 160 social actions every year[7] (see Table 3.2).

There are several interesting observations from this survey of united front actions. Firstly, a large number of them had very limited counts of social actions in a span of seven years. A total of 219 fronts (48.3 per cent of total) only had one action count in 1998-2007. Another 173 (38.2 per cent of total) had no more than five actions, which means 86.5 per cent of these fronts had no more than five actions in a span of ten years. It was not difficult to explain this phenomenon: many of

Table 3.2 *Breakdown of United Front Actions by Areas of Concern*

Sector	*No. of Fronts*	*No. of Actions*
Professional/sectoral interests	92 (20.31%)	333 (18.88%)
Welfare	59 (13.02%)	259 (14.68%)
Human Rights	31 (6.84%)	110 (6.24%)
Housing	66 (14.57%)	241 (13.66%)
Education	38 (8.39%)	125 (7.09%)
Medical	15 (3.31%)	53 (3.00%)
Environment	17 (3.75%)	30 (1.70%)
Transport	38 (8.39%)	83 (4.71%)
Labour Issues	21 (4.64%)	179 (10.15%)
Constitutional/ Democratisation	18 (3.97%)	171 (9.69%)
Others	58 (12.80%)	180 (10.20%)
Total	453	1764

Source: Author's calculation from press reports

these fronts were *ad hoc* alliances formed for targeted actions against a specific event or government policy proposal. After the proposal was dropped or adopted, these coalitions would invariably cease to operate. The second observation was that these united fronts covered a wide range of issues, including education, social welfare, unemployment/ poverty, human rights, democratic development and medical issues, with these policy areas occupying roughly the same proportions. Practitioners of the same trade or industry in defence of their sectoral or occupational interests made up about 20 per cent of the fronts or 19 per cent of the action counts. Thirdly, street-level protests such as demonstrations, rallies or petitions remained the most popular form of social action. About 50 per cent of the social actions were street-level protests (rallies or demonstrations). Direct contact with legislators or officials to voice complaints accounted for less than 10 per cent of the actions.

On the face of it, this mushrooming of counter united fronts, covering such a wide range of issues, was a demonstration of societal pluralism. However, it was not difficult to conceive that these *ad hoc* united fronts usually could not accumulate enough resources for sustained movements to effect government policy changes. They were mostly formed to express opinions over specific issues. Many of these group participants were very conscious of their own group identity and were not willing to subordinate themselves or devote resources to a commanding formal organisation. These united fronts would raise objections to a specific government policy proposal, maybe forcing the government to reconsider the issue if they succeeded in arousing enough public attention, but they usually could not sustain their participation and organisation after the initial flurry was over.

Among the 453 counter united fronts, only 31 (6.8 per cent) had ten counts or more social actions within ten years. Some of them belonged

to coalitions of pro-grassroots CSOs, which joined hands to demand better social welfare and better protection for the lower class. These more active coalitions had something in common: they usually had a core of more established CSOs that had a longer history or more resources, which allowed them to sustain the movement for a longer period of time.

The Struggle Against Article 23: CHRF as a United Front

The political movement against Article 23 legislation is the best case to illustrate the strengths and limitations of the *ad hoc* united fronts as a movement organisational form. The movement was a case of civil society in self-defence against perceived encroachment by the state (Ma 2005). It marked a rare occasion after 1997, in which CSOs of different natures joined together in a territory-wide, loosely organised united front, the Civil Human Rights Front (CHRF). The movement saw better cooperation between the CSOs and the political society, culminating in the largest indigenous social movement in Hong Kong history.[8]

For many of the pro-democracy or liberal CSOs, the government's proposal on national security legislation in September 2002 (also known as Article 23 legislation) was an attempt by the government to control civil society and curtail societal freedom. On 13 September 2002, more than 30 groups formed the Civil Human Rights Front (CHRF). (Some groups joined later to make the total number of 44 groups by July 2003.) The CHRF was meant to be a roundtable that could serve as a platform for groups concerned with human rights issues to discuss actions to promote human rights, but when the consultation document on Article 23 legislation was published in September 2002, the CHRF quickly focused its attention on Article 23.

The CHRF typified the organisation, strengths and limitations of the counter united front as a movement organisation format. The member groups of CHRF were highly diversified, with very different backgrounds and widely different views on Article 23 legislation. The 44 groups by July 2003 included human rights groups (four of the 44), political groups/parties (ten), professional unions (three), religious groups (six), labour groups (four), student groups (three), feminist, gay and lesbian groups (seven), and others. The more radical groups such as the April 5th Movement (a local 'Trotskyist' group) rejected any kind of national security legislation. The human rights groups did not see a need for Hong Kong to legislate for China's national security, and claimed that it should only be enacted when the SAR government was democratically elected. More moderate members such as the Democratic Party (DP) agreed in principle to enact laws related to Article 23,

but demanded that the government should publish a draft legislation for consultation, in the form of a White Bill, before tabling the legislative proposals to the Legco.

The operation of the CHRF resembled many of the loosely united fronts of the liberal CSOs after 1997. It operated in the spirit of internal democracy and equal participation. Most decisions on CHRF actions were made in the CHRF plenary meeting, participated in by all the member groups, in which each member group equally had one vote. More established members, such as the DP that had 11 Legco members in 2002-03, or the Hong Kong Professional Teachers Union that had about 80,000 members by 2003, had the same voting rights as the non-registered Hong Kong Voice of Democracy that had only several members. The CHRF had only one full-time paid staff throughout the campaign against Article 23, and all its actions were manned by volunteers of the member groups.

The wide range of opinions among member groups means it was difficult for the CHRF to reach a consensus on many positional issues. The only consensus was that they objected to the contents of the proposed legislation, since they generally believed that it would hurt human rights in Hong Kong.[9] The united front format, however, allowed the different groups to reach out to their respective publics, with their own agendas and action plans, under the overall vague banner of 'opposing Article 23 legislation'.

The mainstream democrats, represented by the Democratic Party (DP), who used to lead the democracy movement and political movements in the 1980s, more or less took a back seat. The DP thought the struggle against Article 23 could be used to rekindle the democracy movement, to show to Hong Kong people that a non-elected government could pass laws that inhibit people's freedom.[10] However, the DP adopted a conscious strategy to refrain from taking the leadership in this movement. They understood that quite a few CSOs had a deep mistrust and suspicions against political parties in general, and against DP in particular, and a DP-led movement would not attract their participation. Many younger activists would not accept their leadership, or were reluctant to accept any leadership whatsoever. The DP saw the CHRF format as one that could enlist the support of more civil groups in a movement for a general cause, and the days were long gone when civil groups would accept a centralised leadership by the older generation of leaders.[11]

The CHRF experience epitomised a pluralistic form of mobilisation by the new generation of social movement. Because the contents of the National Security Bill covered a wide range of areas, it aroused concern from various social sectors.[12] Human rights activists and pro-democracy politicians saw the government proposals as detrimental to Hong

Kong's civil liberties. Journalists were afraid that they could easily fall prey to 'sedition' or 'theft of state secrets' charges with the vague definition in the Bill. Academics feared that research on China could constitute 'theft of state secrets', and discussions on Tibet or Taiwan independence could become 'inciting secession'. The Catholic Church was worried about the proscription of links with 'mainland political organisations', as they had a lot of links with 'underground churches' on the mainland. Even university librarians were worried that they could easily be guilty of 'handling seditious publications'.

The Article 23 legislation led to a re-awakening of civil society, mobilising different sectors to join the opposition movement. Under the platform format of the CHRF, many member groups could 'agree to disagree' and devised their own action plans and mobilised their own publics without agreeing on a common specific position or concerted course of action. The Catholic Church mobilised their local churches to discuss the contents of the Bill. The legislators took up the battle in the parliamentary arena, as their lengthy questioning of the details of the Bill led to outbursts from government officials in the chamber, adding fuel to the already burning opposition movement. The DP used many of their 94 ward offices for community-level mobilisation. In the weeks before the July 1st march, the DP managed to collect phone numbers of about 40,000 supporters, and their volunteers and staff called them up one by one to call on them to join the July 1st demonstration.[13] The Hong Kong Bar Association (HKBA) and some leading barristers made serious efforts to explain the problems with the Bill in public forums and in the media. In later stages they reached out to other professional bodies and secondary schools to explain the problems with the Bill.[14] In the last two weeks of June 2003, more and more professional leaders openly called on their members to join the July 1st protest, including academics, journalist bodies, medical doctors, schoolteachers, accountants, social workers, film directors, artists, student bodies, and religious groups. My survey of the major newspapers of June 2003 showed that in that month, 162 groups had openly urged support for the July 1st demonstration by issuing public statements or newspaper advertisements.[15]

A lot of the mobilisation was done through interpersonal channels and through the cyberspace. Ng Gene-bond was a Form Six student in June 2003, student union president of his secondary school. One week before July 1, he got the impression from various Internet newsgroups and chat rooms commonly visited by teenagers that many teenagers were really angry about Article 23 legislation. He then set up a website to call on secondary school students to march together, and spread the message on various teenager-favoured websites, newsgroups or chat rooms. Within one week he got more than 100 volunteers, whom he

had not known before, but who helped him to relay the message through their own interpersonal networks or through cyberspace. On 1 July 2003, more than 2,000 teenagers showed up at the 'meeting point' for the secondary school students, and they marched together. A survey of 1,154 participants of the July 1st march showed that 68 per cent saw interpersonal influences as an important factor that motivated them to join the march, while 54 per cent saw 'calls from the Internet' (including electronic mails from friends) as important. Both channels had higher percentages than 'calls from family members' (51 per cent) and 'calls from political parties' (44 per cent) (Chan & Chung 2003: 9). This showed that mobilisation through the Internet had become a new and important channel of mobilisation in social movements in Hong Kong.

Limitations of the United Front Format

However, the CHRF format exposed its own limitations after the Article 23 legislation was defeated.[16] The democrats lost no time in trying to convert the movement against Article 23 into a full-fledged democracy movement after the July 1st march. The rally on 9 July 2003, joined by 50,000 people, put forward clear goals of universal suffrage election for the Chief Executive in 2007, and for the whole Legco in 2008. However, it was not so easy for the CHRF to be converted into a united front for pushing democratic reforms.

Immediately after the July 2003 march, when the CHRF discussed focussing its next task on demanding full democracy, some of the member groups were reluctant to join. For example, the Hong Kong Journalist Association saw itself as a professional association, and considered it inappropriate to join as a member of a coalition for democracy movement. The Hong Kong chapter of Amnesty International, following the principles set by its headquarters, did not want to join domestic political campaigns. Quite a few of the grassroots CSOs were afraid that the movement and the CHRF platform would be usurped by the mainstream democrats to push their own political agendas. They were wary that the movement was being quickly transformed to one of chiefly political or constitutional concern, paying little attention to livelihood or class issues.[17] As a result, the member groups failed to agree to transform CHRF into a full-fledged united front to push democratic reforms.

The beginning of 2003 saw a politicisation of the CHRF and the campaign. The landslide victory of the democrats in the District Council election of November 2003 and the large turnout of the 1 January 2004 rally posed great encouragements for the political movement.

The central government staged a propaganda campaign against the democrats in early 2004, which heightened political pressure on the pro-democracy camp as a whole. However, the CHRF still failed to consolidate into a more formal organisation.

In mid-2004, some members proposed that CHRF should register as a legal society under the Societies Ordinance in Hong Kong. The idea was discussed in the CHRF general meeting but was turned down by the plenary meeting on 14 August 2004. It showed the extent to which some of the member groups detested formalisation and preferred an *ad hoc* form of organisation. Core participants of the CHRF revealed that many smaller CSOs feared a formal organisation would be dominated by the larger and better funded groups, and did not want to devote their resources to a common secretariat or formal organisation. They preferred to keep the *ad hoc* form of organisation, which allowed them to leave the movement at any time should they find it deviating from their goals. The mutual trust between the small CSOs and the mainstream democrats were just too weak for them to form a long-term partnership and formalised organisation.[18]

However, this *ad hoc* form proved unable to sustain the movement. After July 2004 the democracy movement entered a recession. Intransigence of the central government on the issue of constitutional reform led to a gradual de-mobilisation of the political movement. By 2008, the CHRF was reduced to a very loose alliance, with very little participation from its member groups. Its major role was to hold the annual July 1st march, which by 2008 had become an annual occasion of civil society action and voicing of grievances from different social groups and sectors, somewhat 'commemorating the "spirit" of the 2003 march'.

Core participants of CHRF reflected on the weakness of this organisational form in leading a territory-wide movement. They pointed out that while the form was flexible and organic, allowing maximum participation of groups without having a high level of consensus, the form did not have a stable core. Without a stable and well-funded core, the front was very dependent on the political climate or the initiative of individual well-funded groups. 'When the issue or climate was here, everybody would come and tried to gain something from the movement. When the climate was not there, it would just fall apart,' said Chong Yiu-kwong, CHRF convener from October 2004 to September 2005. It was relatively difficult for this organisational form to sustain a movement for long periods of time.[19]

Conclusion

Hong Kong is different from most non-democracies. It has a long tradition of free civil society and rule of law, and the post-1997 constitution, the Basic Law, guarantees Western-style civil liberties. This provides shelter for social movements and opposition activities in Hong Kong. Attempts by the State to encroach on civil liberties will invariably meet with societal resistance, as in the case of Article 23 legislation in 2002-03. However, although the civil society in Hong Kong is vibrant and pluralistic, it has relatively weak organisational resources and horizontal linkage. The historical development of social movement in Hong Kong also led to a detachment of the political society from civil society, and a lack of mutual trust between CSOs and political parties. This made it difficult for CSOs to form a territory-wide formalised organisation to push for progressive social and political reforms. The *ad hoc* alliance format is effective as a short-term means to fend off encroachment on civil society, as it can coordinate CSOs of similar persuasions with relatively low costs, and allow them to mobilise their own respective publics with due respect to their differences. It is, however, difficult for this organisational form to accumulate enough resources, experience or mutual trust to build a strong and sustained movement. Social movement in Hong Kong is bound to be sporadic, spontaneous, and dependent on the initiative of individual participants, which makes it difficult to effect institutional changes.

This has profound implications for state-society relations in Hong Kong. While the constitutional rights and political environment allow the civil society to maintain its autonomy, the inadequacy of the electoral institutions and the low integration of civil society mean it is relatively difficult to push policy changes from below. The CSOs saw themselves in the light of the opposition, and will continue to have a more confrontational relationship with the state. The gap between state and society will persist, as political participation is not effectively channelled by the existing institutions. Without fundamental political reforms, it is difficult to conceive how the current strained state-society relationship of Hong Kong can be solved.

China is entering a development stage that somewhat resembles Hong Kong in the early 1970s. Rapid modernisation and industrialisation have led to various social problems and a gap between public services and public expectations. Society is in a stage of liberalisation, but the power structure remains little changed. The trend of liberalisation allows the nascent civil society much more room to stage protests, but the general political environment or the geographical size makes horizontal linkages very difficult. It is possible that the current stage of sporadic, spontaneous and particularistic protests in China will con-

tinue for some time. The lesson from Hong Kong is that without better institutionalisation to bridge the gap between state and society, and/or incorporation of social groups to form more organic policy communities, these amorphous CSOs can be driven to become more confrontational, leading to a more strained state-society relationship.

Notes

1 Author's interview with Rose Wu, Chief Executive of Hong Kong Christian Institute, veteran social activist, on 11 August 2003.
2 Examples of these incidents included: 1) In October 1994, residents of rooftop structures in Tsuen Wan blocked the entrance of the Building Department in Central; 2) In October 1994, Secretary for Health and Welfare Alice Fok was besieged by protesting elderly people demanding improvement in old-age allowance; 3) In September 1995, residents of temporary housing threw rats onto the car of Governor Chris Patten, leading to skirmishes between police and residents. See Mok and Yu (1996: 83-84).
3 For the program shift of DP, see Ma (2001, 2002a & b).
4 See *Ming Pao Daily News*, 4 October 2000, p.A2; *Apple Daily*, 16 October 2000, p. A11.
5 Chief Executive Tung Chee-hwa once criticised the *Falun Gong* as an evil cult in a Legislative Council question-and-answer session. See *Sing Pao*, 15 June 2001, p.A4.
6 The database of press reports was based on the Wisenews database in the Hong Kong University of Science and Technology and the Chinese University of Hong Kong, which collects the news stories (in electronic form) of all major Chinese language newspapers in Hong Kong.
7 A social action that lasted for more than one day will only be counted as one social action. For example, a sit-in protest or a signature campaign may last for more than one day or maybe even weeks, and received multiple reports in the press, but it will only be counted as one social action. This may be different from the counting method of counting public meetings and processions by the government as listed in Table 1.
8 Although it was commonly estimated that the demonstrations in support of the Beijing democracy movement in 1989 attracted crowds of up to one million, the 1989 movement was about developments in mainland China. The movement against Article 23 thus should be the largest indigenous movement, going by the number of participants, in Hong Kong history.
9 Author's interview with Richard Tsoi Yiu-cheong, CHRF's spokesman from May 2003 to November 2003, on 25 July 2003.
10 Based on author's interview with Lee Wing-tat, DP Vice Chairman 2002-04, and DP Chairman since December 2004, on 31 July 2003.
11 Author's interview with Lee Wing-tat, 31 July 2003.
12 For detailed contents of the Bill and criticisms against it, see Ma (2005).
13 Author's interview with Lee Wing-tat, 31 July 2003.
14 Author's interview with Audrey Eu, senior counsel and legislator, on 4 August 2003.
15 Thanks are due to Mr Siu Yu-kwan for his research assistance in this survey.
16 The government postponed the Second Reading of the Bill on July 7, 2003. In September 2003, the government said the bill would not be tabled again shortly. At the time of writing, there were no plans to introduce a national security legislation by the government.

17 Based on author's interview with Chong Yiu-kwong on 13 January 2005; and Richard Tsoi Yiu-cheong, on 25 July 2003.
18 Interview with Chong Yiu-kwong on 13 January 2005; and with Richard Tsoi on 25 July 2003.
19 Interview with Chong Yiu-kwong on 13 January 2005; and with Richard Tsoi on 25 July 2003.

4 Social Movements and the Law in Post-Colonial Hong Kong

Albert H.Y. Chen

Introduction

Social movements are an important social and political phenomenon in the contemporary world. Many sociologists, political scientists and historians have contributed to the study of social movements. As regards the relationship between social movements and the law, Michael McCann has pointed out in his discussion of a number of social movements that 'legal norms, discourses, and practices in each case were an important constitutive element of evolving movement understandings, aspirations, and strategic action' (McCann 1998a: 84). In the post-colonial era, the law has become an increasingly prominent arena of social movement activities in Hong Kong. It is the purpose of this chapter to undertake a preliminary exploration of social movements and the law in Hong Kong.

My inquiry will proceed in the following manner. In Part I, I will consider briefly the definition of 'social movements' and the history of social movements in Hong Kong. Part II of the chapter studies the relationship between social movements and the law. It is intended to provide the general theoretical foundation for the work in the remainder of the chapter. Part III will comment on the development of Hong Kong's legal system in the post-colonial era and on its relevance to social movements. It will also provide some case studies of law and social movements in post-colonial Hong Kong. Finally, part IV will offer some concluding reflections.

Social Movements and Hong Kong

According to Charles Tilly (2004), social movements were a new political phenomenon that first emerged in Western Europe and North America in the late 18th and early 19th centuries. Tilly points out that a social movement consists of a distinctive combination of three elements: a) campaign; b) repertoire; and c) WUNC displays ('WUNC' being the abbreviation of worthiness, unity, numbers and commitment). The campaign is 'a sustained, organised public effort making

collective claims on target authorities' (Tilly 2004: 3). The repertoire of a social movement refers to the 'employment of combinations from among the following forms of political action: creation of special-purpose associations and coalitions, public meetings, solemn processions, vigils, rallies, demonstrations, petition drives, statements to and in public media, and pamphleteering' (Tilly 2004: 3). Finally, the WUNC displays are public representations of WUNC by the participants in the social movement on the part of themselves and/or their constituencies (Tilly 2004: 4).

A better understanding of social movements can perhaps be arrived at by combining Tilly's definition with that offered by Della Porta and Diani (1999), according to whom social movements are informal networks of interaction among people based on shared beliefs, solidarity and a common sense of collective identity, who mobilise for conflictual issues for the purpose of collective action to promote social change, and make frequent use of various forms of protest and public means of confrontation. This definition explains that a social movement need not be tightly organised,[1] and the existence of an informal network suffices. It also supplements Tilly's definition by pointing to the importance for a social movement of a belief system and a sense of collective identity among its participants (Melucci 1988, 1989).

The 1970s have been described as the 'Golden Age' for social movements in Hong Kong (Butenhoff 1999: 25). According to Benjamin Leung (1996: 148-9), the colonial government's expanded role in the provision of social services since the mid-1970s resulted in an increasing frequency of social conflict and protest actions in areas such as housing, transport, the environment and education. The most significant social movements in the 1970s were the student movement (Leung 1992; Leung 1996: 155-8), the housing movement (a movement of residents of public housing estates to improve their housing conditions) (Lui & Kung 1985; Ho 2000), and the public sector labour movement (Leung & Chiu 1991; Levin & Chiu 2000). In a leading work on social movements in Hong Kong, Lui Tai-lok and Stephen Chiu (2000: 3, 5) summarise their findings as follows:

> [W]hile observers of Hong Kong politics are busy with the construction of explanations of political stability,[2] waves after waves of collective actions – from student activism to urban protests and organised actions of civil service unions – have been witnessed in this so-called politically quiescent society since the 1970s. (...) In our review of the development of social movements in contemporary Hong Kong, I suggest that the emergence of collective actions in the 1960s and 1970s was largely an outcome of social and political changes within Hong Kong

> society. Subsequent development in the 1980s and 1990s, especially changes brought about by the process of decolonisation, has significantly politicised popular mobilisation and collective actions.

The signing of the Sino-British Joint Declaration in 1984 and the colonial government's policy in the 1980s to develop representative government in Hong Kong by opening up the political system to electoral politics resulted in a changed structure of political opportunities for social movements in Hong Kong, 'new rules of the game' (Lui 1994: 75) and a new agenda for participants in Hong Kong politics. Most social movement organisations 'switched to the political participation mode' (Lui 1994: 76) in the sense of participating in electoral politics and trying to pursue their agendas through institutional channels such as District Boards and the Legislative Council. Social movement activists became elected politicians instead (Lui & Chiu 2000: 12). Generally speaking, there was a 'decline of grass roots protest groups' and 'a "hollowing out" of political organisation at the grassroots level' (Lui & Chiu 2000: 12).

In 1989, the student movement in Beijing and its suppression on the 4th of June provoked a series of massive demonstrations of an unprecedented scale in Hong Kong's history. However, this pro-Chinese democracy movement was not able to sustain itself in the 1990s despite the well-attended annual vigils in memory of the victims of the 4th of June (Lui & Chiu 2000: 12-3; Wong 2000). On the other hand, constitutional reforms and the drafting of the Basic Law in the 1980s stimulated the development of a pro-democracy movement in Hong Kong (Butenhoff 1999). However, the pro-democracy movement of Hong Kong was also unable to sustain itself in the 1990s (Lui & Chiu 2000: 13; Sing 2000) despite Governor Christopher Patten's ambitious programme for electoral reform which met stiff resistance from the Chinese side. The 1980s and 1990s also saw the decline of the student movement (Leung 2000), although in these decades the environmental movement (Lui & Chiu 2000: 13; Lai 2000) and feminist movement (Lui & Chiu 2000: 13; Lee 2000) began to assert themselves in Hong Kong.

After 1997, the economic downturn and the growing dissatisfaction with the Tung Chee-hwa administration gave rise to an increasing number of demonstrations and other forms of social protest (Lui & Chiu 2000: 14-6; So 2002), culminating in the march of half a million people on the 1st of July 2003 against the proposed national security law and in the subsequent assemblies and marches demanding the introduction of universal suffrage for the election of the Chief Executive and all members of the Legislative Council.

Despite the 'explosion of social protests' (So 2002: 407) in the post-1997 era, it is arguable whether, in general, social movements have gained in strength after Hong Kong became a Special Administrative Region. Indeed, unless we define social movements loosely as collective activities involving public protest and demonstrations, it seems that there are few social movements in Hong Kong, for many social protest actions in Hong Kong do not satisfy the more elaborate definitions of social movements discussed above. In the discussion below of social movements and the law in post-colonial Hong Kong, I follow the conventional usage of scholars of social movements in Hong Kong and use a low threshold for the purpose of recognising social movements. Activities that are usually referred to as social movements in the existing literature on social movements in Hong Kong are deemed to be social movements in the following discussion.

Social Movements and the Law

Is it possible to develop a general theoretical framework for understanding the relationship between social movements and the law? In this part, I will first look at how the general theories of social movements may be relevant to this understanding, and then examine the work of one scholar who specialises in studying law and social movements.

The 'classical model' of social movements (Doug McAdam 1982, 1999) was premised on theories of collective behaviour and 'mass society' that emphasise the structural strains in society and the social psychology of its inhabitants. Such theories throw light on the rise of Nazism and Fascism in Europe before the Second World War. With the Civil Rights Movements in the USA in the 1960s, the student activism in Europe and America in 1968 and the 'new social movements' (Byrne 1997: 12) such as feminist, environmental and peace movements, social movements began to be perceived in a positive light. New perspectives were developed by European scholars studying how social movements respond to the crises of postmodern or post-industrial society in advanced Western nations (Touraine 1981). In America, the paradigms for the study of social movements became shaped by resource mobilisation theory and political processes theory. It is these latter two approaches that seem to be most relevant to the study of law and social movements.

The insight contributed by resource mobilisation theory is that whereas structural strains and grievances exist in almost every society, they do not necessarily lead to social movements. The formation and development of any social movement depend on effective organisation

and the mobilisation of resources. Given the existence of a particular socio-political environment and certain resources at their disposal, the leaders and participants of a social movement must act rationally and strategically in order to maximise their influence and to achieve their goals.

There are at least four ways in which resource mobilisation theory can throw light on the relationship between law and social movements. First, depending on whether the legal system is repressive or respectful of civil liberties, the legal system may either constrain or facilitate mobilisation for a social movement.

> [P]olitical freedoms, and the extent of repression by agents of social control (...) may affect the costs for any individual or organisation allocating resources to the SMS [social movement sector], serve as constraints on or facilitators of the use of resources for social movement purposes. (McCarthy & Zald 1987: 26)

Second, litigation may be used as one of the strategies of a social movement, as in the initial phase of the American civil rights movement (Locher 2002: 273-9; Eyerman & Jamison 1991: 122, 125). Third, insofar resource mobilisation theory points out that the use of the media by a social movement is a significant factor (McCarthy & Zald 1987: 15, 31), litigation or other law-related strategies may generate media attention and thus attention by members of the public to the issues raised by the social movement. Finally, resource mobilisation theory recognises that resources include 'legitimacy, money, facilities, and labour' (McCarthy & Zald 1987: 22) and both 'material and symbolic resources' (Della Porta & Diani 1999: 8); the expression of the demands of a social movement in legal discourse (particularly the discourse of rights) or victories in court battles may be quite effective in conferring legitimacy on the movement and constitute an important symbolic resource of the movement.

Political processes theory stresses that social movements are essentially political phenomena and may therefore be studied in ways similar to those applicable to other political phenomena such as 'institutionalised political processes' (McAdam 1999: 36). What needs to be studied therefore includes the interaction and alignment of different political actors within the system and their response to the social movement. The importance of the internal dynamics of development of a social movement is recognised by this theory, but it also pays particular attention to the external political environment in which a social movement finds itself, or what it calls the 'structure of political opportunities'. Changes in this structure may have a significant impact on a social movement and may sometimes be able to account for its rise and fall. For example, such

changes may result in a sudden opening up of the political system which may either be intentional or unintentional (Garner 1996: 50), undermine its stability or otherwise improve the bargaining position or political leverage of the constituents of a social movement (McAdam 1999: 42-3).

Like resource mobilisation theory, political processes theory demonstrates that a legal system – as part of the structure of political opportunities for a social movement – that is repressive will increase the 'risks associated with movement participation' (McAdam 1999: 43) and thus constrain the development of a social movement. Apart from this point, political processes theory also contributes at least two other insights into the relationship between law and social movements. First, according to political processes theory, the law-related aspects of the structure of political opportunities to be studied include not only 'the state's capacity for and tendency toward repression' (Locher 2002: 267), but also 'the relative weight and independence of judicial, legislative, and executive branches in governments' (Garner 1996: 52). Thus, the constitutional role of the courts in a particular legal system and, in particular, whether the judiciary is independent, activist and willing to develop new legal doctrines to meet the demands of particular social movements may become highly relevant to the development of a social movement. In countries such as the USA where the judiciary is indeed powerful and activist, social movements are more likely to resort to litigation as a means for social reform.

Second, political processes theory points out that an important factor in the formation of a social movement is 'cognitive liberation' (McAdam 1999: 48) or 'the subjective transformation of consciousness' into an 'insurgent consciousness' (McAdam 1999: 38, 40). When this insight is combined with discourse theory, which demonstrates that the language and discourse that people use shape their interpretation of their life experience, their perception of the meaning of events and construct the social reality in which they live (Garner 1996: 15-16), it is possible to understand how legal discourse matters for social movements. This point has been further elaborated by Michael McCann's work on law and social movements to which I now turn.

Drawing upon various studies by scholars of law and social movements and his own empirical research on the movement for gender-based wage equity in the USA, McCann (1998a; 1998b; 2004) has developed a fairly comprehensive theory of the relationship between law and social movements. The theory is largely based on American experience but can serve as a useful starting point for our inquiry later in this chapter into law and social movements in Hong Kong.

McCann's theory should be viewed against the background of the prevailing 'leftist' or 'progressive' view of law and social movements

which has been largely shaped by Marxism and critical legal studies. According to this view, law legitimises hegemonic social hierarchies and relations of domination and is thus a negative force in relation to social movements that try to promote social change and justice. Doubt is cast on the use of litigation as a means of social reform, because litigation depends on elites such as lawyers and judges whereas true reform should and will only come from mass mobilisation. The structure of the law and of legal institutions itself restricts the opportunities for challenge of the existing system and its radical transformation, and eventual defeat in court battles will also be a severe blow to a social movement. It is also said that litigation diverts precious resources and attention from alternative tactics involving mass participation in the social movements themselves.

While not disputing the validity of these critical ideas, McCann points out that the law can be a double-edged sword for social movements. The law is itself a medium and arena of social struggles, and it need not be assumed that forces opposing change and progress will always win in this arena.[3] In particular, both legal discourse and litigation may be turned into a positive resource by a social movement that is striving to change the status quo. Thus, litigation may be used by social movements as a strategy that supplements the use of non-institutional channels of mass protests such as marches and demonstrations. Legal norms and rights discourse may be used by social movements as positive resources in mobilising support and making gains in social struggles against the existing system.

McCann (1998a: 83) points out, for example, that the law may have a lot to do with the formation of a social movement, particularly in shaping a legal consciousness and a politics of rights which help mobilise support. Legal discourse may be drawn on 'to name and to challenge existing social wrongs or injustices' or to forge a 'sense of collective aspiration and identity' among movement participants (McCann 1998a: 83). It is pointed out that legal norms contributed significantly to framing movement demands or shaping movement identity in the civil rights movement in America, the early American labour movement, the women's movement, the welfare rights movement, the animal rights movement, and the gay and lesbian rights movements (McCann 1998a: 84).

The insight contributed by Marxism and critical legal studies to our understanding of law is that law is largely an instrument of the ruling elite for the purpose of maintaining its domination, and legal thinking and discourse – which reflect the interests and worldview of the dominant class – performs an ideological function in shaping the consciousness and beliefs of the oppressed and persuading them to accept the existing system as natural and legitimate. McCann however points out

that legal concepts, norms and discourse may at least in some circumstances be effectively exploited by social movements in order to challenge the existing system. This is because law is 'a quite malleable medium' (McCann 2004: 508).[4]

McCann also analyses the multifold functions of litigation as a possible strategy of social movements, particularly as 'a source of institutional and symbolic leverage against opponents' (McCann 2004: 513). First, the publicity associated with litigation will enable the issues which the social movement is concerned about to 'get on the public agenda' (McCann 1998a: 92) or will even to serve to mobilise public opinion in support of the movement. It is noted that 'the mass media tend to be particularly responsive to rights claims and litigation campaigns for social justice, although this evidence is primarily limited to the US experience' (McCann 2004: 511).[5]

Second, as in the case of litigation in other contexts, the threat or initiation of court proceedings may already be able to extract concessions or a compromise from the other side. The party sued will have to weigh the costs and benefits of contesting the plaintiff's claim, the risk of losing the court battle, and the adverse publicity if the plaintiff's claim is perceived by the general public as legitimate or ultimately upheld in court (McCann 1998a: 91).

Third, if the social movement is able to win some court battles, this will serve to strengthen the movement by further publicising and conferring legitimacy on its claims, rallying further public support, and demonstrating that the existing system which the movement seeks to change is indeed vulnerable and changeable. Litigation can thus contribute to shape – in the terminology of the political processes theory of social movements – 'the overall "opportunity structure" within which [social] movements develop' (McCann 1998a: 84). It is interesting that McCann points out that it is not necessary that the judicial victory be 'conclusive' and 'far-reaching' (McCann 1998a: 86), but even 'small advances' (McCann 1998a: 93) in litigation might be sufficient to enable the social movement to reap gains.[6]

Given these strategic advantages which a social movement may be able to gain from litigation, it is not surprising that it has not only become a popular tool of social movements in the USA, but there has been 'a rise of legal leveraging as a key tactic of social movement politics around the globe' (McCann 2004: 515). In the USA itself, litigation associated with several social movements has resulted in substantial and far-reaching changes in the doctrines of American constitutional law (Eskridge 2002). However, McCann also points out that the use of litigation as a strategy might entail considerable risks for a social movement.

> [L]egal gambits are hardly costless guarantees of success for social reformers (...) Initiating legal action (...) may commit movement supporters to long, costly, high-risk legal proceedings that they can afford far less than can their institutional foes. Even more important, eventual defeat in official forums can sap movement morale, undercut movement bargaining power, and exhaust movement resources. (McCann 2004: 514)

McCann (1998a: 93) refers to several 'examples where legal tactics either failed to generate, or even impeded, progressive change'.

Social Movements and the Law in Hong Kong

In the colonial era, the British legal model and the English common law were transplanted to Hong Kong. The British tradition of the Rule of Law and of the independence of the judiciary provided a strong foundation for Hong Kong's legal system (Tsang 2001). However, for most of the time during Hong Kong's history as a colony, the people of Hong Kong did not enjoy the full extent of civil liberties enjoyed by the British people themselves (Wacks 1988). As in other ceded colonies forming part of the British Empire, the nature of colonial rule was authoritarian (Miners 1986), with a high degree of concentration of power in the hands of the Governor appointed by London (Wesley-Smith 1995). Laws on sedition, assemblies and associations were draconian, although they were not always strictly enforced (Chen 1989a, 1990a). Furthermore, the operation of the legislative and judicial systems in the English language made local inhabitants feel that the legal system was alien and imposed on them (Chen 1989b).

The 1980s however saw a fundamental change in Hong Kong's legal culture, particularly in public attitudes towards issues relating to the Rule of Law. The signing of the Sino-British Joint Declaration in 1984 and the prospects of reunification with China alerted the people of Hong Kong to the fact that the level of the Rule of Law and the protection of individuals' rights in mainland China was much lower than in Hong Kong, and there was a real danger that the human rights situation in Hong Kong would deteriorate upon Hong Kong's return to China. The people of Hong Kong therefore began to treasure the legal system which they had inherited from the British colonisers, and to make efforts to safeguard and strengthen it in preparation for the challenges of 1997. There was a legal awakening in Hong Kong, a rise in rights consciousness. Law-related current affairs attracted increasing media and public attention (Chen & Chan 1987; Chen 1990b). A number of legal controversies in the 1980s testified to the increasing vigi-

lance of members of the public with regard to human rights and fundamental freedoms (Chen 1988b; Chan 1990).

In 1989, the 4th of June suppression of the student movement in Beijing brought about an unprecedented crisis of confidence in Hong Kong. One of the measures taken by the British colonial government to alleviate the difficult situation was the enactment of the Hong Kong Bill of Rights Ordinance in 1991, which incorporated into the domestic law of Hong Kong the human rights guarantees in the International Covenant on Civil and Political Rights. Under this new legal regime of the constitutional protection of human rights, the courts of Hong Kong acquired and began to exercise for the first time the power to review the validity of local legislation on the ground of its inconsistency with international standards of human rights (Chen 2000: 418-20). As in other jurisdictions, the opportunity of constitutional review rendered the courts of Hong Kong more assertive and activist in ensuring that the law should strike the proper balance between the rights and liberties of individuals on the one hand and the collective interest of society on the other. A body of jurisprudence and principles of constitutional interpretation were gradually built up through the accumulation of case law (Ghai 1997a; Chan 1998; Byrnes 2000). At the same time, the government conducted a thorough review of existing legislation as regards its compliance with the Bill of Rights and introduced relevant amendments to liberalise the law. In retrospect, the most significant amendments were those made to the Societies Ordinance and the Public Order Ordinance, which the Chinese side found to be objectionable, with the result that the amendments were partially reversed at the time of the handover in 1997 (Chen 2002: 216).

The Basic Law – the constitutional instrument of the Hong Kong Special Administrative Region – restricts the right of individual members of the Legislative Council to introduce private members' bills relating to government policy.[7] In the last weeks before the Basic Law came into effect in July 1997, the Legislative Council that had been elected in 1995 in a fairly democratic manner pursuant to the political reforms introduced by Governor Chris Patten rushed through a number of private members' bills which turned out to be significant in the post-1997 era. An example was the amendment of the Housing Ordinance for the purpose of ensuring that the rent payable by tenants of public housing estates in Hong Kong was affordable to them. Another example was the enactment of the Protection of the Harbour Ordinance which declares the Victoria Harbour to be a 'special public asset and a natural heritage of Hong Kong people' and discourages land reclamation within the Harbour. Laws like these, when enforced before the courts, enable the courts to play a major role in shaping social policies in Hong Kong in the post-1997 era. This reinforces the already en-

hanced role of the courts resulting from constitutional review of laws on human rights grounds as mentioned above and from the protection given by the Basic Law to various interests and its entrenchment of various policies.[8] Generally speaking, therefore, Hong Kong courts in the post-1997 era have addressed difficult issues of public policy more than ever before. Opportunities for social movements to challenge the existing order or existing policies by means of litigation have also become greater than ever before.

I will consider below several episodes in the post-1997 legal history of Hong Kong which illustrate the interaction between social movements and the law. The incidents concerned are classified into the following categories: 1) law as a means to control social movements; 2) law as a weapon of social movements; 3) law as the contextual environment of social movements.

Law as a Means to Control Social Movements

As discussed above, the law may constrain the space for social movements by limiting the freedoms of speech, press, assembly, procession and association without which social movements can hardly mobilise mass support. In post-colonial Hong Kong, one prominent domain of legal struggles that is relevant to the space for social movements is that constituted by the Public Order Ordinance and the Societies Ordinance, which regulate the freedoms of assembly, procession and association. As mentioned above, the colonial laws in these areas were originally strict but were liberalised in the 1990s as part of the exercise to ensure that all existing Hong Kong laws were consistent with the newly enacted Bill of Rights. However, on the eve of Hong Kong's reunification with China, the National People's Congress (NPC) Standing Committee, exercising its power under the Basic Law of Hong Kong to determine which existing Hong Kong laws could not survive the handover (Ghai 1997b; Ghai 1999: 379-86), decided not to adopt the major amendments made to the Societies Ordinance and the Public Order Ordinance in July 1992 and July 1995, respectively.[9] The NPC Standing Committee's action met stern protests from civil society in Hong Kong.

Although the NPC Standing Committee nullified the amendments introduced in the 1990s to the Societies Ordinance and Public Order Ordinance, it did not actually mandate the restoration of these laws to their pre-amendment version. A new version of societies and public order legislation for the SAR was enacted by the Provisional Legislative Council (PLC) on 14 June 1997 in the form of the Societies (Amendment) Ordinance 1997 and the Public Order (Amendment) Ordinance

1997. The new version to a considerable extent preserved the improvements and liberalisations made in the 1992 and 1995 amendments.[10]

The requirement in the revised law of a 'notice of no objection' in the case of public procession[s] proved to be controversial (Brabyn 2002). In the years following 1997, some demonstrators tried to test the law by deliberately not applying for a notice of no objection before the demonstration. Some omitted to do so through neglect or due to the urgency of the demonstration. It has been pointed out that 126 protests were organised in 1998 and 183 protests in 1999 without applying for any notice of no objection (So 2002: 405). However, the government did not prosecute any of the organisers. Other organisers of demonstrations complied with the legal requirements, and 1388 protests were approved in 1998 and 1283 in 1999 (So 2002: 405). It has also been pointed out that '[a]ccording to official figures in the period between July 1997 and March 2002, about one in seven public rallies were in fact held without notifying the police in advance' (Cheung & Chen 2004: 79).

The only cases in which the government attempted to enforce or actually enforced the requirements of the Public Order Ordinance with regard to applications to hold demonstrations occurred in 2000 and 2002. The events in 2000 illustrate the interaction between the law and the student movement in Hong Kong. On 20 April 2000, about 60 university students demonstrated against a proposal to charge differential tuition fees for students in different academic disciplines. On 26 June 2000 – the anniversary of the NPC Standing Committee's ruling which overturned the Court of Final Appeal's decision in the 'right of abode' case (discussed below), about 1200 seekers of the right of abode, their supporters and students from the Hong Kong Federation of Students staged a demonstration to protest against the Standing Committee's decision. In both cases, the organisers of the protest did not comply with the procedural requirements of the Public Order Ordinance. Student leaders in both demonstrations were subsequently arrested by the police – five arrested in August 2000 in connection with the June demonstration, and another five arrested in September 2000 in connection with the April demonstration. The arrests and apparently impending prosecution of the students prompted a strong reaction from civil society, with a number of demonstrations and petitions organised in support of the students, some of the protests being again in defiance of the procedural requirements of the Public Order Ordinance. The government finally succumbed to the pressure of public opinion and decided on 5 October and 25 October, respectively, not to prosecute the two groups of students (So 2002; Cheung & Chen 2004).

The campaign against prosecution of the students soon turned into a campaign for the reform of the Public Order Ordinance itself. However, on this front the government refused to give way. It decided to table a motion before the Legislative Council requesting legislators to express support for retaining the Ordinance in its existing form. On 21 December 2000, the Legislative Council after an 8-hour debate passed the motion by majority vote, and the public debate on the reform of this area of the law came to an end at least for the time being (So 2002: 414-5; Cheung & Chen 2004: 80).

The patience of the SAR Government in not prosecuting demonstrators who flouted the law came to an end in 2002. In May 2002, Leung Kowk-hung of the April 5th Action Group, Fung Ka-keung, council chairman of the Hong Kong Federation of Students, and another student activist were arrested by the police and charged with organising an unauthorised procession in February 2002 (Cheung & Chen 2004: 80). They were convicted by a magistrate in November 2002; the defendants were required to be bound over for 3 months on a recognisance for $500.[11] The defence lawyers' challenge to the constitutionality of the Public Order Ordinance (i.e. its alleged violation of the freedom of assembly and procession) was unsuccessful. The defendants appealed to the Court of Appeal. In November 2004, the Court of Appeal dismissed the appeal by a majority ruling of 2 to 1.[12] The case was further appealed to the Court of Final Appeal (CFA).

On 8 July 2005, the CFA by a majority of 4 to 1 dismissed the appeal.[13] The court upheld the requirement in the Ordinance that organisers of public processions involving more than 30 persons should notify the police in advance. The court also upheld that the power of the police to restrict or prohibit processions on the ground of 'public order' in the 'law and order' sense of maintenance of public order and prevention of public disorder is constitutional, while striking down the broader concept of '*ordre public*' as used in the Ordinance since the concept is too broad and imprecise to satisfy the test of legal certainty. The court also stressed that in exercising the discretionary power to regulate processions, the police must comply with the 'proportionality' test, otherwise their decisions could be overturned by the court. This means they 'must consider whether a potential restriction is rationally connected with one or more of the statutory legitimate purposes [public order as narrowly defined above, national security, public safety, etc.] and whether the potential restriction is no more than is necessary to accomplish the legitimate purpose in question' (paragraph 96 of the judgment). The dissenting judge agreed that it is legitimate to impose a prior notification requirement on processions, but disagreed with the view that this requirement can be enforced by the

sanctions of criminal law. He also believed that the police power of prior restraint of demonstrations is unconstitutional.

I now turn to another high-profile episode of litigation regarding the right of assembly and demonstration. This is the case of the prosecution of Falun Gong demonstrators in 2002, which reveals that apart from the Public Order Ordinance, the law of obstruction of public places[14] (which traditionally was mainly used against illegal hawkers in the streets) may also be used to control assemblies and demonstrations. The case concerns a small-scale demonstration staged by 16 Falun Gong activists outside the entrance to the Liaison Office of the Central People's Government in Hong Kong on 14 March 2002. Since the number of demonstrators was small, there was no need under the Public Order Ordinance to notify the police in advance or to comply with procedural requirements which are only applicable to assemblies involving more than 50 persons or processions involving more than 30 persons. After the protesters refused to leave, despite repeated police warnings, the police arrested them. There was some physical violence during and after the arrest. The protesters were charged with obstruction of a public place, and obstructing or assaulting police officers in the execution of their duty. After a 27-day trial, the protesters were convicted in August 2002 by a magistrate who imposed fines ranging between $1300 and $3800 on them. They appealed to the Court of Appeal, which gave judgment in November 2004.[15] The appeal against conviction for obstruction of a public place was successful, although the appeal against conviction on the other charges failed. In an unanimous decision, the Court of Appeal held that due regard to the protection of the right of assembly should be given in applying the law of obstruction of public places. It overturned the conviction for obstruction on the ground that the magistrate failed to address sufficiently whether the manner in which the protesters exercised their right of assembly was so unreasonable so as to constitute an unlawful obstruction. The defendants appealed further to the Court of Final Appeal.

The appeal was successful. On 5 May 2005, the CFA[16] unanimously held that the arrest of the defendants had been unlawful, since the police officers who carried out the arrest were not able to satisfy the court that they had reasonable grounds for suspecting that the defendants had committed the offence of obstruction of a public place. The court stressed that the offence is not constituted by mere obstruction; the use of the public place or highway must be unreasonable, otherwise there could be a lawful excuse for the obstruction. In determining what is unreasonable use or lawful excuse, the defendants' right to peaceful assembly and demonstration should be given due weight. The court further held that the defendants in the present case could not be convicted for obstructing or assaulting police officers in the execution of

their duty even though physical resistance was involved. Since the arrest was unlawful, the police officers were not actually acting in the due execution of their duty when they encountered resistance from the defendants. It was also pointed out that citizens have a right to use reasonable force to resist an unlawful arrest and detention.

In both decisions mentioned above, the CFA stressed the importance of the constitutional right to freedom of peaceful assembly and demonstration which is guaranteed by the Basic Law, the Hong Kong Bill of Rights and the ICCPR. The CFA's decisions in the two cases may be deemed a consolidation of the freedom of demonstration in the Hong Kong SAR, and the reinforcement of the protection for the physical space for social movements to operate in Hong Kong.

Law as a Weapon of Social Movements

As discussed above, under some circumstances litigation may be an effective strategy used by social movements, particularly when accompanied by other social movement tactics such as demonstrations and other forms of expression of popular support for the cause of the movement. In other words, the law of the state may be turned into a weapon in a battle against the state and its status quo. In post-colonial Hong Kong, such battles have included those for the right of abode of mainland-born children of Hong Kong residents, against the reduction of civil service pay, against reclamation of the Victoria Harbour, for the lowering of public housing rent, and against the privatisation of the assets of the Housing Authority. The legal weapons used in these battles included the Basic Law, the Protection of the Harbour Ordinance and the Housing Ordinance. I shall discuss the right of abode saga in greater detail, and then mention the other episodes more briefly.

The right of abode litigation was initiated immediately after the handover and reached its climax in the Court of Final Appeal's (CFA) decisions in *Ng Ka Ling* and *Chan Kam Nga* in January 1999[17] on the appeals to the CFA from lower courts by seekers of the right of abode in Hong Kong. The applicants were children of Hong Kong permanent residents, but they were born on the mainland. Some were born before their parents became Hong Kong permanent residents; some were born after at least one of their parents became such a resident (e.g. the children were born on the mainland to women whose husbands were Hong Kong permanent residents living in Hong Kong); some were illegitimate children. The children claimed the right of abode in Hong Kong under the Basic Law[18] and argued that the immigration legislation (passed by the Provisional Legislative Council)[19] that restricted such a right was invalid because it contravened the Basic Law. The task

of the CFA, therefore, was to give a final and authoritative interpretation of the relevant Basic Law provisions.

The CFA's decisions in *Ng Ka Ling* and *Chan Kam Nga* in favour of the applicants for the right of abode had a huge impact on the practical level in terms of the migrant population pressure generated by the decisions.[20] After the decisions were announced, the Hong Kong Government conducted sample surveys and statistical studies for the purpose of estimating the number of people eligible to migrate to Hong Kong as a result of the decisions. It announced on 28 April 1999 that 1.67 million people (consisting of two generations) would be so eligible in the coming decade, if the CFA's decisions were to be implemented. It was then pointed out that the CFA's interpretation of the relevant provisions in the Basic Law was probably inconsistent with the original intent behind the Basic Law, of which the National Peoples Congress Standing Committee (NPCSC) would be the most appropriate interpreter. Under the Chinese Constitution[21] and article 158 of the Basic Law, the NPCSC has the power to interpret the Basic Law. On 21 May 1999, the SAR Government requested the State Council to refer the relevant Basic Law provisions to the NPCSC for interpretation.

The Government encountered vehement opposition to its proposal to refer the matter to the NPCSC (Chan, Fu & Ghai 2000) not only from the right of abode seekers and their supporters who had organised many demonstrations in support of their cause since 1997, but also from the legal community of Hong Kong, particularly the Bar Association and most leaders of opinion in the legal community, as well as from a significant section of the political elite in Hong Kong, particularly the Democratic Party and its allies in the legislature, which comprised most of the directly elected members of the Legislative Council. The incident was extremely controversial because there is nothing in the Basic Law which suggests that the executive branch of the SAR Government can request the NPCSC to interpret the Basic Law. Furthermore, the reference to the NPCSC was criticised as a self-inflicted blow to Hong Kong's autonomy, judicial authority, Rule of Law and system for protecting individuals' rights. Nevertheless, on 26 June 1999, the NPCSC issued an interpretation which in effect negated the CFA's interpretation of the relevant Basic Law provisions and upheld the restrictions on the right of abode imposed by the relevant immigration legislation.[22] Thus, the fruit of the court victory was completely taken away from the social movement for the right of abode.

The interpretation was followed by a series of demonstrations by right of abode seekers and their supporters in civil society, including student, religious and human rights groups. On 30 June 1999, 600 lawyers also marched in silence wearing black (Fung 2004: 109). As mentioned above, even as long as one year after the NPCSC's interpre-

tation, a demonstration of 1200 people took place to mark the anniversary of the interpretation, and the event almost resulted in several students being prosecuted. However, there was little public support for the right of abode movement on the whole in Hong Kong. The movement suffered a further setback after the arson attack by some abode seekers at the office of the Immigration Department on 2 August 2000, which further turned public opinion against the movement for the right of abode (So 2002: 409).

As in the case of the right of abode seekers, civil servants also used the Basic Law to litigate their claims against the government. Before the handover, annual revisions of civil service salaries almost always resulted in pay rises, and there had never been any pay cut. To cope with the severe budget deficits and to align public sector salaries with those in the private sector, the government in 2002 decided to introduce a pay cut (ranging from 1.58 per cent to 4.42 per cent) for Hong Kong's 180,000 civil servants. In order to implement the pay cut, the legislature enacted the Public Officers Pay Adjustment Ordinance 2002. A further pay adjustment ordinance was passed in 2003 providing that civil service pay would be further reduced by 3 per cent on 1 January 2004 and by another 3 per cent on 1 January 2005. These reductions[23] would not however reduce civil servants' salaries below their salary levels on 30 June 1997. When the last reduction came into effect on 1 January 2005, civil service salaries (for existing civil servants) were reduced to the relevant levels of 30 June 1997. The pay cut law was challenged by several civil servants with the support of their unions as being an infringement of the Basic Law provision that after the handover the pay and conditions of service of civil servants would be 'no less favourable than before'.[24] It was argued that even if the actual salary of a civil servant was not reduced below its 1997 level, the mere introduction of legislation to reduce pay and thus to vary unilaterally the terms of the existing contract of employment would be a violation of the Basic Law. The argument failed before the Court of First Instance,[25] but succeeded before the Court of Appeal,[26] which in November 2004 decided by a majority of 2 to 1 that a key provision of the pay cut law was invalid. The case then went on appeal to the CFA. On 13 July 2005, the CFA[27] unanimously upheld the pay cut law and decided that it violates neither article 100 nor article 103 of the Basic Law.

The first two of the next three cases to be considered involved the use of ordinances introduced in the form of private members' bills (bills proposed by individual members of the Legislative Council rather than by the government) and enacted at the last minute before the handover, after which extensive restrictions in the Basic Law on the introduction of private members' bills came into force. The Protection of the Harbour Ordinance was such an ordinance. It was initiated by a

legislator on behalf of the Society for the Protection of the Harbour ('the Society'), an NGO which opposes excessive reclamation in Victoria Harbour. The Ordinance declares that '[t]he harbour is to be protected and preserved as a special public asset and a natural heritage of Hong Kong people, and for that purpose there shall be a presumption against reclamation in the harbour'. In July 2003 the Society, by relying on the Ordinance successfully, challenged a reclamation project in Wanchai before the Court of First Instance.[28] That Court's decision was affirmed on appeal to the Court of Final Appeal in January 2004.[29] Although a similar challenge brought by the Society against another reclamation project in Central was unsuccessful,[30] the series of litigation succeeded in attracting public attention to the issue of the protection of the harbour against reclamation and in mobilising public support for this cause, which was manifested in a number of assemblies and marches organised by the Society.

Like the Protection of the Harbour Ordinance, a law to ensure that the rent charged by the Housing Authority to tenants of public housing estates in Hong Kong would be low and affordable was introduced shortly before the handover in the form of a private member's bill on an amendment to the Housing Ordinance. The express provisions of the law were designed to prevent frequent rent increases at a time of inflation and to ensure that upon any increase the 'median rent to income ratio' (MRIR) for public housing tenants would not exceed 10 per cent. After 1997, Hong Kong experienced deflation. The Housing Authority did not lower public housing rent, with the result that the MRIR came to exceed 10 per cent. Several public housing tenants supported by social movement organisations in the housing movement obtained legal aid and brought an action against the Housing Authority, claiming that the Authority had the legal obligation to review the rent and to lower it so as to bring the MRIR down to 10 per cent. The action succeeded before the Court of First Instance,[31] whose decision was however overturned by a unanimous decision of the Court of Appeal in November 2004.[32] The Court of Appeal's decision was affirmed by the Court of Final Appeal in November 2005.[33]

In the celebrated or infamous (depending on one's perspective) Link Case, two elderly tenants of public housing estates who lived on public assistance income, with the support of a few politicians and a social movement organisation in the housing movement, brought an action in December 2004 to challenge the privatisation of the commercial areas (for retail shops) and car parks of public housing estates owned by the Housing Authority. The privatisation was for the purpose of raising capital to solve the problem of the Authority's budget deficit. The plan was to set up a unit trust (the Link Real Estate Investment Trust) to take control of the privatised assets and to list the unit trust on the

stock exchange in Hong Kong and abroad. The action to challenge the privatisation programme was initiated only a few days before the listing was to materialise. Although the challenge failed before the Court of First Instance[34] and the Court of Appeal,[35] the legal uncertainty created by the possibility of an appeal to the Court of Final Appeal ultimately resulted in the privatisation and listing project being postponed. This was a victory for the movement against privatisation of public housing assets, particularly in terms of the huge publicity generated by the litigation being top news story for several days. On the other hand, mainstream public opinion in Hong Kong considered the litigation an abuse of the legal system by self-interested politicians using the two public housing tenants as puppets. One of the two tenants dropped out of the litigation after the first instance decision, while the other appealed all the way to the CFA. In a unanimous judgment delivered on 20 July 2005,[36] the CFA dismissed the appeal and affirmed the legality of the privatisation project. The CFA held that, as a matter of interpretation of the Housing Ordinance, the proposed sale of the retail and car park facilities concerned to the Link Trust was within the powers of the Housing Authority. The sale did not mean that the Housing Authority would no longer be able to 'secure the provision of' (in the words of the Ordinance) the facilities concerned to the tenants because the facilities would still be available for use by the tenants after the sale.

Law as the Contextual Environment of Social Movements

Finally, I turn to two famous episodes in Hong Kong's post-colonial history in which legal controversies led to massive demonstrations – the movement against the national security bill to implement article 23 of the Basic Law, and the movement for universal suffrage in 2007-08. In these two episodes, the law provided the contextual environment of the social movements. Indeed, the movements would not have occurred but for the existence of certain legal provisions in the Basic Law of Hong Kong.

Article 23 (BL 23) of the Basic Law requires the SAR to 'enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the Central People's Government'. It also addresses state secrets and the activities of foreign political organisations in Hong Kong. It does not directly prohibit treason, sedition, subversion and related actions, nor does it define the precise meaning of these words. Instead, it empowers and mandates the SAR – in practice its legislature – to enact laws to define and penalise such actions. Many of the issues raised by BL 23 are considered politically sensitive. Ever since the

Basic Law was enacted in 1990 and brought into effect in July 1997, there have been anxieties over the implementation of BL 23.

The publication on 24 September 2002 of the Government's Consultation Document on *Proposals to Implement Article 23 of the Basic Law* opened a 3-month consultation exercise on the legislative proposal. The results of the consultation were announced on 28 January 2003 together with nine sets of clarifications or modifications of the original legislative proposal. This was followed by the publication of the National Security (Legislative Provisions) Bill on 13 February 2003 and its first reading in the Legislative Council on 26 February 2003. During the Bills Committee's deliberations on the Bill, the Government agreed to some amendments. However, critics said that the amendments were insufficient (Fu, Petersen & Young 2005), and that in any event the Government's timetable of passing the Bill in the Legislative Council's week-long meeting beginning on 9 July did not allow sufficient time for deliberation.

On 1 July 2003, a hot summer day which was also a public holiday marking the 6th anniversary of Hong Kong's return to China and the last day of the new Premier Wen Jiabao's visit to Hong Kong, half a million Hong Kong residents took to the streets to demonstrate against the article 23 legislative exercise and to express other grievances against the Tung Chee-hwa administration. Surprised themselves by the large turnout, opponents of the Bill demanded that the Bill be shelved, and planned to organise a rally of tens of thousands surrounding the Legislative Council on 9 July if proceedings on the Bill were to go ahead on that day. The SAR Government decided to postpone the Bill – the decision came 3 hours after the Liberal Party withdrew from the 'governing coalition' of political parties on the evening of 6 July in protest against the Tung administration's original decision on 5 July to adhere to the 9 July deadline for the passage of the Bill while giving three major 'concessions' on the content of the Bill (Chen 2003a, 2003b). On 17 July 2003, Chief Executive Tung Chee-hwa announced that the Government would re-open public consultation on the Bill to ensure that its content would receive broad public support before it was passed into law. However, in an about-turn on 5 September 2003, Mr Tung announced that the Bill was to be withdrawn. Since then, the implementation of article 23 of the Basic Law has been shelved indefinitely.

After the demonstration on 1 July 2003, the political climate of Hong Kong changed dramatically. There was a rising tide of demands for further democratisation of Hong Kong's political system (Chan 2004), as reflected in the pro-democracy demonstrations on 9 and 13 July 2003 and on 1 January 2004 – each attended by tens of thousands of people – and in the landslide victory of pro-democracy candidates (as opposed to pro-China candidates) in the District Councils election on

23 November 2003. Pro-democracy forces called for the introduction of universal suffrage in the election of the Chief Executive in 2007 and in the election of all the members of the Legislative Council in 2008.[37] They also urged the HKSAR Government to initiate a comprehensive review of Hong Kong's political system (together with a full-scale public consultation exercise on the matter) as soon as possible so as to ensure that new electoral laws could be put in place in time for the elections in 2007 and 2008.

In early 2004, it was widely anticipated that Mr Tung Chee-hwa, Chief Executive of the HKSAR, would announce the arrangements for the review of the political system when he gave his annual policy address to the Legislative Council on 7 January 2004. Many people in Hong Kong were disappointed when the policy address was delivered. Instead of announcing the arrangements for constitutional review and consultation or committing the Government to such a review, Tung announced the establishment of a Constitutional Development Task Force to study the relevant issues relating to the Basic Law and to consult relevant departments of the Central Government in Beijing.

Then came the crucial month of April 2004, in which the fate of Hong Kong's political development was sealed. On 6 April 2004, the NPC Standing Committee exercised the power of interpretation of the Basic Law for the first time since its first-ever interpretation of the right of abode,[38] bringing the constitutional debate on 'One Country, Two Systems' in Hong Kong to a new climax. The interpretation was followed by a decision of the NPCSC on 26 April on the issues arising from the interpretation. These interventions on the part of the NPCSC amounted to a rejection of the democrats' demands with respect to 2007 and 2008. The democracy movement was halted, although it has by no means disappeared. On 1 July 2004, the anniversary of the march against article 23 of the Basic Law, an estimated 200,000 people participated once again in a pro-democracy march.[39] On 1 July 2005, by which time Tung had resigned and been replaced by Mr Donald Tsang, the number dropped to less than 20,000.[40]

Concluding Reflections

By Western and international standards, social movements in Hong Kong are relatively few, weak, of small scale and of limited duration. However, Hong Kong does provide an interesting case study of the relationship between law and social movements. It may be seen from this chapter that theories of law and social movements developed by scholars on the basis of Western experience are by no means irrelevant to Hong Kong. The Hong Kong experience vividly demonstrates how

the law can both constrain and support social movements, and how the law can become a stage on which the mass media and members of the public focus their attention as the rights claims of social movement actors and organisations are fought out.

The story of the legislative changes and debates on the Public Order Ordinance and the *Leung Kwok Hung* and *Falun Gong* cases provide a classic illustration of how the law can be used to define and limit the physical space which social movements utilise for protests and demonstrations, and how an independent and activist judiciary can contribute to protecting such space by relying on a constitutional proclamation of the right to freedom of assembly. Whereas these two cases involve the prosecution of social movement activists defending themselves in court, in the next four cases discussed in this chapter, individuals with the support of social movement organisations (as well as legal aid provided by the Government in four of the five cases)[41] took the initiative to challenge government actions before the courts. In all these cases, the text of the law was ambiguous enough to sustain the interpretations advanced by the litigants. Legal discourse was employed to bolster the legitimacy of their claims before society as a whole. Indeed, in the right of abode and civil servant pay cases, the legitimacy of the right of abode seekers' and the civil servants' demands was primarily derived from the law – the language of the Basic Law – instead of from other sources.

In all these five cases, litigation was used as an instrument or strategy by 'social movements' as loosely defined. There were assemblies and marches in the streets to advance the litigants' claims in each case, the size of these activities being larger in the case of the right of abode seekers, civil servants and harbour protection activists, and smaller in the case of the housing movement activists who organised the litigation in the public housing rental case and the Link case. Whereas in the West, litigation is often used only as a supplementary strategy by social movements whose principal strengths and activities lie in mass mobilisation and public protest, in these five Hong Kong cases litigation was relied on as the principal means for advancing the claims of the movements which had only limited support in society. Thus, when the litigation failed (in the civil servants' case, the housing rental case and the Link case) or when the NPC Standing Committee settled the legal issue authoritatively (in the right of abode case), the social movement itself subsided. This testifies to the weakness of the relevant social movements in Hong Kong.

The social movement against the enactment of the national security law to implement article 23 of the Basic Law provides a remarkable example of the interaction between law and social movements. Many social movements, such as the classic Civil Rights Movement in the

USA, campaigned for reform of the law. In the case of the movement against the national security bill, the objective was to preserve the status quo, particularly the liberties of civil society and the very space for future social movements. This is therefore a movement about the law and about the legal conditions and possibilities for social movements themselves. The democratisation movement that followed provides a classic illustration of how legal discourse can be mobilised to strengthen a social movement claim. The claim in this case is for democratisation, and the legal argument was based on the provisions of the Basic Law that allow fundamental changes to the electoral system in 2007 and 2008. However, insofar as this claim – just as the right of abode claim – was dependent on the language and interpretation of the Basic Law, it was ultimately defeated by a legal manoeuvre – again the NPC Standing Committee's act as the most legally authoritative interpreter of the Basic Law.

To conclude, it may be noted that the transition in 1997 to Chinese sovereignty has not weakened the vitality of the law in Hong Kong. On the contrary, the life of the law has apparently been strengthened by the coming into force of the Basic Law and the increasingly activist role of the Hong Kong judiciary in handling important issues of public policy. Social movements in Hong Kong have begun to exploit the law and the legal system for the purpose of challenging government policies or at least making their claims highly visible before members of the public in Hong Kong. There is also evidence in Hong Kong's experience for the proposition that the law may matter as a symbolic and legitimating resource for social movements. Furthermore, the story of Hong Kong law as recounted above demonstrates how the legal boundary of the free space for social movements has been contested here, and how the law has inspired or provoked social movements in the post-colonial era. And the story of Hong Kong law and the story of Hong Kong social movements are likely to continue to be intertwined in the foreseeable future.

Notes

1 It has been pointed out that 'social movements do not have members, but participants' (Della Porta & Diani 1999: 17); there is no need for participants to be loyal to any particular organisation.

2 [Footnote not in original quotation but added by the present author:] A dominant paradigm of socio-political studies of Hong Kong is premised on the view that Hong Kong has been characterised by a high degree of political stability (Kuan 1979) and has been spared the turmoil and civil disturbances that often accompany the modernisation of societies in the developing world (Leung 1996: 159). Political stability has in turn been explained in terms of the political apathy, 'utilitarian familism' and 're-

fugee mentality' of Hong Kong society (Lau 1982), which originally developed as a society consisting largely of migrants from mainland China coming to Hong Kong at different points of time in modern Chinese history (Chen 1988a). Before the inauguration of political reform in the 1980s, the colonial government's technique of 'administrative absorption of politics' (King 1981) also contributed to depolitisation and stability.

3 The law entails a 'mix of potentially transformative and hegemony-affirming implications over time' (McCann 1998a: 98). 'Legal mobilisation does not inherently disempower or empower citizens' (McCann 2004: 519). This is because 'legal conventions are a volatile, ambiguous force in social life. As Stuart Scheingold has put it, "rights, like the law itself, do cut both ways – serving at some times and under some circumstances to reinforce privilege and at other times to provide the cutting edge of change"' (McCann 1998a: 100). Legal norms may be able to 'play a role in shaping and expressing the terms of resistance, aspiration, and tactical struggle for institutional transformation. We must, in Michel de Certeau's words, analyse law's "manipulation by users who are not its makers"' (McCann 1998a: 82).

4 Social movements can make use of the law 'by exploiting the conflict between already settled rights claims and practices violating those rights; by identifying implicit contradictions within settled discursive logics of rights; or by developing logical extensions or new practical applications of settled rights claims' (McCann 1998a: 84).

5 In this regard, another writer has made the interesting point that 'as entrepreneurs of the news, publishing, advertising, and entertainment industries have long known, at least the more reassuring, titillating, or lurid aspects of law can in the name of "human interest" and "information" be presented to capture and hold the public's attention' (Turk 1976: 281-2). McCann (2004: 514) himself concludes that 'media propensities to publicise legal rights claims, especially when taken to official tribunes and linked to dramatic information disclosure, often magnify the public power of legal mobilisation pressure tactics in many settings.'

6 '[W]inning court cases – even when they achieve only limited advances in legal doctrine – is usually beneficial to movements. (...) [M]ovements in many circumstances can gain tremendous advantages from winning only small doctrinal advances for a cause far short of a full remedy, from initiating actions that never get to court, and even sometimes from losing altogether in court' (McCann 1998a: 100).

7 See article 74 of the Basic Law. For a comparison with the pre-1997 position, see Chen, 1989c: 118.

8 See, e.g., articles 40, 99-103, chapters 5 and 6 of the Basic Law.

9 For an English translation of the text of this decision, see (1997) 27 *Hong Kong Law Journal* 419-24. In the view of the Chinese Government, the amendments were maliciously motivated and aimed at reducing the legitimate public order regulatory powers of the Special Administrative Region government, because the British Government had represented to the Chinese side, during the negotiations leading to the conclusion of the Joint Declaration, that Hong Kong's laws *at that time* were already fully consistent with the International Covenant on Civil and Political Rights (the provisions of which were subsequently incorporated into the Hong Kong Bill of Rights).

10 The most significant changes introduced by the PLC to the existing law related to two areas. First, under the latest version of the law, the government has the power to prohibit a public meeting or procession or the operation of a society on the additional ground of 'national security' (in addition to the pre-existing grounds of 'public safety' and 'public order'). Secondly, it is now provided that political bodies in Hong Kong may not have any connection with foreign or Taiwan political bodies (otherwise the former's existence may be prohibited). This provision reflects the requirements in ar-

ticle 23 of the Basic Law. The other features in the new version of the law are largely technical changes to the existing law and do not take away any significant substantive rights which were enjoyed under the existing law. These features include the change from the system of 'notification' to the authorities after the formation of societies to a system of 'registration' of societies (but s. 5A(6) of the new version of the Societies Ordinance provides that societies may still be formed and hold activities pending notification of the result of their application for registration), and the requirement of a 'notice of no objection' in the case of public processions (but s. 14(4) of the new version of the Public Order Ordinance provides that if the police do not expressly object to a proposed procession, they will be deemed by law to have issued the notice of no objection).

11 I.e. to undertake that they would be of good behaviour and not violate the law during this period, the breach of the undertaking would result in a fine of $500.

12 *HKSAR v. Leung Kwok Hung* [2004] 3 HKLRD (*Hong Kong Law Reports and Digest*) 729 (HCMA 16/2003). The court judgments in the cases discussed in this chapter are all available at the website of the Hong Kong Judiciary, http://legalref.judiciary.gov.hk.

13 *Leung Kwok Hung v. HKSAR* [2005] 3 HKLRD 164 (FACC 1/2005).

14 See the Summary Offences Ordinance, sections 4(28) and 4A.

15 *HKSAR v. Yeung May Wan* [2004] 3 HKLRD 797 (HCMA 949/2002).

16 *Yeung May Wan v. HKSAR* [2005] 2 HKLRD 212 (FACC 19/2004).

17 *Ng Ka Ling v. Director of Immigration* [1999] 1 HKLRD 315 (FACV 14/1998); *Chan Kam Nga v. Director of Immigration* [1999] 1 HKLRD 304 (FACV 13/1998).

18 Basic Law, article 24(2) (3).

19 The Immigration (Amendment) (No. 2) Ordinance 1997 and the Immigration (Amendment) (No. 3) Ordinance 1997.

20 The immigration legislation that the decisions invalidated (on the ground that it was inconsistent with the Basic Law) had attempted to restrict the migration of mainland-born children of Hong Kong permanent residents by requiring them to apply for the exit permit issued by the mainland exit control authority (for which they would have to queue up and wait for years). The CFA in *Ng Ka Ling* held (on the basis of its interpretation of article 22(4) of the Basic Law) that the Hong Kong immigration authorities could not legitimately require the migrant children to hold such an exit permit before they were allowed entry to Hong Kong. The immigration legislation had also defined the category of children eligible for the right of abode in such a way as to exclude children born on the mainland at a time when neither of their parents had acquired Hong Kong permanent resident status. The CFA in *Chan Kam Nga* held that this definition was inconsistent with article 24(2)(3) of the Basic Law, which, according to the CFA's interpretation, conferred the right of abode on mainland-born children of Hong Kong permanent residents irrespective of whether the parents had already acquired permanent resident status at the time of the children's birth.

21 The 1982 Constitution, article 67(4).

22 For the text of the interpretation, see *The Government of the Hong Kong Special Administrative Region Gazette Extraordinary, Legal Supplement No. 2*, 28 June 1999, p. 1577 (L.N. 167 of 1999).

23 They are provided for in the Public Officers Pay Adjustment Ordinance (Cap 574) and the Public Officers Pay Adjustments (2004/2005) Ordinance (Cap 580). The former provides for a reduction which took effect on 1 October 2002. The latter provides for 2 reductions taking effect on 1 January 2004 and 1 January 2005, respectively.

24 See article 100 of the Basic Law. Several other articles of the Basic Law (e.g. article 103) were also relied on by the civil servants in the litigation. Article 103 provides for

the maintenance of the pre-1997 system of recruitment, employment, assessment, discipline, training and management for the public service.

25 *Lau Kwok Fai Bernard v. Secretary for Justice* (HCAL 177/2002; Court of First Instance, 10 June 2003) [2003] HKEC 711 (Westlaw); *Michael Reid Scott v Government of the HKSAR* (HCAL 188/2002; Court of First Instance, 7 Nov 2003) [2003] 1235 HKCU 1 (Lexis). See also *Michael Reid Scott v. Secretary for Justice* (HCAL 38/2004; Court of First Instance, 4 Feb 2005) [2005] 174 HKCU 1.

26 *Lau Kwok Fai Bernard v. Secretary for Justice* [2004] 3 HKLRD 570 (CACV 199/2003).

27 *Secretary for Justice v. Lau Kwok Fai Bernard* [2005] 3 HKLRD 88 (FACV 15/2004).

28 *Society for Protection of the Harbour Limited v. Town Planning Board* [2003] 2 HKLRD 787 (HCAL 19/2003).

29 *Town Planning Board v. Society for the Protection of the Harbour Limited* [2004] 1 HKLRD 396 (FACV 14/2003).

30 *Society for Protection of the Harbour Ltd v. Chief Executive in Council (No. 2)* [2004] 2 HKLRD 902 (HCAL 102/2003; Court of First Instance, 9 March 2004).

31 *Ho Choi Wan v. Hong Kong Housing Authority* [2003] 2 HKLRD 819 (HCAL 174/2002).

32 *Lam Kin Sum v. Hong Kong Housing Authority* [2005] 3 HKLRD 456 (CACV 250/2003).

33 *Ho Choi Wan v. Hong Kong Housing Authority* [2005] 4 HKLRD 706.

34 *Lo Siu Lan v. Hong Kong Housing Authority* [2004] HKEC 1521 (Westlaw) (HCAL 154/2004; Court of First Instance, 15 Dec 2004).

35 *Lo Siu Lan v. Hong Kong Housing Authority* [2004] HKEC 1541 (CACV 378/2004; Court of Appeal, 16 Dec 2004).

36 *Lo Siu Lan v. Hong Kong Housing Authority* [2005] 3 HKLRD 257 (FACA 10/2005).

37 The Basic Law only provides expressly for the modes of election of the Chief Executive and the Legislative Council before 2007, and contemplates the possibility of change in the modes of election after 2007. See Annexes I and II to the Basic Law.

38 For the text of this Interpretation and the subsequent decision of 26 April 2004, see the *Gazette of the HKSAR Government, Legal Supplement No. 2*, 8 April 2004, p. B431 (L.N. 54 of 2004); *Gazette Extraordinary*, 28 April 2004, *Special Supplement No. 5*, p. E5.

39 The organisers estimated that 530,000 people had participated in the demonstration, but the figures given by the police, the Hong Kong Human Rights Monitor, and independent scholars ranged between 120,000 and 260,000.

40 However, on 4 Dec 2005, an estimated number of 60,000 to 100,000 people demonstrated against the political reform proposals in the 5th Report of the Constitutional Development Task Force published on 19 Oct 2005 and urged the speedy introduction of universal suffrage. For subsequent developments, see Chen, 2005; Chen, 2008.

41 The right of abode cases, the civil service pay cut case, the *Ho Choi Wan* case and the *Link* case (when this case was appealed to the CFA) were all litigated with the support of legal aid. Some of the defendants in the *Leung Kwok Hung* case and the *Falun Gong* case mentioned above were also receiving legal aid.

5 Defining Hong Kong as an Emerging Protest Space: The Anti-Globalisation Movement[1]

Khun Eng Kuah-Pearce

Introduction

As we march into the twenty-first century, there have been several new forces that have revolutionised the world that we live in, culminating in a changing sense of social awareness and an emerging sense of social responsibility. Along with this, the process of globalisation in the corporate, political and social arenas is advancing, and this has had a great impact on the people within these different arenas.

Globalisation has resulted in the dominance of power in the hands of several global key players, creating big global brands and niche markets for the anointed few large corporate players.[2] This is particularly so in the economic sector where large multinational and transnational corporations are becoming even bigger global industrial giants, thereby ousting many small and medium-sized corporations, as well as eliminating local enterprises such as indigenous cottage industries. At the same time, the globalisation process has also led global players such as the WTO and the World Bank to play important roles in the creation and distribution of wealth and aid to different parts of the world, resulting in extreme polarity of wealth between the developed and the developing countries. This polarity of wealth is not confined to developed versus developing countries. It is also affecting the rich and the poor within the developed and developing countries with ever-increasing wealth gaps.[3] As such, many developing countries suffer from huge debts, which many have been unable to repay. Compounding this are the issues of fair trade, environmental destruction, and the abuse and violation of workers' rights and freedom. In response to these various forms of social inequality, the anti-globalisation movement has emerged that attempts to highlight the failure of the world capitalist system and the globalisation process for creating a more equal and humane society.[4]

Back home in Hong Kong and China, the rapid development has also resulted in great income inequality between the rural and urban sectors as well as within the urban centres, resulting in a high degree

of rural-urban migration culminating in an ever-increasing floating population. At the same time, there are other urgent problems that confront this region and that the state is failing to take actions to remedy. For example, the environment, with deteriorating air quality, encroaching desertification, energy shortage, etc., poses great problems for the emerging economy. Other issues include press freedom, human rights, workers' rights, women's rights, etc. The Chinese leaders are well aware of the challenges that they face on these matters and know that the present development path is not sustainable. The 'harmonious society' slogan initiated is nothing other than a way to mobilise energies in this direction, which explains the emphasis on qualitative instead of quantitative growth during the 11th 5-Year Plan.

Hong Kong, as part of the developed world and now part of China, can be seen as an interesting place to examine how globalisation is affecting people's perceptions of the protest movements that have emerged since the change of sovereignty in 1997.[5] As a result of the economic and political developments faced by Hong Kong, there is correspondingly a heightened political and social consciousness among the Hong Kong people, who clamour for more political participation. This has resulted in a proliferation of various political parties and NGOs fighting for numerous issues, ranging from democracy and human rights to the environment and better treatment of asylum seekers and mainland children and wives for resettlement into Hong Kong. The extent to which this emerging protest space influences the protest movements in China will be an interesting area to explore, but not within the space allowed in this chapter. This is particularly so as China has, over the last 20 years, become increasingly integrated into the global economy, with an influx of Hong Kong and foreign personnel and ideology along with the massive foreign investments that have flowed into the country.

When news of the Seattle anti-WTO and anti-globalisation demonstrations first broke out[6], it was received with muted interest in Asia. When the violence broke out during the Genoa anti-globalisation protests in July 2001, fingers were pointed at differing groups of participants – some at the protestors, others at the authorities. Yet for the majority in Asia, there was little interest and muted silence. To many in this part of the world, the ideology embedded within the anti-globalisation movement is simply beyond their comprehension. Why would university students want to participate in protest movements against big MNCs that have made them financially and economically comfortable? Why would they want to protest in favour of the cancellation of Third World debts that are so remotely far away from their own existence? These are but a few of the questions that Asians asked in their attempts to understand what this movement stands for and why there

is such fervent participation in the movements among people of Western nations.

This chapter will examine how the NGOs and students in Hong Kong have responded to the anti-globalisation protest movements and attempts to understand the apathy that surrounds them.

Research Methodology

This research is divided into two parts. The first was conducted from April to August 2002. A questionnaire was issued to 1000 students from different faculties at the University of Hong Kong, and a total of 843 questionnaires were received, making a total response of 84.3 per cent. At the same time, key personnel from 10 NGOs were interviewed on the roles they played in the anti-globalisation movement in Hong Kong and abroad. The primary aim of the questionnaire and interview was to investigate the extent to which students and NGOs understand the issues surrounding the anti-globalisation movement and their participation in the anti-globalisation protests that have rocked the corporate world. The second part of the research involved observing the unfolding of the Sixth Ministerial Meeting of the World Trade Organisation, held from 12 – 18 December 2005 in Hong Kong.

The Economic Basis of the Anti-Globalisation Protest Movement

Among academics and social movement watchers, the emerging global anti-globalisation movement is represented by an array of shifting ideologies and social sub-structures that attempt to subvert the emerging global structures and organisations. This is a response to the process of globalisation and the emerging influence of large global corporations both within the boundaries of the nation-states and on the global scene. The global structures are represented by global capitalism and transnational political and economic organisations such as the WTO, IMF and G7 groups of governments. At the superstructural level, globalisation has resulted in a disproportionate distribution of wealth between the developed world and the developing world. On a corporate level, it has resulted in global corporate giants whose wealth exceeds that of the poorest national economies in Africa and other parts of the world. It is to be noted here that the top 100 global corporations are far richer than the world's 100 poorest nations. One of the key criticisms is the collusion between global corporations, the transnational politico-economic organisations, and the governments that work in favour of the big global corporations.

The process of globalisation has led to an increasing dependence by the developing countries on the wealthy global corporations in terms of domestic production and employment, and the heightened debt situations in all these countries. The penetration of global capitalism in Third World developing countries has also resulted in the demise of the small and medium local enterprises, or at best that these localised industries have been regarded as significant only insofar as they were servicing the big global corporations. Thus, the national governments of these countries have come under the 'control' of these big corporations which dictate terms to them to eke out the best possible deal for themselves. Often one hears the argument from the big bosses of these big corporations that they are accountable to their shareholders, therefore justifying their economic and other forms of exploitation of the Third World developing countries.

A related issue here is that of fair trade in these Third World countries, where much of the local population is engaged in primary production. Big corporations, with their transnational market links, have been able to depress the prices for the purchase of primary produce in these countries, furthering the downward spiral of prices and leading to greater hardship for the producers and workers in primary production. Fair trade here also includes the championing of basic minimum wages, work environment, working conditions, abolition of child labour, medical care, etc. It is common knowledge that in many of these countries, wages have been pushed to the minimum, often less than one US$ per day, with long working hours, ten to twelve hours or more, and no proper medical care. Such working environments often result in a high rate of industrial accidents that only come to light when news of accidents explodes on the world scene. The Bhopal Chemical Explosion was one such incident.[7]

Origin and Representation of the Anti-Globalisation Movement

The origin of the anti-globalisation movement, which some would term 'Peoples' Global Action', can be traced back to the gathering of heads of state and ministers from different parts to the 2nd Ministerial Conference of the World Trade Organisation in Geneva. At this conference, while the heads of state were discussing global economic governance, there was a gathering of people outside protesting free trade (Peoples' Global Action Manifesto: 1). These protesters came from different parts of the world to protest the impact of corporate dominance on their localised social and economic environments. In the Geneva anti-globalisation movement, protesters came from 71 countries (Peoples' Global Action Manifesto: 1). Since then, at all major economic summits and

ministerial meetings, anti-globalisation protesters have followed the trail. Their protests have captured the attention of world media and are reported widely in print and in electronic media.

While the fight for economic equality, the abolition of Third World debts, better working conditions and the abolition of child labour remain key issues in the anti-globalisation protest movement, the movement has taken on a life of its own. It has diversified from its original goal and moved to champion different social and political causes for different groups and communities. While some of these causes are global, many are localised and target specific communities or organisations. This shift in orientation is the result of the hybrid nature of the protesters that gather in a spontaneous yet organised fashion to protest for their causes and against various global economic giants and the governments who are seen to perpetuate and accentuate the plights of those who are affected by these giants. In short, the various global economic forums and ministerial meetings have now become focal points for the gathering of protesters, who make known their concerns on various fronts to the world in a public way.

At the global economic forums, various groups have been seen staging protests outside the venues of these global summits. Each group has its own agenda: there are groups that care about the global economic inequality, the environment, human rights and universal suffrage, press freedom, religious freedom, support for sexual and cultural diversity, gender and ethnic equality, and actions against wars. What started as protests against economic inequality and global corporate dominance has resulted in a reorientation of the aims and objectives, as well as an expansion of the platform of the anti-globalisation movement. Along with the loosely organised groups of individuals, there are now formal social, religious and political groups, including, in particular, the various NGOs that come along to protest, each according to its own agenda and action plan. This anti-globalisation movement is regarded as an important 'Third Force', culminating in the rise of a transnational civil society where citizens of the world come together to protest for common causes that cut across social, political and economic boundaries in the globalised world that we live in today.[8]

One of the aspects of the anti-globalisation protests was its non-violent, peaceful stance. However, as the movement gathered momentum and as more protesters turned out at the major economic forums, scuffles and violence inevitably have broken out, resulting in injuries and the deaths of some protesters. This has happened when the governments of the nation-state hosting the fora have brought out police and military personnel in full force to deal with essentially unarmed populations of protesters. The Seattle and the Genoa anti-globalisation pro-

test marches witnessed the brutality of the police and military against unarmed civilians.

A second aspect of this protest movement is the expediency with which news is transmitted through digital space. The ability of the various groups to make use of the new communication devices has facilitated communication among the numerous grassroots organisations, allowing them to forge alliances and march to the various global economic summits (Redden 2001: 1-8). As such, the so-called Ragtag Alliance has now gathered much momentum, as diverse groups semi-organised themselves under a broad affiliation to contest global corporate power.

A third aspect here is the manner in which the various protest groups, both local and translocal, appropriate public spaces to champion their translocal causes. The ability to use international fora and the associated public spaces to voice their localised needs and concerns is a new phenomenon. Unlike the protests of earlier years, these groups have transcended their national boundaries and have brought their protests to the global stage where issues that concern their livelihood, environment, human rights, as well as religious, media and personal freedoms, now have a ready global audience. To a certain degree, the anti-globalisation movements have allowed groups, especially those from developing countries, to be heard.

Related to this concern is the reassessment of the impact of the large global corporations and their transnational movements of capital into the developing countries. For many decades, proponents of multinational corporations have argued for the huge gains and benefits that the multinational corporations have brought to the developing countries and world. Today, as a result of the anti-globalisation movements, the voices of the people from the developing countries can be heard on the global stage. We can no longer ignore the fact that almost all the multinational corporations and transnational corporations are exploitative in nature, exploiting the local labour by paying very low wages, often as low as US$1 for twelve to fourteen hours work per day. Exploitation of labour includes not only that of adult male and female workers but often that of children as well. Multinational corporations like Nike are known to have recruited children to work in their factories in Indonesia.

Apart from this, exploitation also includes the destruction of the livelihood of the indigenous peoples in various developing countries. Large logging companies have engaged in massive logging in the rainforests and have displaced indigenous populations living in the forests. An example of this is the Penna indigenous people in Sarawak and Sabah, who were displaced as a result of logging activities. A side effect of this is the wholesale destruction of the rainforests, bringing about land deg-

radation and environmental destruction of many endangered species of animals, birds and insects.

Discharge of industrial waste into the streams and emitting pollutants into the air have also brought about water and air pollution that has affected the physical and mental health of the people living in and around these industrial sites. It has now been proven that many health problems are linked to the operations of these industries. Because of the collusion between large industrialists and local governments, such impacts have been under-reported or not reported at all in local print or electronic media in these developing countries. Likewise, the Western media have also taken little interest in such issues. Many of these issues have been reported by individual journalists who have found it either a matter of conscience to do so or have done so from an instrumental point of view, as such stories sell well to Western audiences. With the anti-globalisation movement, the plights of people affected by the problems have been brought into sharper focus. In a small way, this forces local governments, global corporations and the global population, particularly those in the Western world, to reassess these problems.

Hong Kong as an Emerging Protest Space

Hong Kong is a great metropolis and an international city with the infrastructure essential for a capitalist economy. It has hosted some of the world's largest multinational and transnational corporate groups. Through the years, it has also periodically played host to various international economic summits and leadership meetings. As a relatively free society under British colonial rule, there was little restriction on the types of political activities that the people could engage in. Protests were staged on a regular basis. After decolonisation and the return of sovereignty to mainland China, Hong Kong has become a special administrative region of China. Under the Basic Law, Hong Kong remains autonomous and continues to experience various forms of freedom, although fear has resulted in self-censorship in many areas concerning the politics of the region. However, the fear of communist rule and the return to the dark days of the Cultural Revolution have led to heightened political consciousness among the Hong Kong people. The Tiananmen Massacre in 1989 served to remind people of an uncertain future under communist rule.[9] This has resulted in a push towards a Hong Kong people's identity. At the same time, the expansion of the educated middle-class Hong Kong people has led to their greater political activity, resulting in several large-scale protest movements in recent years.[10] The April 5th Group has helped organise several successful,

large-scale, annual protest marches such as the annual candlelight vigil since 1990 in commemoration of those killed during the Tiananmen Massacre on June 4, 1989, and the July 1st Protest March to fight for universal suffrage and democracy in Hong Kong since 2003.

Given this heightened awareness, Hong Kong is gradually emerging as a viable protest space for the anti-globalisation protest movement. In 2001, when Hong Kong hosted the Fortune Global Forum, it was reported that anti-globalisation activists shunned the city because it was considered an inhospitable place where there are 'too few kindred spirits to feed and support visiting anti-globalisation protesters' (Lee 2001 SCMP 5/5/2001). Furthermore, it was reported that the protesters considered Hong Kong as lacking 'a strong and non-politically affiliated local group that could support their protest action' (Lee 2001 SCMP 5/5/2001). Months before the World Trade Organisation Sixth Ministerial Conference in Hong Kong in December 2005, the Hong Kong Police Force started preparing for an onslaught of anti-globalisation protesters coming to the city. It was estimated that over a hundred anti-globalisation activists, including those from labour unions, green groups, and fishermen's and peasants' groups, would arrive in Hong Kong at the end of February 2005 to draft protest plans for this forthcoming global summit (Lai 2005 SCMP 21/2/05). Examples of those attending were Focus on Global South, Public Services International, Greenpeace, Friends of the Earth, the Alliance for Food Sovereignty Campaign and the International Confederation of Free Trade Unions. However, the more radical groups, such as Global Resistance and the World Development Movement, had no representatives during the preliminary round of meetings. The reasons for their lack of representation were yet to be ascertained at the time. A member of a local NGO, Mabel Au Mei-po, had indicated that they would request from the police a blacklist of activists in order to know what groups or people had been excluded from participating in the protests.

Some 70 local unionists, students, green activitists and social workers joined in this meeting. The meeting, and the campaign, were being co-ordinated by the Hong Kong People's Alliance Against the World Trade Organisation (Lai 2005 SCMP 21/2/05). About 250 activists around the world gathered at City University to draw up action plans to protest this ministerial meeting (Lai 2005 SCMP 1/3/2005). The HK People's Alliance against the WTO hoped to stage a daily rally in Victoria Park for the duration of the summit but had not yet decided on a route for the protest march. In conjunction with this, the Hong Kong Christian Institute would also hold an international religious conference and hoped to attract around 200 participants. The Institute had also stated that many of the conference participants would join the anti-globalisation protest march (Lai 2005).

The organisers of the anti-globalisation protest march anticipated that at least 5,000 protesters from all parts of the world would gather in Hong Kong to protest the dominance of the big corporations and the collusion between the government and these international trade organisations (Lai 2005). While it was anticipated that there would be a large turnout of protesters from other parts of the world, it was interesting to see how many local people would participate in the protest. The actual number of local protesters turning out in December would be a good indication of the extent to which Hong Kong people understand the objectives of the anti-globalisation movement. However, irrespective of the number of local people turning out for this protest, Hong Kong had started attracting the attention of anti-globalisation protesters from different parts of the world. If the turnout proved to be what the organisers expected, then we could safely say that Hong Kong had indeed turned its corner and become an acceptable protest space for major international protest events.

Like their Western counterparts, the Hong Kong Police had also been making preparations for this major event – stocking up on rubber bullets and sand bags – and making plans to deal with possible outbreaks of violence (Lai 2005 SCMP 21/2/05). This was in contrast to the organiser's call for a peaceful protest and the rejection of the use of violence. However, the organisers were unable to guarantee that the protest would be free of violence. On the contrary, they argued that violence in previous anti-globalisation movements was the result of overreaction by the officials and police, as was the case in Seattle (Lai 2005).

From refusal to come to Hong Kong in 2001 to full-scale participation in the 2005 anti-globalisation protest movement, Hong Kong was now being regarded as an important international city for the anti-globalisation protest. Hong Kong, in fact, had become an important city of multiple spaces – not only an international convention and financial hub, but also for protest activism. This goes hand in hand with the development of an emerging civil society of Hong Kong.

Views from Hong Kong NGOs

While the anti-globalisation protest movement in Hong Kong was still in its nascent stage, the WTO meeting had provided a rallying point and impetus for a considerable number of NGOs to rally and participate in the protest activities. Like those from overseas, each NGO interpreted the movement differently. For example, the Hong Kong Asian Human Rights Commission viewed the anti-globalisation movement as more than just protests in big cities, although they had also partici-

pated in such protests. The executive director, Basil Fernando, stated that:

> (...) the anti-globalisation movement is actually happening everyday in different countries, which is more important than the protests in big meetings. We don't care about those protests in big meetings. What we care about is ordinary people's daily lives, their rights for food, medical service, education, employment.[11]

To Helen Te Hira, a member of the secretariat of the HK Asian Students Association (ASA), the anti-globalisation movement was not new. She viewed globalisation as an extension of the colonisation of earlier centuries, where lands were forcibly taken and the colonised oppressed. One of the key roles played by ASA, which is an alliance of student associations from 32 countries, was to bring together European student organisations and youth organisations from the Asia Pacific to protest against the modern form of globalisation during the Malina Summit in 1999.[12] She argued that while students from countries such as the Philippines, Thailand and Malaysia had participated more actively in the anti-globalisation movement, only a small group of Hong Kong students seemed to care about this. Her argument was that Hong Kong was a consumer-driven society and that this had led to many young students focusing on job security, resulting in support for globalisation. This is in contrast to students from countries that are based on a labouring economy.[13] The ASA also worked with the Federation of Hong Kong students, which also helped organise anti-globalisation protest movements and protested on the local scene. For her, the youth movement played a crucial role in the success of the anti-globalisation movement.

In an interview, May Wong, a researcher from the Hong Kong Asia Monitor Resource Centre, argued that globalisation did not bring much improvement to the lives of people who were affected by it. She argued that different groups of people, including workers, joined the anti-globalisation movement because they were negatively impacted by multinational capital. The penetration of global capital had inched out the small retailers and shopkeepers, creating a heightened level of resentment. This also explained the objective of the Asia Monitor Resource Centre which champions worker's rights. May Wong, together with other members from the centre, had participated in the anti-globalisation protest movement during the East Asian Summit of the World Economic Forum (WEF) in Oct 2001. She saw the summit as 'a club of rich people' and expressed that:

> So we think we must voice our views and opinions against the WEF. We oppose the WEF because they don't make decisions on global economy in a democratic way. They failed to consult the public (...). We tried to expose the reality that many Asian people are suffering the negative effects of globalisation – by dance, songs and music. We invite different NGOs in Asia to the carnival, including protesters from the Philippines, Taiwan, Japan and Korea.[14]

In participating in the anti-globalisation march during the World Economic Forum, Wong felt that they had been successful in conveying their message of 'anti-privatisation' to the public, while the NGO opposed the government's plan to retrench workers to save cost. The march had generated positive media publicity, and the message of opposition to wealth disparity and retrenchment of workers was disseminated to the general public.[15]

While Wong did not oppose violent action, such as the scuffle between the protesters and the police and military at the Seattle and Genoa anti-globalisation movements, she felt that Hong Kong was not ready for, or tolerant of, such violence. Violence of this nature was often attributed to a small group of troublemakers, and the media often reinforced such a stereotype image, even though the police or the military might have started the clashes between the protesters and the forces.[16]

In an interview with the Hong Kong Christian Industrial Committee (CIC), an organisation which actively monitors China's labour relation, the associate director, Chan Ka Wai, emphasised the importance of fair trade and therefore, even though the NGO did not oppose globalisation, it participated actively in the anti-globalisation protest movement in three ways. First, it participated by joining in the protest marches. For example, CIC members joined the march organised by the Asian People's Solidarity Forum and People's Action against Globalisation of Poverty organised by the Solidarity and Resistance against Globalisation from 27-29 October 2001.[17] A second method of support was that CIC provided information on labour issues in Hong Kong and China to other NGOs, governments, academic and international organisations such as the UN. A third method was to conduct educational campaigns on labour issues for local students. Members of CIC visited schools to educate students on the exploitative nature of MNCs and working conditions in mainland China.[18] Through such methods, CIC hoped to impart to the students and the general public the acceptable standards for working conditions and fair trading essential in a capitalist society.

In all demonstrations, Chan Ka Wai argued, there is an understanding of the rule of the game (protest) between the demonstrators and

police, and this rule varies in different countries and that if either side does not abide by the rule, then violence will break out. Chan argued that, in many cases, protesters have wanted to protest peacefully, but chaos has resulted when the police began using force to disperse the protesters.[19]

According to Chan Beng Seng, Director of the Hong Kong-based Documentation for Action Groups in Asia (DAGA), this NGO is a branch of the Christian Conference of Asia group, and opposes the negative aspects of globalisation that impact on the economies of small states. They support sustainable development. Like the other NGO members, he viewed globalisation as a new form of colonisation and a conquest of the East by the West in the name of civilisation.[20] The group involves itself in the anti-globalisation movement by direct participation in the protest movement, and some members had attended the World Economic Forum in New York in March 2002. They also wrote a letter to the French president in 1995 in protest against nuclear testing in the Pacific. Finally, through their wide Christian networks, they encouraged religious and secular groups to campaign and protest for a more equal world.[21]

One of the active NGOs in the anti-globalisation movement is the Globalisation Monitor group. Globalisation Monitor is a Chinese language magazine set up in 1998 with the general goal of informing people of the debates surrounding globalisation and putting a stop to social injustice.[22] The editorial board had been composed of members from the Hong Kong Federation of Trade Unions, Organisation Pioneer and Greenpeace, before Greenpeace left the editorial board. Apart from generating debates on globalisation, this group also played an active role in the protest marches. They initiated and organised Solidarity and Resistance against Globalisation to challenge the Economic Forum that met in Hong Kong in October 2001 and attracted around 500 protesters.[23] In addition, Globalisation Monitor established networks with other anti-globalisation groups throughout the world. For example, it was part of the International Rivers Network.[24]

According to Tim Goodchap, Globalisation Monitor differs from other NGOs in that it takes on a broader agenda and is interested in various issues such as labour, environment, housing, wealth inequality and other issues related to globalisation. Apart from the big protest movements, the magazine wants to focus on the daily struggles of the people at the bottom and to highlight their plight.[25]

Among the NGOs in Hong Kong, there is thus a range of views, with some considering the anti-globalisation protest movement as relatively successful in conveying their message to the world and others viewing it as less successful. For example, Chan Ka Wai of the CIC rated the AG movement at 4 (on a scale of 1-5, with 5 being the most

successful) in terms of educating the general public. Likewise, Tan Beng Seng of DAGA and Tim Goodchap of Globalisation Monitor saw the anti-globalisation movement as having an impact on world economic organisations. Since 1992, many of them, such as World Bank, IMF and UN, have invited NGOs to their meetings and have also taken into consideration various ideas from the people's movements.[26]

Views of Hong Kong Students

From April to June 2002, a standard questionnaire survey was conducted among students of the University of Hong Kong to examine their views and understandings of the anti-globalisation movement. Students from different faculties and all years were represented in the survey. The questionnaire was conducted while the students were in lecture theatres prior to the start of their regularly scheduled lectures. Permission was sought from the professors concerned to conduct the survey. All questionnaires were collected immediately after the students had completed them.

The University of Hong Kong student population was chosen for several reasons. First, the principal investigator was a teacher of the university, which made it easier for her and her research assistants to liaise with the other academics and seek permission to conduct the survey in-class in order to ensure a high response rate. Second, the students of Hong Kong University had become politically aware and active in the aftermath of the Tiananmen Massacre Incident in 1989. The Pillar of Shame, a sculpture by the Danish sculptor-activist Jens Galschiot, remains standing upright on the podium of the Haking Wong Building, which houses the University's Student Union. This statue has been the galvanising point and symbol for student activists as well as other students who have championed civil liberty, freedom and equality. Third, the University Student Union has also regularly organised campaigns and protests championing various social and political issues in the wider Hong Kong community. Given their heightened social and political consciousness, it was therefore appropriate to conduct a questionnaire survey of the student population of the university. Given the financial constraints, there was no attempt to compare the students' responses with those of other tertiary institutions.

Student Profile

This survey was conducted amongst the undergraduate students, the majority of whom fell into the age range of 19-21 years old. A total of

540 female (64.4 per cent) and 298 male (35.6 per cent) students responded to this questionnaire. Students from the Faculties of Arts, Business and Economics, Dentistry, Education, Engineering, Law, Science and Social Sciences responded to the survey.

Knowledge of the Anti-Globalisation Movement

Among the students surveyed, 96 per cent had not joined a social action group or an NGO. In regard to their knowledge of the anti-globalisation movement, about 68 per cent of the students were unaware of the 2002 Barcelona protest, and 71 per cent were unaware of the 2001 Genoa protest. About half (48.5 per cent) were aware of the 1999 Seattle protest. Of all surveyed, 49 per cent were aware that these protests were part of the anti-globalisation movement.

Students also had medium-level awareness that the anti-globalisation movement attracted different social, religious and political groups to participate in the protests. Some 54 per cent were aware of the involvement of environmental groups in the protest, and 41 per cent were aware of trade union participation, 50 per cent were aware of actual worker participation, 61 per cent were aware of human rights groups' involvement, and 56 per cent were aware of student involvement. Also, 51 per cent of students stated that these protesters were socialist in orientation, while 35 per cent felt that the protesters were people with a moral conscience. Over 70 per cent of the students were aware that the anti-globalisation movement was a movement fighting against wealth inequality, and 57 per cent agreed that it was a fight against labour exploitation, including child labour. Hence, a high percentage – 54 per cent – realised that it was a fight also against big multinational corporations, and 68 per cent were aware of its fight against global capitalism. Some 44 per cent also understood it as a fight to eliminate Third World debt, and 64 per cent saw it as a movement to champion human rights and human dignity.

While the students seemed to have a good grasp of what the anti-globalisation movement stood for, they remained passive towards participation. Some 80 per cent stated that they would not participate in the anti-globalisation protests when given an opportunity to do so; 20 per cent replied that they would. However, 81 per cent of the students said that they would become proactive and participate in protest movements against the exploitation of labour, including child labour; 45 per cent would protest human cloning and genetic engineering. About 40 per cent would fight against big multinational corporations and global capitalism, and 59 per cent would call for the elimination of Third World debts. Likewise, 79 per cent would protest for a cleaner and greener en-

vironment, and 84 per cent would join the protests for human rights and human dignity. A total of 81 per cent of the students supported a peaceful protest and demonstration, while 83 per cent were against a movement that had any form of violence in demonstrations. Up to 94 per cent were against violent forms of demonstrations. In terms of police force and brutality, 65 per cent were against the use of force and treatment of the protesters by the police and military. Some 90 per cent opposed the use of military power against these civilian protesters, and 71 per cent were against the arrest of protesters by the police or military personnel; 93 per cent were against police shooting at the protesters, while 81 per cent supported the need for peaceful negotiation.

Given the fact that they generally tended not to be proactive, it is not surprising that they generally did not encourage their friends and family members to participate in this protest movement. Only 36 per cent mentioned that they would encourage their friends, and 36 per cent would encourage fellow students to join the movement, while only 11 per cent would encourage family members to do so. Likewise, only 37 per cent would encourage the general public to participate in the movement.

If the anti-globalisation movement were to hold events in Hong Kong, only 30 per cent would participate in protests, while 81 per cent said that they would participate as observers. Around 58 per cent said they would be happy to become 'behind the scene' supporters. However, only 19 per cent said they would be street protesters.

In terms of the success of the anti-globalisation movement in transmitting its objectives to the general public, 72 per cent said the movement had increased public awareness of the various issues relating to human rights, religious freedom, better environment, labour exploitation, etc. However, despite this, 71 per cent said the anti-globalisation protests did not manage to change corporate attitudes towards the above issues. Likewise, 74 per cent did not think that the movement had changed the attitudes of the international organisations such as the WTO, EU and G8, while 71 per cent thought it had not changed the governments' attitudes.

Rhetoric vis-à-vis Action: Anti-Globalisation Protests in Hong Kong

The test case for Hong Kong as an emerging protest space was seen when it hosted the six-day World Trade Organisation Sixth Ministerial Conference in Hong Kong from 13-18 December 2005, when protesters from all parts of the world, including France, Korea, America, Italy and Southeast Asian countries, converged to voice their views on anti-globa-

lisation and other issues. Some 9,000 police were deployed to ensure law and order and to deal with outbreaks of violence (SCMP 12/12/05: 1). After much hype about the fear of violence, the first day of the WTO meeting started in a celebratory mood, with many of the protesters dressed up in colourful and fanciful costumes to protest for a variety of issues including free trade, fair trade, anti-globalisation, the environment and human rights. There were international and local protesters from the trade unions of various Asian countries and from NGOs. In Hong Kong, some of the NGOs that participated in the protest included Greenpeace, Oxfam, the Hong Kong People's Alliance on WTO (which was an umbrella body of 34 Hong Kong-based NGOs that included trade unions such as the Community Care and Nursing Home Workers General Union, Construction Site Workers General Union and Filipino Domestic Helpers General Union), the Hong Kong People's Council for Sustainable Development, the labour unions and religious groups (SCMP 13/12/06 WTO Supplement). There were also women's groups, gay groups, human rights groups and environmental groups taking part in the protest to fight for their varied causes. It was estimated that around 4,000 protesters turned up during the first day (SCMP 12/12/05: 1).

As the WTO meeting progressed through the six days, violence eventually broke out when Korean farmers took centre stage with their demands against free trade, which they argued would jeopardise the livelihood and the economy of the agrarian sector, an argument echoed by other groups of protesters including those from France, Africa and Latin America, and fishermen from Southeast Asia. As the protesters marched from Victoria Park to the Hong Kong Convention and Exhibition Centre and attempted to break through the physical barricade erected by the Hong Kong police as well as the police lines, scuffles broke out, resulting in violence, with the police officers using batons and pepper spray in an attempt to disperse the crowds of protesters. The increasing confrontations between the protesters, in particular the well-organised Koreans and the police, resulted in injuries and arrests and became the talk of the town and the media, with the latter describing the confrontations in lurid detail, together with photographic details of the protest. These events also caught the imagination of the general public, with some supporting the actions of the protesters while others spoke openly against the disruption caused as a result of the protest actions. Those who spoke in support understood the effects of globalisation and the widening wealth gap between the wealthy countries and corporations and the poorer countries and their citizens; while those who spoke against the actions were upset because of the disruption and the inconvenience of the protest, including traffic congestion, the extra time needed to commute and the loss of business.

It is important to note that, in the run up to the WTO meeting, the Government had taken upon itself the role of promoter of free trade and globalisation and had advertised in the local media to push for the idea of free trade as beneficial to the Hong Kong economy. At the same time, the local print media, such as the *South China Morning Post,* ran a six-day special conference supplement on the theme 'WTO in Hong Kong', providing detailed information on how globalisation had and would impact farming communities from Asia to Africa and beyond, and how continued subsidies given by rich countries to their own farmers created an uneven playing field on which the poor farmers in the less developing countries had been pushed to the brink of starvation. Topical issues such as the impact on cotton and coffee growers in Africa were discussed to enable the general public to understand the need for fair trade instead of exploitation of these growers in the developing countries. Likewise, the Chinese language newspapers, such as *Ming Pao*, *Oriental Daily* and *Apple Daily,* also gave extensive coverage. The pro-China Hong Kong newspapers, however, were more restrained in their reporting.

Both local NGO groups and the general public were caught up with this protest march, very much reminiscent of protest marches during the various political crises that Hong Kong had experienced in recent years, such as the June 4th candlelight vigil and the July 1st Protest March, which pointed to issues related to political sovereignty and human rights. The general public simply wanted to get on with their livelihood after a prolonged economic meltdown that had put Hong Kong unemployment at an all-time high. Many empathised with the protesters, especially the 1,500 Korean farmers who came to protest precisely to protect their livelihood, destroyed by free trade and globalisation. Students too came to support these protesters, and some even organised a hunger strike to express their discontent over the WTO's push for free trade that supported the wealthy countries and big conglomerates and destroyed the poor countries and their people, who were trapped in a vicious cycle of poverty that they were unable to get out of (SCMP 17/12/05: A4).

Some Analysis

In Imperial China, the Chinese were not encouraged to become politically aware. Those who were politically active assumed the status of rebels or revolutionaries and were persecuted by the Imperial authority. The only people who could legitimately become politically active were members of the Mandarinate, and they had to abide by the bureaucratic rules found within the Mandarinate structure. The bulk of the

masses went about their daily routine by being obedient subjects of the dynastic throne, but there were rebels who protested the imperial bureaucracy and contested to overthrow it whenever the centre was weak.

From the nineteenth century through to the twenty-first century, with the various waves of migration, Chinese have settled in a diaspora. As they became citizens of their chosen countries, Chinese throughout the world are known to have consciously shied away from politics and political actions, as in Malaysia and Indonesia where they controlled over 70 per cent of the economic wealth. In most cases, they focused on economic pursuits and wealth attainment, and the success of an individual and a family was, and is still today, measured in those terms. In Western countries, local Chinese are often held up as 'model citizens', with their hard work and lack of political curiosity ensuring that their energies are channelled into the pursuit of professional and business (including ethnic entrepreneurial) skills. It is only in recent years that we are beginning to see a change in this attitude, as a small handful of Chinese are beginning to step into the political forefront. However, they continue to be few and far in between.

The Chinese in Hong Kong had not been politically active for a variety of reasons. For 150 years, Hong Kong was ruled as a British colony, and the British administration did not encourage the Chinese to become politically conscious, let alone active. Only a very small number of the Hong Kong elite were inducted into the colonial administration, and they served the British colonial administration rather than the Hong Kong Chinese. Indeed, the Hong Kong Chinese were encouraged to pursue economic wealth instead of politics. However, there were several occasions in modern Hong Kong history when Hong Kong people protested against the British administration. One of them was the 1967 Trade Union Protest movement. The protest attracted a large number of workers and resulted in a crisis situation. The protest was quickly put down with heavy-handed measures by the British administration. After that, the British colonial government kept a tight rein on the political development of Hong Kong and did not permit protest movements to take place. Furthermore, in encouraging the pursuit of wealth, the British colonial government downplayed the creation of a local identity.

It is against this background that we can try to understand the Hong Kong students' responses to the anti-globalisation movement. It is possible to group the responses of the students into three categories: 1) the students' understanding of the moral ethical issues found within Chinese society; 2) their understanding of the Hong Kong political environment; and 3) their understanding of the demands of the capitalist system.

1 Students' understanding of the moral ethical issues found within Chinese society

From our survey, we found that students tended to adopt a positive attitude towards championing various causes that affect the livelihood and the welfare of the people. Hence, we found that there was a high level of support for anti-globalisation in the area of championing human rights, human dignity, wealth equality and the fight against domination by big multinational corporations. There was also a high level of opposition to genetic engineering and human cloning. Students' understanding of these issues could be seen as having come from their Confucian-based upbringings and their religious upbringings, as well as from the colonial education that emphasised equality, fairness, human rights and freedom. The emphasis on equality and fairness could later be seen when students from the University of Hong Kong and other tertiary institutions participated in the protest march against the WTO meeting, with some staging a hunger strike in support of the Korean farmers.

2 Students' understanding of the Hong Kong political environment

Hong Kong students also had a high level of awareness when it came to championing human rights and freedom. A large number, over 80 per cent of them, indicated that they were willing to join the anti-globalisation protest movement championing human rights and freedom. Apart from the anti-globalisation protest, another indicator here was the large turnout of students during the July 1st Protest Movement. This heightened sense of awareness can be attributed to two main factors. First, towards the end of colonial rule, the colonial governor, Chris Patten, put in place bureaucratic structures that encouraged political activities in Hong Kong. This political development led to a heightened consciousness and active participation in the political arena, particularly in the areas of human rights, democratisation and freedom. A second reason could be attributed to Hong Kong people's fear of communism in general, and this increased after the Tiananmen incident of 1989. Hong Kong people had no confidence in the Basic Law and the implementation of the 'One Country, Two Systems' policy. In this regard, those who were able to do so voted with their feet and chose to migrate to foreign countries. Many of those who re-immigrated back to Hong Kong did so after obtaining foreign passports. There were also many who had no social, economic or political capital to migrate and so remained in Hong Kong. The fear of these Hong Kong people, as well as of those who had foreign passports, pushed them to become proactive to determine the fate of Hong Kong, a place they called home. These were the people, many old and young, who would fight

for democracy, freedom and human rights whenever they were called to demonstrate their Western liberal values.

Likewise, a large percentage of the students said they did not support the use of violence and force against the protesters by the police force or the military. Over 90 per cent said that military force should never be used against peaceful protesters. They also expressed their desires to have peaceful protests and their hope that anti-globalisation as well as other protests should be non-violent.

It is possible to argue that decolonisation and the return of sovereignty to China have created fear and uncertainty among the Hong Kong people. This is especially so among the younger generation. As reflected in our survey, young people from 19 to 21 years old are most vocal in how they feel about the political situation and their needs to support and participate in protests for democracy, freedom and human rights.

3 Understanding the demands of the capitalist system

A counter-argument against the anti-globalisation protest movement is that globalisation and capitalism are important for the development of a country. Neo-liberal economic critics argue that without global capitalism, the poorer countries would not be able to develop rapidly and would be pushed further into poverty. Likewise, in Hong Kong, there is no shortage of neo-liberal economic critics. Many Hong Kong people, both the rich tycoons and a large sector of the local population, continue to uphold this neo-liberal economic view and subscribe to the ideology of global capitalism. One common argument is that Hong Kong society needs global capitalism to propel it to a higher level of economic development. Since the early 1970s, the benefits of the capitalist system have enabled Hong Kong, along with the other newly industrialised countries, to progress rapidly and attain a developed and industrialised status. Hence, a fight against globalisation would represent a step backward. This neo-liberal economic perspective argues that for cities like Hong Kong and Singapore, which are service-oriented and hi-tech-oriented economies, global capitalism is especially significant as it provides employment for their people.

Such an argument found a ready audience among a large section of the younger population in Hong Kong whose primary concern was to find a good job with a high salary and then to lead a middle-class lifestyle. Among the Hong Kong tertiary students this is an ubiquitous view, with only a very small group of students expressing alternative views. As the survey showed, 80 per cent of the students said they would not participate in the anti-globalisation movement against global capitalism but would participate for other causes such as exploitation against labour, environment, gender equality and other social issues.

Thus, when it comes to labour exploitation, child labour exploitation and other forms of economic exploitation that come with global capitalism, over half of the students were more willing to protest. Thus, it is possible to argue that, with a higher level of education and an understanding of the socio-economics of the Hong Kong society, together with a higher level of political awareness, an emerging group of students with a social conscience is supportive of protest movements that fight for justice and wealth equality for all. This was amply demonstrated during the WTO meeting here as the voices and actions of these students and their peers could be heard and seen.

In any protest movement, the measure of success is highly dependent on two factors: first, the extent to which the message is successfully transmitted to the general public, the government and those concerned; second, the turnout rate, which is a good indicator of the discontent of people with the norm. In our survey, we found that the general student body was reluctant to become part of the anti-globalisation protest movement, and many also would not encourage others to participate in the protest. Only 30 per cent expressed a willingness to march, while 50 per cent expressed that they were happy to help behind the scenes. In this sense, one can argue that the anti-globalisation movement was moderately successful, as there was a high level of awareness of the objective of the movement. However, the lack of participation also exposed the weakness of the movement. One possible reason may have been its relatively loose structure, with a lack of central co-ordination for the various social, economic and political groups that attended the marches. A second reason was the relative nascence of the civil movement that had emerged in tandem with the emergence of civil society in Hong Kong, which had yet to arouse political activism among the population.

Concluding Remarks: Emerging Civil Society and Protest Space

At the dawn of the twenty-first century, as Hong Kong moves into a new phase of social and political development, Hong Kong people have become more politicised and aware of various issues that concern their own welfare and the welfare of Hong Kong society in general. Specifically, they have become concerned about the democratic ideals and universal suffrage of a free society; and about human rights and freedom of speech, religious practice and sexual orientations – to name a few issues. They are also increasingly concerned about the environment, the rights of various social groups – namely, women, children, the elderly and the less privileged sector of the population. Furthermore, they are also becoming more concerned about the widening gap between the

wealthy and the poor. The WTO meeting in Hong Kong demonstrated that Hong Kong people are gradually waking up to the great discrepancy between the wealthy and the poor countries and between the rich and poor both in China and Hong Kong itself, the exploitative nature of the big corporations and the impact of globalisation on all countries. They are also beginning to realise that they are not immune to globalisation. They also need to realise that while Hong Kong and its people might benefit economically from globalisation, this benefit is derived from the exploitation of the poor growers and workers of the less developed countries by the big corporations. While it is true to say that many still lack a social consciousness, the WTO meeting revealed an emerging group of Hong Kong people, including students, who are socially conscious and active. In this regard, what we are witnessing is the emergence of a civil society in which people understand the significance of protest action as a strategy to articulate their social consciousness and their demands. In short, we are witnessing an emergence of a protest ideology, culminating in the creation of a protest space for such actions to be enacted in the public sphere. Such a development is possible as a result of the rising educational standard of the masses and of the free press and the Internet, which not only provide the masses with knowledge but, at the same time, allow them further interaction.

Among those people who are most concerned about the various aspects of development of Hong Kong society are the members of NGOs, the workers and the students. They serve as the conscience of the people of Hong Kong, fighting for a variety of causes. As the anti-globalisation protest movement has shown, they fight for causes that affect the general welfare of the population as well as those that affect broader environmental and global issues, not only locally but transnationally. The six-day protests co-ordinated by Hong Kong NGOs and participated in by protesters from all over the world demonstrated that such actions had become firmly entrenched in the political culture of Hong Kong citizens. They stand as an important testimony to the Hong Kong people and the world that Hong Kong has matured into a socially conscious society and is able to take on global challenges. It also demonstrated to its own people and the rest of the world that Hong Kong has become an important protest space on a global stage.

A discussion of the anti-globalisation movement in Hong Kong would not be complete without mentioning its relationship with mainland China. Hong Kong is a special administrative region of China, but while some NGOs in China have actively worked to raise awareness of the exploitative working conditions of workers in factories throughout China, there was a noticeable absence of mainland Chinese activists in the December 2005 anti-globalisation movement in Hong

Kong. Why is this so, given the fact that China's entry into the WTO and its impact on China's economic development and globalisation have greatly affected all walks of life? Furthermore, as attested in other chapters, there has been an increase in the number of protests by Chinese farmers, workers from state-owned enterprises, women, etc., all of whom have been strongly affected by globalisation as a result of loss of markets, loss of income and/or loss of social status. While it is easy to dismiss this by the fact that the authoritarian Chinese State had prevented the activists from moving across the border to lend their voices and actions to the anticipated violent protests, along with media blackouts on the mainland, one might also suppose that there had been some kind of cross-border collaboration at the administrative level to stop activists from coming to join this protest movement by simply refusing to issue them visas; after all, a French activist was detained at the airport for a day while the French Consulate-General in Hong Kong negotiated his entry into Hong Kong.

Another related issue is the rise of a transnational civil society. Since Hong Kong has been accorded special administrative region status, its populace continues to see itself as deeply rooted in the Hong Kong society and embraces a heightened sense of identity as Hong Kong people, *'heunggong yan' (xianggang ren)* in Cantonese. This heightened sense of Hong Kong people's identity has strengthened since 1997 and is reflected in their readiness to take to the streets to express it. In addition, a transnational civil society has arisen that crosses political boundaries, where collective identities based on similar ideological orientations bind groups of people together – an interesting variation of the case of the 'imagined community' of the nation described by Anderson (1983). Thus, it is possible to argue that, in this sense, Hong Kong has inched its way into the transnational civil society. Could Hong Kong serve as an example for mainland China to emulate? To what extent would the relationship between Hong Kong and China, and Hong Kong and mainland Chinese activists, exert mutual influence and mutual learning experience between these players that would enhance trans-border collaboration and result in China, too, becoming part of transnational civil society? Only time will tell. For now, China remains at the periphery of a transnational civil community.

Postscript

In 2007, the safety of 'Made in China' toy products came into question as a result of the discovery of a high lead content in the paint used on toy products, and in September 2008, 'Made in China' food products, namely the tainted milk powder and the related products that con-

tained high levels of melamine, had put China squarely on the global stage. Underlying such problems is the moral bankruptcy and greed of the capitalists for high profit without consideration of the well-being of the consumers.

Such incidents led to mainland parents gathering spontaneously to protest and to demand actions for such shoddy and irresponsible acts. Likewise, in Hong Kong, the media was instrumental in putting this piece of news at the forefront and forcing the Hong Kong government to act on this. As people's voices were heard, the mainland central government too was forced to act rapidly to punish those who were involved in this and to assure its people as well as the global community of its intention to clear up the food industry. Yet at the same time, restrictions were placed on the state-owned media to moderate their reporting of such incidences.

There was some information sharing and collaboration between the governments across the border. While there are small-scale actions on both sides, people have yet to unite to protest against the big capitalists in a concerted manner. Until they are able to do so, China will remain at the fringe of the anti-globalisation movement.

Notes

1 The author wishes to thank the University of Hong Kong for a research grant in support of this research and her research assistants Hayes Tang and Louisa Chau for their assistance in this project, including conducting a standard questionnaire and interviews.

2 For more discussion on branding, see Klein, N., 2001, *No Logo*, London: Flamingo.

3 For an account, see R. O'Brien, M. Goetz, J.A. Scholte and M. Williams, 2000, *Contesting Global Governance: Multilateral Economic Institutions and Global Social Movements*, Cambridge: Cambridge University Press.

4 For a comprehensive discussion, see Stiglitz, J., 2002, *Globalisation and Its Discontents*, London: Penguin Books.

5 Hong Kong was under British colonial rule for 150 years. With the signing of the Joint Declaration in 1984 by then British Prime Minister Margaret Thatcher and Chinese Premier Deng Xiaoping, Hong Kong would revert to mainland China in 1997. Since July 1, 1997, Hong Kong has been a Special Administrative Region of the People's Republic of China.

6 For more information on this, see A. Cockburn, J.S.Clair and A. Sekula, 2000, *5 Days That Shook the World*, London: Verso. Also, Thomas, J., 2000, *The Battle in Seattle*, Colorado: Fulcrum.

7 See A. Starr, 2000, *Naming the Enemy: Anti-Corporate Movements Confront Globalisation*, Australia: Pluto Press and London: Zed Books.

8 See A.M. Florini (ed.), 2000, *The Third Force: The Rise of Transnational Civil Society*, Tokyo: Japan Center for International Exchange and Washington D.C.: Carnegie Endowment for International Peace.

9 See Winston L.Y. Yang and Marsha L. Wagner (eds.), 1990, *Tiananmen: China's Struggle For Democracy: Its Prelude, Development, Aftermath, and Impact*, Baltimore, Md.: School of Law, University of Maryland.
10 See Agnes S. Ku and Ngai Pun (eds.), 2004, *Remaking Citizenship in Hong Kong: Community, nation, and the global city*, London and New York: Routledge.
11 Interview with Basil Fernando, 17 April 2002.
12 Interview with Helen Te Hira, 15 April 2002.
13 Same as Note 12.
14 Interview with May Wong, 12 April 2002.
15-16 Same as Note 14.
17 Interview with Chan Ka Wai, 8 April 2002.
18-19 Same as Note 17.
20 Interview with Chan Beng Seng, 22 April 2002.
21 Same as Note 20.
22 Interview with Tim Goodchap, editor of *Globalisation Monitor*, 9 May 2002.
23-25 Same as Note 22.
26 Same as Note 20.

6 'Old Working Class' Resistance in Capitalist China: A Ritualised Social Management (1995-2006)

Jean-Louis Rocca

Since the middle of the 1990s, industrial restructuring has led to a high level of labour unrest among the workers of state-owned and collective enterprises.[1] China scholars have paid attention to this phenomenon, attempting to interpret the reactions of workers and to evaluate the consequences of labour unrest on the political scene. These analyses are based on two assumptions. First, they assume that the marketisation of the Chinese economy brought the condition of urban workers closer to the one of migrant workers. In urban areas, the two groups are merging into a single working class (Chen 2000; Lau 1997; Lee 2002). Such a perspective neglects the specificities of the different categories of workers and considers labour as an anthropological concept. Second, many analyses perceive unrest among laid-off workers in terms of an alternative between the collapse and the upholding of the regime. What is at stake would be a basic and head-on clash between two homogenous forces: dominated people stricken by a subsistence crisis on one side (Chen 2000) and ruling groups on the other. For example, Lee Ching Kwan considers that transition from state socialism to market socialism would be conducive to the emergence of an 'insurgent post-socialist labour' (Lee 2002). What is occurring on the political stage is perceived through the limited scope of a struggle between the dominant and the dominated groups. Instead, I suggest looking at workers' protests in terms of power relations.

My overall argument is that the two previous assumptions impede analysis to comprehend the specificities of the 'old working class' protest. More precisely, in over-standardising the forms of labour in capitalist economies and in concentrating the debate on the future of the regime, scholars have generally neglected a wide range of determinant elements. First, we should take into account the historicity of the Chinese working class. If certain characteristics of this class bring it close to the European ones[2], there is no doubt about its original features. In particular, the historically grounded organic ties set up between urban workers and officials cannot but determine the power relationships between angry protesters and 'red capitalists'. The urban working class has been built up by the regime, and between the 1950s and the 1970s, it has constituted the main social support of the state apparatus.

Of course, I do not intend to negate the existence of conflicts between workers and officials. My intention is to recall that these conflicts take place in a specific situation in which, unlike the European case, the working class is not an exploited class but a 'model' class, the incarnation of the 'people', playing a role of reference from an ideological as well as a social point of view. The situation of the urban workers was supposed to foreshadow the future of Chinese society. How could these organic ties be definitively destroyed by the market economy?

Second, it is important not to forget that the marketisation of Chinese society has introduced a new character in the one-to-one confrontation between workers and officials. This character is difficult to define – capitalism, the spirit of capitalism, the entrepreneur's class, capitalist accumulation – but its existence is extensively revealed by the effects of industrial restructuring. In the case of China, this 'character' is all the more difficult to define because it is a hybrid social group, what some analysts call a 'red capitalist' class. Chinese capitalism seems to emerge from a continual 'straddling' between political and economic positions. The 'capitalists' lack independence from the state.

Yet, if we refer to history, the existence of an 'independent' and 'autonomous' class struggling against a reactionary, if not feudal, state is far from being proven. On the contrary, capitalism appears to be the consequence of both close and conflictual relations between state and entrepreneurs, officials and capitalists, aristocrats and *bourgeois* (Braudel 1985; Wallerstein 1974, 1978, 1980). This assertion does not mean that the state disappears when capitalism is arising but that capitalism is a trans-institutional and a trans-class phenomenon emerging from conflicts and negotiations. For Polanyi, capitalism:

> (...) can be personified as the action of two organising principles in society, each of them setting itself specific institutional aims, having the support of definite social forces and using its own distinctive methods. The one was the principle of economic liberalism, aiming at the establishment of a self-regulating market, relying on the support of the trading classes, and using largely *laissez-faire* and free trade as its methods; the other was the principle of social protection aiming at conservation of man and nature as well as productive organisation, relying on the varying support of those most immediately affected by the deleterious action of the market – primarily, but not exclusively, the working and the landed classes – and using protective legislation, restrictive associations, and other instruments of intervention as its methods (Polanyi: 2001: 132).

History shows that capitalism based on a never satisfied accumulation desire can accommodate various social configurations. It is by nature compelled to take advantage of very different opportunities (Braudel 1985). In the case of China, this definition of capitalism enables us to understand that Chinese society is not characterised anymore by a face-to-face relation between the state and the workers, but by a triangular relation between the principle of economic liberalism, the principle of social protection and the action of the state which has to be articulated – sometimes inclining to favour economic liberalism, sometimes to favour social protection – the two previous principles. The contrast with the socialist period is striking.

Third, to understand the nature of social conflicts, it is essential to give up the ownership-oriented concept of power. According to Foucault, power is not a thing one can lose or win but a relation that emerges from the different spheres (familial, economic, etc.). There are no dominated and dominating groups, but there is a relation of domination (Foucault 1976). Consequently, there is no domination in itself but what is going on between the dominant and the dominated groups. What is important to bring to light is the ability a group has or does not have to 'act on somebody else's actions', in other terms to influence another group's actions. Going back to the subject at stake, it is essential to know if people who put up resistance to rulers are able (or not) to curb their room for manoeuvring and to impose policies, which provide protesters with some benefits. Besides, we have to look at the means and the justifications (and the *ethos*) used by protesters. Here, we are very far from a civil society-based approach. For Foucault, power and resistance are inextricably linked, the state and the social institutions reciprocally shaping themselves. Consequently, we cannot consider the existence of a so-called 'civil society' emerging 'against' the state and the power holders.

Fourth, scholars usually identify capitalism with a unique form of labour relations. Yet through time and place, capitalist economies have used a wide range of modes of exploitation whatever the distinctions that are given: formal or real domination of capital over labour, despotic or hegemonic (Buravoy 1985), forced labour or free labour, fordism and post-fordism, etc. More importantly, if at a certain time capitalism can be defined by a dominant form of labour relations, it can also be characterised by a certain type of articulation between different modes of production. In China, migrant workers, redundant workers, employees of foreign-investment enterprises or technicians working in high-tech or service industries do not experience the same labour regime. Moreover, numerous urban workers are entirely and simply excluded from any kind of exploitation. They survive on family help, meagre social benefits and petty jobs provided by local administrations.

Each of these categories has its specific working conditions, levels of income, social and geographic origins, lifestyles and moral ethos. Consequently, it is quite problematic to talk of the Chinese 'working class' or Chinese 'workers' in overall terms. In the present period that is characterised by rapid changes of economic structures, it is crucial to take into account the specificities of the different labour relations so as to understand the many-sided nature of resistance.

In social conflicts, the contrast between urban and migrant workers is particularly striking. Migrant workers protest against employer's misbehaviours. Labour disputes generally involve bosses and workers. The administration is usually not concerned directly and only intervenes when workers demand labour bureaus, trade-union support or arbitration, or when managers use personal connections or bribes to obtain officials' support (*China Labour Bulletin,* 43, July-August 1998, p. 16). In contrast, in the case of urban workers, the conflicts oppose protesters and local officials. Redundancies are the consequences of public policies aiming at economic development. In other terms the disputes concern ex-allies of the state. Another difference lies in the nature of the demands. Migrant workers protest against labour conditions: non-payment of wages, dangerous or illegal working conditions, low level of wages, etc. (*Xinhua* 26 May 1993; *Sing Tao Jih Pao* 3 April 1996). As for urban workers, they protest against redundancies, the inadequacy of unemployment benefits or the lack of job opportunities. Their demands take place outside the production process. The social relations between the members of the two groups are dissimilar. Migrant workers come from different parts of the country and have great difficulty extending solidarity ties beyond their small circle of compatriots. Moreover, the importance of the staff turnover rate prevents workers from setting up collective actions, whereas even after redundancies, laid-off workers (*xiagang zhigong*) and workers on early retirement continue to maintain close relationships with their colleagues. If the 'labour community' is gradually weakening, protest movements remain shaped by a feeling of belonging to specific groups.

Finally, a fundamental difference between migrant workers and urban workers' protests lies in their efficiency. Although having been lowered in status by the industrial restructuring, urban workers have demonstrated an ability to get benefits by way of compensation due to the waning of the socialist labour regime. Laid-off workers remain owners of their flat, receive unemployment or *xiagang* benefits and can apply for a minimum income. *Xiagang zhigong* are supervised by the re-employment centres that keep records of the work units, help them to get a new job and organise training programmes. Laid-off workers can benefit from tax reduction if they set up an individual enterprise, and enterprises that hire *xiagang zhigong* pay lower social contributions.

People who have lost their jobs can also rely on local networks to get informal jobs (*feizhenggui jiuye*). As a result, the lowering of the status of urban workers has not led to a social 'disintegration'. Beggars and people living in shantytowns are of rural origin. Unlike their rural colleagues, urban workers have been able to avoid social exclusion resulting from redundancies. Urban workers remain distinctively different from migrant workers.

What are the reasons for the relative success of the urban workers' resistance to decline in status? Firstly, they maintain a prominent position in the urban area. In industrial cities, unemployed people, *xiagang gongren*, early retired people and young people who do not have a formal job constitute a significant proportion of the active population. If we add their family members, it is sometimes the vast majority of urban dwellers who are directly or indirectly concerned with redundancies. As a consequence, the political stability in major cities depends on the ability of local officials to limit the impact of the negative consequences of industrial restructuring. Neither the Chinese State nor foreign investors want to see China crippled by a major social crisis. Besides, as nearly everybody knows, a worker who has lost his job earns the sympathy of the public, including that of the police.[3] Protest movements are perceived as definitively legitimate and are passively supported by the great majority of the urban population. The demographic asset gives an efficiency to protest that is not at all in proportion to the objective situation of redundant workers.[4] Finally, protesters can manipulate the official discourse. China is still a socialist country, and in a socialist country, the State must help people to overcome their problems. Protesters never forget to remind the authorities of this principle (Tang 2004), compelling them to acknowledge the contradictory task of the post-socialist state: promoting economic liberalism and dealing with the deleterious action of the market at the same time.

The new power relations lead to a particular mode of administration of conflicts called 'ritualised social management': 'management' because the authorities have set up procedures in order to prevent and forestall protest movements; 'ritualised' since the protests are channelled into a limited repertoire of actions in order to impose limits on the dissatisfaction. Workers usually respect these limits unless the authorities refuse to negotiate. As such, this way of dealing with conflicts is built on a common will to preserve the organic ties that are characteristic of the socialist labour regime. On the one hand, workers intend to maintain close relationships with local officials and continue to use socialist rhetoric. On the other hand, the authorities aim at avoiding any form of general repression that could result in the marginalisation of the social group. Consequently, a red line that no actor wants to deliberately cross has taken shape. The line is constantly mov-

ing as everyone tries to push it a little bit forward, while the signals sent by each protagonist are attentively analysed. Beyond this line begins a new world in which it is impossible to foresee the reactions of the partners.

Protest Movements

I was an eyewitness to two protest movements, one in Datong (Shanxi) and one in Shenyang (Liaoning), and have gathered information on about two hundred movements which took place in fifty cities from 1996 to 2003.[5] In major industrial cities (Shenyang, Changchun, Wuhan, etc.), protest movements have broken out on a weekly basis and from time to time on a daily basis. I also interviewed a dozen cadres in charge of public security and more than forty workers, among whom a great majority had participated in demonstrations.[6]

There are two main grounds for disputes. The most spectacular and violent protests, which are also less common, are induced by redundancies and non-payment of wages. In 1997, riots broke out in Zhengzhou, Kaifeng (Henan) and Jinan (Shandong). Official buildings were looted, and police cars were burnt. The same kind of events occurred in Shijiazhuang (Hebei) where 170 persons were hurt (*Zhengming*, 242, December 1997: 23-24). In Shaoyang (Hunan), one thousand laid-off workers looted the local police director's office to protest against the arrest of five of them suspected of participating in a protest movement.[7] In Mianyang (Sichuan), in July 1997, more than 100,000 people gathered to demonstrate against the closure of a firm (*AFP*, 17 July 1997, *Zhongwen xinwen she*, 21 July 1997). In October 1997, the Hong Kong television reported a violent clash between policemen and 300 workers in Zigong (Sichuan). They had not been paid for a year.[8] In Weinan (Shaanxi), hundreds of workers demonstrated against the low level of redundancy compensations. Some participants were arrested, and a violent clash occurred with the police (*Reuters*, 5 November 1999). In Yangjiazhan, the closure of a colliery resulted in a riot in April 2000 involving 20,000 workers (*AFP*, 6 February 2000). In the first part of 2002, several demonstrations took place in Liaoyang gathering up to 30,000 persons.[9] The scale and the degree of violence of these movements can only be explained by the role the 'labour community' plays in the workers' imagination. When redundancy or the closure of the factory occurs, the *danwei* continues to symbolise the individuals' identity. Furthermore, sometimes, it is not only one enterprise, but a whole city that has to cope with employment restructuring.[10]

Even when incidents are serious, the local authorities try to avoid a bloody repression.[11] For cadres, the most important task is to limit dis-

satisfaction and to prevent the spreading of the movement by a clever balance between repression and negotiations. Protest leaders alone are subject to arrests and harassment. Arrests do not systematically lead to criminal cases. In Shaoyang, where clashes were particularly violent, the local government finally released five workers. In Suizhou, one demonstrator was arrested, and then released (Internet site, *China Labour Bulletin*, 6 September 2003). In Liaoyang, four individuals were arrested, but only two of them were sentenced to imprisonment. Generally speaking, leaders are charged when the red line of dissent has been crossed (*China Labour Bulletin*, 40, January-February 1998: 2-6). Yao Fuxin, one of the Liaoyang movement leaders, acknowledged having relations with the China Democratic Party and having participated in a commemoration of the 1989 movement.[12] In fact, protest leaders rarely cross the red line since they are often very 'decent' people from the point of view of the authorities. To a certain extent, they are 'believers'. For example, Lao Zhang was involved in the different political movements in the 1950s and 1960s. He ran into trouble during the Cultural Revolution for being active in the ranks of a 'conservative' group of workers. He has always believed in socialism and has declared his regret on his 'conservative' past. He has no financial problems as his daughter is working for a foreign company in Beijing. 'I was a leader in the past, I have to be a leader now.' He violently criticises the way the government is treating old workers and the working class in general. 'The government does not take care of the workers; it is just interested in making money.' Asked if everything has taken a turn for the worse since the reforms, he answers that 'most of the reforms are good, but it is not normal that retired people do not receive money, that youngsters cannot get a job and that we have to pay to be treated at the hospital'.

Dissatisfaction may lead to a clash for different reasons. Too many redundancies in the same place at the same time very often lead to serious trouble.[13] The low level of compensation is also a very sensitive issue,[14] and a more generous compensation does not systematically calm down angry workers.[15] The contempt of the authorities can induce protests. In Suizhou, the troubles started when the vice-mayor rudely answered workers' demands (Internet site, *China Labour Bulletin*, 6 January, 2003). Demonstrators do not appreciate officials not paying attention to their problems, at least formally. During interviews, many workers considered that, in doing so, the officials infringed the principle of *heqin heli* (common reasons); that is to say, they are not acting in accordance with what is viewed as a correct or fair attitude. The government must respect the people (*renmin*) and must at least show concern on workers' problems.

This is probably why the role and power of the Bureau of Letters and Visits (*xinfang bumen*) have recently been reinforced.[16] In Jilin province, a lawyer helps plaintiffs (Internet site *jl.gao.cn/govjob*, 3 December 2003).[17] Some provinces promoted young cadres to take charge of these departments.[18] The number of complaints is constantly increasing (Thireau & Hua 2003). Nevertheless, according to the authorities themselves, the lack of staff and of financial resources, the weak authority of this administration and the cadres' conservatism drastically constrain the role of *xinfang bumen* and oblige plaintiffs to 'make trouble' (*naoshi*).[19]

The non-payment of social benefits and the inefficiency of re-employment measures is the second reason for protest movements. Troubles are generally less spectacular and shorter, but more frequent. The struggle does not involve the 'labour community' but individuals, often organised in small groups, protesting against their impoverishment. Such protests are becoming so common that the forms of actions are being standardised. Protests take the same form in all cities. Here, the protesters are not shocked anymore; actions take place with a general feeling of despair and resignation.

The place of protest is very important. It reveals that the main institution that angry people are tied up with is the municipal government and no longer the employer. Protests begin with a gathering in the town centre, generally at the gate of a municipal building. Protesters sometimes demonstrate in the city centre. The aim is to create disturbances to express their anger and to force officials to meet them and deal with their problems. The demonstration lasts for a few hours or half a day. An official who assures the protesters that the problem will be attentively examined usually receives representatives. Police officers are very numerous on the spot, but they generally do not intervene. Negotiations can start up peacefully. In Harbin city, two vice-mayors went to Acheng to put an end to a protest (*SWB/FE*/2826 1997). In Mianyang city, troubles ceased only after the authorities had announced that social measures were going to be taken in favour of *xiagang gongren* and unemployed workers (*SWB/FE*/3028 1997). In Wuhan, money was given to 200 retired workers (*AFP,* 13 April 1998). *Xiagang gongren* and retired workers from the Anyuan mining plant in Pingxiang (Jiangxi), who demonstrated for several days, blocked a train and threatened to travel to Beijing, finally received 120 yuan per month (*SWB/FE*/3244, 1998, *Ming Pao*, 3 June 1998).

In this process of standardisation of actions, infringement of the 'rules of the game' is itself codified. What is at stake is to display resolution and anger while, at the same time, avoiding the conflict getting out of hand. Workers in Datong and Shenyang recognised that their objective is to carry on a gradual radicalisation of action.[20] The block-

ing of traffic is a first step in the escalation of conflict. In Anshan, retired workers lay down on the railway between Dalian and Harbin for forty minutes. They also blocked the main door of the Angang steel plant for one day. Finally, the police drove them out (*AFP*, 18 April 1998). A thousand workers blocked a street in Wuhan for three hours so as to obtain pension arrears. They broke up after being assured that they would be paid very soon (*AFP*, 1st July 1998). In Changchun, 200 retired people blocked the traffic in the town centre for a few hours.[21] Numerous retired workers protest, but they have a prominent role in workers' strategy. When *xiagang zhigong*, unemployed and retired workers, demonstrate together, the latter are often in the front line. Actually, it is quite difficult for the police to maltreat 'old workers'.[22] The last step is to threaten the authorities that they will send representatives to a provincial capital or even Beijing. Protesters know that local cadres are not keen on drawing the central authorities' attention to their mistakes in conflict management.

Standardisation can result in a containment strategy that aims at ritualising protests. In 1998, central authorities took new measures to efficiently deal with the growing number of demonstrations and social unrest. According to a document published in the Hong Kong newspaper, the government plan makes a clear distinction between most of the protests that are 'non-political, non-organised and non-oppositional' and a small number of incidents that rely on foreign forces to overthrow the regime and to break national unity. Protest movements are considered as having multiple causes. The masses (including cadres and Party members) are often not pleased with public policies. The administration infringes laws and makes mistakes, officials do not implement regulations and neglect their duties. The masses' rights are flouted, and officials do not try to find solutions to solve disputes. Even when the demands are reasonable, they are not satisfied. To face these protest movements, the document described preventive measures that should be implemented promptly. Leaders should be arrested. Local government should protect official buildings and public places and bring ambulances and fire officers to the spot. Within two hours following the beginning of troubles, local officials should inform municipal, provincial and national authorities. These measures should take into account the nature of the movement. When the demands are fair or in case of obvious injustice, propaganda should be used to explain the situation, and it is essential to find solutions. On the other hand, if protest movements are organised and seditious, it should be possible to use violent means (*Zhengming*, May 1998: 17-18).

Repression and negotiation/containment are applied in dealing with two very different kinds of protest movements. The mass media and the authorities regularly evoke this essential distinction (*Far Eastern*

Economic Review, 27 April 2000). On the one hand, the police forces have been reinforced (*AFP*, 19 April 2000 and *AFP*, 27 January 2001). On the other hand, guidelines are regularly sent to local governments to settle conflicts as quickly as possible (*AFP*, 7 March 2000), notably just before festivals: National Day, Labour Day, Spring Festival (*AP*, 18 September 1999). The central government has started a responsibility system concerning public security. The evaluation of cadres depends partially on their ability to avoid social troubles (*AFP*, 19 March 2000). Yet, classification of protest movements is not based on very firm and objective elements. If the presence of 'dissidents' among leaders, too much obvious support given by foreign media or too strong a pressure coming from the international community[23] are considered as evidence of the seditious nature of the unrest, it is often largely subjective, and the appraisal of the situation remains largely contingent. The local circumstances are of first importance. Are workers criticising the regime? Are slogans fair or rebellious? Is the conflict escalating or weakening? Is a national leader coming to the area? These are the questions the authorities probably ask themselves before deciding the kinds of measures that need to be carried out.[24]

Sometimes we are close to a kind of 'scientific management' of social unrest. For example, in Datong, retired workers who petitioned the local government are greeted by a board on which protest guidelines are described.[25] In order to respect the law (*hefa*), protesters must gather quietly and must not shout slogans nor block the traffic. They must choose representatives who will be allowed to enter the courtyard to give the petition to officials from the Bureau of Letters and Visits. They must wait for the representatives' return and then break up. In case of troubles, protestors can be fined or prosecuted. There were about fifty retired workers in the protest movement that I witnessed in Datong. That day, people arrived at eight in the morning. They scrupulously respected the local regulations. No slogan was shouted; they waited quietly. When I came for an interview, they were not afraid at all and explained to me the reasons for their anger. They were people from an enterprise that was on the verge of bankruptcy. They had not received their pension for months. They got some money from time to time (once in cash) after previous protests, but they were far from receiving the total arrears and had to come back regularly. Actually, the main problem concerned health insurance rather than money. 'At my age, every illness can occur and without money it is impossible to be treated.' According to the informants, some retired workers had launched more radical demonstrations in the past – demonstrations in the town centre, the blocking of traffic – but without results. In Datong, petitions, gatherings and sit-ins have taken place, sometimes on a daily basis. Two representatives were discussing with officials in the building

in order to give them a petition and a file containing the main documents. Half an hour later they left. The officials assured them that the case would be dealt with and that they would receive information soon. But the retired people were not satisfied, and they decided to stay all morning. The protest broke up at eleven o'clock, but protesters decided to come every day to pressure the officials. Policemen in plain clothes were more numerous than protesters, but they did not intervene. They approached me carefully and told some retired people that I interviewed to leave the spot. We finished the interview some thousand metres away in a small lane.[26]

According to the vice-director of the Central Bureau of Letters and Visits, the central government adopted a 'directive concerning the speeding up of the systematisation of letters and visits office work' (*guanyu jiakuai quanguo xinfang bangong zidonghua gongzuo de tongzhi*). Its objective was to quickly and efficiently – scientifically to a certain extent – deal with social dissatisfaction. The same official considered that 85 per cent of the 'visits' concern real problems (*shushi*) that must be treated rapidly so as to avoid complainants trying to involve higher authorities (Internet site *www.people.com.cn*, November 2000). The public prosecutor's office and the Shandong province Party Discipline Committee have published a document aimed at providing officials with a method for treating complaints (Internet site *www.dic-sd.gov.cn*, November 2003). 'We must respect complainants' and 'warmly welcome them' because 'most of them come for serious reasons'; 'we must set up a good environment for discussion', 'reduce distance between people's feelings' and even 'open our souls'. Even if what the complainants say appears to be incoherent, one must remain welcoming, and one must accept all demands. At the first meeting, one must 'ask for evidence' and then 'make inquiries and write a report concerning cases which cannot be solved immediately'. 'It is important to satisfy people.' The document insists on the attention officials must pay to representatives of 'collective visits' (*jiti shangfangzhe*), notably because 'they have increased' in the last years. 'They involve a lot of people, they are urgent (*jipo*) and dangerous.' When complainants can provide evidence, we must quickly and precisely answer. When demands are reasonable, we must investigate and solve the problem. When demands are excessive (*guohuo*) and impossible to satisfy, the situation must be explained clearly. Finally, when demands are groundless (*wuli*), complaints must be resolutely criticised and educated. Generally speaking, 'we must strive to make people involved in petition movements feel that we are doing the best we can to solve their problems'.

Money plays a key role in the 'ritualised social management' of conflicts. Without resources, it is impossible to avoid escalation. As noted in a police review, 'in the short term, the best solution is money' (*Far*

Eastern Economic Review, 27 April 2000: 48). The central authorities provide 'emergency funds' to prevent troubles and put pressure on the local authorities to find resources by themselves (*AP*, 7 March 2000). Sometimes, protesters go back home with a 100 yuan note.[27] Nonetheless, too much funds occasionally lead to risky situations. When people in need hear that some workers have received money, social unrest can get worse. Hence, the 'waves' of protest that start when rumours go round about emergency funds that have been provided.[28] The expectations are particularly great in the northeast and in central industrial cities that cumulate all disadvantages. In that case, relying on the central government's financial resources appears to be a regular practice. The local authorities play a very delicate game. On the one hand, they try to show that they are dealing efficiently with social problems. On the other hand, they explain that the situation is getting worse because of the lack of funds.

Discourse and Practices: The State

Workers and authorities expect a certain kind of behaviour from each other. Nevertheless, the two protagonists are not on an equal footing. The authorities have a strategic advantage based on their legitimate monopoly of violence and on their ability to influence social moral values. In Bourdieu's terms, the state can use physical and, more importantly, symbolic violence (Bourdieu 1979) – i.e. a set of legitimate behaviours and discourse – to influence people's actions. Social peace and economic growth are universally supported guidelines for public action. From that point of view, redundancies appear as a necessary sacrifice of some individuals for the well being of all. Industrial restructuring is the price to pay for social progress. What is controversial is not the policy itself, but the pace of change and the nature of social measures the state will take to avoid social disturbances. On that point, positions are contradictory. On the one hand, officials advocate development of social policies. On the other hand, they complain about the 'laziness' (*landuo*) and the lack of initiative of redundant workers. Protest movements would be evidence of the inability of urban workers to accept new forms of work characterised by 'effort, flexibility and individual responsibility'. By contrast, migrant workers appear as 'ideal workers', the type of workers China needs.[29]

In the administration, discourses and practices are not alike. Even if information is scarce, it seems that the central and local authorities do not suffer the same constraints. The central authorities require social peace but do not deny the right of protest. On the contrary, the increasing number of complaints, petitions, and lawsuits prove that from Bei-

jing's point of view, social dissatisfaction has to be contained and not systematically repressed. Articles from prominent power holders advocate the emergence of channels (*qudao*) through which vulnerable groups (*ruoshi qunti*) can express their anger and demands. Social stability (*shehui wending*) supposes pacific, ritualised and non-political protest. No violence, no regime challenge, this is the rule. The local authorities have the same discourse, but they do not have the same responsibilities. After having drawn overall guidelines – stressing income growth and social stability – they content themselves with checking whether the objectives have been met. They are in the position of a referee intervening when the situation turns out badly. When they order the arrest of protesters, at the same time they often impose sanctions against officials and pronounce prison sentences against dishonest enterprise managers[30]. As for the local authorities, they have to assume the contradictions of the reform policy. They have to get rid of the *danwei system* and to control social unrest without using violence. In case of spectacular failure, the officials' careers can be definitively jeopardised. As a consequence, their strategic capacity is limited. Using Foucault's terms, their capacity 'to act on somebody else's actions' is weak. They can lie to the central authorities and protesters, take delaying measures, negotiate with representatives or repress workers, but all these practices put them on a knife-edge.[31] Moreover, ambition – either political ambition if they want to show off their talents too brutally or prebendary ambition when they use their power to seize public enterprise assets – can lead to officials' downfall[32].

Discourse: Protesters

The protesters' discourse is clearly revealed by slogans. Their demands often concern material help: 'we want jobs and food', 'we want rice', 'we want to survive', 'we want wages', 'we want money for living', 'we want our pensions' or 'we want food and work'[33]. Nevertheless, unlike what some scholars assume, social unrest cannot only be explained by a subsistence crisis triggered by the waning of the workers' moral economy, based on the 'survival right' of group members (Chen 2000).[34] Besides money and food, injustice plays an essential role: 'respect for old workers'[35], 'save the people' (*AFP*, 19 September 1998), 'we have sacrificed our youth to the Party and now it has dropped us, we ask our children for help, but they are also fired' (*AFP*, 18 April 1998). Sometimes, slogans are of a more political nature, but they do not oppose the socialist regime. On the contrary, they criticise reforms and support implicitly the new left thesis (Rocca 2002): 'long live socialism' (*shehuizhuyi wansui*), 'we want a true socialist system and not a false

one' (*yao shehuizhuyi, bu yao jia shehuizhuyi*), 'down with the new capitalist-bureaucratic class' (*dadao xin guanliao zichanjieji*). Retired workers are particularly sensitive to injustice. They cannot put up with the idea that what symbolises their life – a pension – is cancelled by a new policy.[36]

As the Liaoyang case revealed to a great extent, corruption is another source of criticism. But here also what is criticised is not the regime itself, but officials and public enterprise managers. They symbolise the decay of the regime. Yet the choice of this rhetoric also has a tactical dimension. Protesters demand a strict and systematic implementation of anti-corruption policies. In parallel, workers use the rhetoric of the 'three representatives'. Having promised to defend 'basic rights of the people', the state has to take its responsibilities.[37]

This discourse, combining reference to socialism (Tang 2004), the defence of basic rights and tactical identification into new propaganda, constitutes a moral economy in the sense that economy must respect an ethos 'grounded upon a consistent transitional view of norms and obligations, of the proper economic functions of several parties within the community' (Thompson 1971). In the moral economy of the old working class, the Maoist period is perceived as a golden age evoked with nostalgia. Formerly, workers doubled as urban dwellers and as the incarnation of socialism. Today, like French unskilled workers during 1870-1914, they affirm a new identity in striving to distinguish themselves from 'the other ones', the 'alien' (Dornel 2004). In China, from the workers' point of view, the *outsiders* are two emerging groups: migrant workers and middle class, the non-urban and the new rich. These two groups represent a principle based upon social and not political segregation. Deprived of their labour status, workers try to keep their status of urban dweller. For them, migrant workers are 'foreigners' coming to town to seize jobs and to make money. They are perceived as dishonest and uneducated people. As a consequence, they can be shamelessly exploited. Urban workers, legally or illegally, rent dilapidated houses at a very high price to migrants,[38] and the residents' committees require expensive rent fees from them when they open up shops.[39]

As for middle-class people, they are considered schemers, as people making money without creating value. We find here the common opposition made by populism between productive economy and parasitic activities (Sternhell 1978). Individual enterprise bosses (*getihu*), speculators, people working in foreign enterprises or the high-tech service sector are held responsible for China's misfortune. This is directly linked to corruption (*AFP*, 17 July 1997). The market economy creates jobs they cannot get because of their lack of skills or the unfair competition of migrants. Public policies favour the moneymaking sector to

the detriment of job-creating sectors. Officials are only interested in eating, drinking, travelling abroad and giving presents to mistresses and prostitutes. Added to all that, they oppose a lifestyle grounded upon reasonable consumption, a quiet and secure life and respect for material labour.[40] It is also very important for workers to keep their distance from migrant workers. The fact that migrants do not enjoy public services and citizenship rights is perceived as normal. Social stratification must depend on the 'quality' of the groups. As a consequence, what they defend are 'particular' rights, not universal ones. It is the only way to maintain the 'distinction'.

Old Class/New Class

Most scholars talking about the Chinese working class define it in a one-dimensional way. There exists only one working class and one labour experience. Yet the decline of the urban working class and the emergence of a new one are two different – albeit linked – phenomena. In terms of social origin, working and living conditions or power relations, they are poles apart. Whereas migrant workers play a prominent role in economic development but lack social prestige, the urban working class has lost its dominant position in production but relatively succeeded in avoiding unemployment and precariousness leading to social exclusion. Moreover, the analyses of the old working class protest movement reveal a profound class differentiation among workers. The old working class ethos is clearly inherited from the socialist experience. The state is still supposed to be in charge of the reproduction of the 'people', that is to say the part of the population that lives from its work. To be fair, power holders have to respect them and provide them with resources. That would be a way of recognising the contributions of workers to the development of China. The old working class is dependent on the state both from an imaginary and from an objective point of view. For better or for worse, the old working class is not included in economic life anymore. For better, because the state cannot give them up as they represent the most obvious expression of the political ambiguity of the reform policy: China is a socialist society with a market economy. In such a context, the old working class reveals its ability to 'act on state actions' and to get some benefits from protest movements: *xiagang zhigong* status, poverty line benefits, unemployment funds, etc. In other words, protest movements (or the risk of protest movements) are useful means to influence public policies. For worse, as the relative efficiency of the old working class protests result in a high degree of dependence. Workers cannot resolutely oppose the regime or the reform policy. They have no way out of a 'stick-to-re-

gime-based' strategy, and workers' complaints are full of nostalgia rather than full of 'revolutionary spirit'. Migrant workers are in a very different situation. They are at the core of the Chinese miracle, but until recently deprived of status and without influence on public policies.

The reform policy has undoubtedly resulted in important changes in class stratification. Two questions remain. The first one concerns the possible merging of the two working classes. Some officials advocate the eradication of the present dual labour market. In that case, urban workers and the migrant workers would merge in a single class of workers. But this perspective scares some others. The cancellation of the *hukou* system would compel the local authorities to develop public services (transportation, housing, school, public health, etc.) and would result in a sharp increase in wages, schools, etc. Moreover, the decision is politically tricky. If *hukou* disappears, urban workers will lose the last element of 'distinction'[41] they can rely upon.

The second question is the issue of the political representation of the reshaped old working class. Being a dependent group, the old working class is represented by institutions inside the bureaucratic apparatus. As such, we could consider that the old working class is only a problem of one generation. The new generation of urban workers who are well educated and employed would have a completely different perception of labour and show modern social behaviour. Yet, it is far from evident that all the young urbanites have the ability to get a good job and to enter the ranks of the middle stratum (Rocca 2007). It is not so easy for urban people without a university degree to find jobs, and even recent university graduates have trouble finding a stable and well-paid position (Rocca 2006). Is it so unbelievable to imagine the emergence of a group of people who are both keen on competing with migrant workers and able to enjoy the dream of the middle class?

Notes

1 As figures concerning the number of workers' protests are scarce and imprecise, it is quite difficult to elaborate on the statistical trends of labour unrest. The characteristics (strikes, demonstrations, sit-ins, etc.), the length and the scope of these incidents are generally not provided. Besides, we do not know if the movement took place in the countryside or in urban areas. From year to year, the data do not cover the same type of movement. However, it is clear that since the middle of the 1990s, protest movements have taken place in every single industrial city, sometimes on a daily basis. Figures are provided in *Zhengming* 247 (May 1998): 17-18; *Dangdai* 38 (15 May 1994): 21; *Zhengming* 216 (October 1995): 12-13; *Zhengming* 230 (December 1996): 11-13; *Zhengming* 242 (December 1997): 16-18; *Zhengming* 247 (May 1998): 17-18; *Zhengming* 249 (July 1998): 10-11; Chinese Labour and the WTO, Hong Kong Federation of Trade Unions, June 2004.

2 For example, the existence of a kind of 'welfare state' or the development of an 'industrial society' in which the working class plays an important role.
3 Officials' interviews, Shenyang 2000, Anshan 2001. Other statements in *The New York Times*, 10 March 2003.
4 The authorities are particularly upset by actions which could disrupt economic activities like blocking of roads or railway traffic. Officials' interviews Anshan, 2002, Shenyang 2000, 2001, Datong, 2002.
5 Nanchong, Dujiangyan, Zigong, Yibin, Suining, Mianyang, Chengdu, Lufeng (Sichuan), Achang, Jiamusi, Qiqihaer, Mudanjiang, Yichun, Daqing (Heilongjiang), Anshan, Fushun, Benxi, Shenyang, Yangjiazhan, Liaoyang (Liaoning), Zhengzhou, Xudang, Kaifeng (Henan), Changsha and Shaoyang (Hunan), Baoji, Xi'an, Weinan (Shaanxi), Taiyuan and Datong (Shanxi), Hefei, Chuzhou (Anhui), Lianyungang (Jiangsu), Wuhan, Huanggang, Suizhou (Hubei), Zunyi (Guizhou), Shizuishan (Ningxia), Anyuan (Jiangxi), Jinan (Shandong), Maotai (Guangdong), Baotou (Inner Mongolia), Zhangjiakou and Shijiazhuang (Hebei), Changchun and Jilin (Jilin), Suichang xian (Zhejiang), Chongqing and Beijing.
6 Workers' interviews in Shenyang, 2000 and 2002, Datong 2002, Anshan 2000, Changchun 2001.
7 *Zhengming*, 250, August 1998, p. 27. Other similar protest movements took place in November 1997 and January 1998, in Qiqihaer, Jiamusi, Mudanjiang and Yichun (Heilongjiang), *Zhengming* 243 (1998): 18-19.
8 *Hong Kong TV* cited in *SWB/FE*/3049, 14 October 1997, G/4 ans *AFP*, 12 October 1997. See other similar cases in Nanchong (Sichuan), *Far Eastern Economic Review*, 18 July 1997, in Changsha and Xi'an *AFP*, 11 April 1998 and *AFP*, 28 September 1998.
9 See below.
10 Like in Anshan, fieldwork 2001 and 2002.
11 However, in Jiamusi and Yichun 150 persons were arrested, *Zhengming* 243 (1998): 18-19.
12 From 'The Liaoyang Workers' Struggle: Portrait of a Movement', *China Labour Bulletin*, July 2003.
13 Workers' interview in Liaoning 2001, 2002. Beijing 2001, 2002. See also Internet site *China Labour Bulletin*, 11 September 2003.
14 See also the Mianyang case cited previously.
15 See Daqing case on Internet site, *CLB*, 11 September 2003.
16 Officials' interviews Liaoning, 2001, 2001, 2002, Beijing, 2002.
17 Official text dated the 22nd of March 2003, see also an Internet site in Anshan *asxfb.gov.cn* consulted the same day.
18 For example, in Guangxi, Internet site *www.gxnews.com.cn*, news from 2 October 2003.
19 According to an official, the offices have no power at all, interview 2002.
20 Workers' interviews, Shenyang 2000 and 2002, Datong 2002.
21 *Associated Press* (*AP*), 25 September 1999. Other similar incidents in Chongqing (*Reuters*, 9 December 1999) and Daqing (*BBC*, 7 December 2000).
22 Interviews, Shenyang, 2002, Datong 2002, Anshan, 2002.
23 From the "The Liaoyang Workers' Struggle: Portrait of a Movement", *China Labour Bulletin*, July 2003)
24 Interviews, Liaoning, 2000-2003.
25 Fieldwork in Datong, September 2002.
26 For a narrative account of another protest, see Kernen 2002.
27 Workers' interviews Shenyang 2000, Datong, 2000, see also *AFP*, 15 June 2000.
28 Like in Changchun in 2000-2001, Interviews, 2002.

29 Officials' interviews in Beijing, 2000, 2001, Shanghai 2000, 2002, 2003.
30 From 'The Liaoyang Workers' Struggle: Portrait of a Movement', *China Labour Bulletin*, July 2003)
31 Officials' interviews Beijing, 2001, 2002, Shanghai 1998, 2000, 2001, 2002, Anshan 2002, Shenyang, 2000, 2002.
32 From 'The Liaoyang Workers' Struggle: Portrait of a Movement', *China Labour Bulletin*, July 2003.
33 See *Hsin Pao* cited in *SWB/FE*/2826, 25 January 1997, G/8, *AFP*, 18 June 1997, 3013, G/4, 2 September 1997, *Hong Kong TV* cited in *AFP*, December 1997, *AFP*, 9 December 1997, *AFP*, 5 January 1998, *AFP* 16 March 1998, 11 April 1998, 13 April 1998, *SWBFE*/3244, 4 June 1998, G/6, *Ming Pao*, 3 June 1998, p. A15, *AFP*, 1st July 1998, *China Labour Bulletin*, 43, July-August 1998, p. 23; *South China Morning Post*, 18 November 1998; workers' interviews, Liaoning, 1997 and 1998, Datong 2002, Shenyang 2000, 2002.
34 For China scholars, the notion of moral economy does not refer to the seminal work of Thompson (Edward P. Thompson, 'The Moral Economy of the English Crowd in the Eighteen Century', *Past and Present* 51 (May 1971): 76-136) but to James Scott, notably *The Moral Economy of the Peasant: Rebellion and Subsistence in Southeast Asia*, New Haven, London, Yale University Press, 1976.
35 Internal documents and workers' interviews, Liaoning, 1997 and 1998, Datong 2002, Shenyang 2000, 2002.
36 Interviews, Datong 2002, Shenyang 2000, 2002.
37 Workers' interviews, Datong 2002, Shenyang 2000, 2002, see also *CLB, Liaoyang..., op. cit.*
38 Fieldwork in Taiyanggong (Beijing), 2000-2003.
39 Fieldwork in Beijing 2000-2003, Shanghai 2002, 2003.
40 Fieldwork in Beijing 2000-2003, Shanghai 2002, 2003, Anshan 2002, Fushun 2001.
41 Officials' interviews, Shanghai 2003.

7 Justifying the New Economic and Social Order: The Voice of a Private Entrepreneur[1]

Gilles Guiheux

Social movements take place in historical, economical, social and cultural contexts that should all be taken into account. They are compelling forces that vary from one country to another, and from one historical moment to another. They are shaped by the institutional structures and the ideological arrangements of social actors. In the sociology literature, the most useful tool linking social movements and the overall political system is the political opportunities theory (McAdam, McCarthy & Zald 1996). Most authors underline the key role of the state and its allies in shaping opportunities. Tarrow (1996) distinguishes four main types of opportunities that play a critical role in mobilising social movements: the degree of openness of the political system, the instability of political alignments, the existence of possible influential allies and the division of the elites. Tatzenstein (1998) emphasises the role of the law and the practices of the judicial system. But, in any given country, social movements are also related to symbolic discourses. That is why some authors integrate structural factors into the political opportunities that are not literally related to the political system, but rather to a cultural dimension. Gamson and Meyer (1996), for instance, make a distinction between the institutional dimension of political opportunities and the cultural dimension; the latter includes elements such as legitimacy, class-consciousness, public discourse and media framework.

Though these theories have been elaborated on the basis of the historical paths of Western democracies, they are useful in pointing out that social movements take place in an overall context that have political, economic, social and also cultural dimensions. In China, there are an increasing number of social actors who are taking part in the definition of the new legitimate social, economical and ideological order. This order is no longer shaped only by the state but by other social actors as well. This is partly due to the fact that the Chinese Communist Party has changed its recruitment policy. Notably, the CCP is actively recruiting the winners of economic reform, reaching out and co-opting newly emerging social elites, in particular the professional and technical elites, and private entrepreneurs. Another factor is the proliferation of the media (at the national and local level, on Internet websites, etc.),

which has increased the number of voices participating in the political discourse. Thus, a greater number of actors appear on the public stage, and they have greater latitude in their performances.

This chapter studies one specific actor, a businessman that we look upon as contributing to the drawing up of forms of legitimisation for the new economic and social order. Among other non-state social actors, he is shaping norms and discourses justifying the present social order; norms and discourses that, in some circumstances, are challenged by social movements. Thus, we aim at giving a voice to a social actor who, though close to it, is not, strictly speaking, a member of the State apparatus and is taking part in the development of a discourse legitimising the present social and economic order. The analysis is based on the statements of one entrepreneur, Mr. Mao Lixiang, the head of the Feixiang group, whose company Fangtai (Fotile in English) manufactures kitchen equipment.[2] The study of this firm is rooted in straight observable practices as well as in the words of the creator of the business. I chose this particular businessman because of the visible and coherent quality of his speech. Mao wrote several books stating his personal experience, which have appeared as initiation handbooks for prospective businessmen.[3] Mao often gives interviews to the media (written press, television or radio) and takes part in numerous forums all over the country. He has thus become a public figure. The management professionals validate his speeches as well as his practices. Mao is regularly asked to intervene in the training programmes of top universities, particularly in MBAs (Masters of Business Administration), at Peking and Tsinghua universities. A public figure, Mao dedicates a part of his time, a third according to him, to promoting family business across the country. The number of social stages held by Mao Lixiang indicates that, in China today, private businessmen have the opportunity to speak their minds, thus becoming more and more influential (Heberer 2003).

One may challenge my intention to generalise from the description of a singular case. The issue is not new and is in fact a central problem of the humanities. In the continuation of the weberian epistemological tradition, Jean-Claude Passeron and Jacques Revel (2005) have recently tried to endow 'the cases' of human sciences with a renewed dignity. Inspired by their demonstration, my aim is not to limit the analysis, nor to think up a unique case, but to 'extract out of it an argumentation of a more general scope, and whose conclusions can be used again' (Passeron & Revel 2005: 9). In fact, championing the interests of family businesses (in as much as the regime allows him freedom of expression), Mao Lixiang embodies part of the modernist economic elite of the country.[4] Political authorities know him as such. Thus, together with eight other private entrepreneurs from the Zhejiang pro-

vince, Mao Lixiang was invited to take part in a conference with Premier Wen Jiabao at the end of August 2004 (*21st Century Economic Herald*, 6 September 2004: 1-2). Indeed, it is not easy to tell how effective his speech is – stating principles is not enough to convince – but his ability to express himself through various media (the management literature, the general public press and the field of politics) is surely a sign of the effectiveness of his words.

Through an analysis of the way Mao Lixiang speaks of his personal career, of family firms and of the Chinese economy in general, our aim is to identify the new ideological and moral order that is in progress in China today. Actually, if the People's Republic shows the main characteristics of a capitalist economy (the merchandising of labour, the privatisation of the means of production, the emergence of a class of businessmen), individualism is rejected as a 'bourgeois' value (Wang Xiaoying 2002), and the reforms have been justified in terms of socialism – the Party has first introduced the notion of 'initial step of socialism' in 1981 and has been regularly referring to it since 1987. However, changing successfully from a planned economy to a market economy implies an ideological transformation. The present chapter focuses on identifying the new standards and the new values that make up both the basis and the effect of such a transition. In the background of Mao's defence of family business, what is in question is not only economic action in all its forms, but also the personal enrichment of a few – Mao's personal fortune is estimated at 100 million yuan (Chen & Xu 2003: 298) – and the emergence of a new social stratification.

Mao Lixiang's discourses take place in the context of a growing involvement of business in local and national level policymaking, as private entrepreneurs are emerging as a lobby able to shape state policies (Scott 2005; Guiheux 2006). However, we are not only dealing here with specific interests, but also with the invention of a collective identity. In a country that is still run by a communist party, social classes do not exist (and in fact Chinese sociologists do not make use of the word 'class', *jieji*), and it is hard to predict that social movements could form according to class location. China is still an authoritarian state that wishes to maintain, or even strengthen, its monopoly of political activities; and it is quasi-impossible for any social force to organise itself at the national level without being supervised by the Communist Party. On the other hand, social movements comparable to the new social movements of the 1960s and 1970s in the West are emerging (Calhoun 1995). Their participants are not seeking to gain impossible political concessions from institutional actors, and they are not championing their interests in conventional terms – through political parties or professional unions – rather, they are seeking recognition of new identities and lifestyles. Mao Lixiang's discourse contributes to the forma-

tion of the collective identity of Chinese private entrepreneurs, identity being defined as a perception of shared status which may be imagined rather than experienced directly, 'emerging out of interactions with a number of different audiences (bystanders, allies, opponents, news media, state authorities)' (Polleta & Jasper 2001: 298).

From a weberian viewpoint, acknowledging the crucial part played by the values and motives written in the institutions, Mao's practices and speech are read as indicators of the Chinese 'spirit of capitalism'. We assume that the documents we have based our study upon (Mao Lixiang's books, newspaper articles, interviews) produce standards and meaning and develop arguments in favour of the economic functioning in use in the world of business and in the inner working of the firms. The speech in question is part of the discourse that legitimates the economic and social system established over the last twenty years.[5] Even though the building-up of a new legitimate economic and social order also implies the use of violence, since one remains in a single-party system that allows no pluralism, particularly where trade unions are concerned, we have chosen to take seriously the ideological constructions that go along with the transition.

A Career Embedded in a Specific Territory

Mao's speech takes on meaning as part of a long professional career across a territory, the north of Zhejiang Province, between the cities of Hangzhou and Ningbo, where a network of small and middle-size businesses started developing as early as the 1960s. After 1978, Mao's career followed the institutional transformations involved in the politics of reform and opening-up led by the central government.

Mao Lixiang was born in 1942 to a poor family of Cixi, about sixty kilometres west of Ningbo. Cixi had 460,000 inhabitants in 1949, and around 1 million at the end of 1990 (Cixishi gonganju bian 1998: 251-253). On leaving secondary school, he entered professional life as a teacher and taught for two years. In 1965, at 23, the young man became an accountant for a commune and brigade enterprise (*shedui qiye*).[6] He kept the job until 1974. From 1974 to 1994, he was in charge of sales for the same firm; the company employed about forty people and worked as a subcontractor, making parts for Shanghai State-owned enterprises (car industry and radio-set companies). In fact, the city of Cixi, in the second half of the 1960s, was an area of quick development for this type of business. The number of small-town businesses went from 19 in 1964 to 106 in 1970 and reached 186 in 1974, without there being any notable change in the demography of other

types of businesses (Cixi shi difangzhi bianzuan weiyuanhui bangongshi 1992: 381-382).

A Township and Village Enterprise within the Contract Responsibility System

In 1985, Mao became the manager of a factory located near Cixi, in the *zhen* of Zhanghe, the 'Factory Number 9 Producing Radio Parts'. Officially, it was a collective plant owned by the local government, subcontracting pieces for Shanghai TV-set manufacturers. The local administration had supplied the money for the purchase of the first six machines. The working capital, barely 2,000 yuan, was provided by Mao himself (Chen & Xu 2003: 307). As a matter of fact, the business was granted to Mao within the limits of the contract responsibility system (*chengbao zhi*). The system, initially set up for the farmers' land as part of the decollectivisation reform, took the shape of a contract between the business manager and the administrative unit he was attached to (here, between Mao and the Zhanghe *zhen*). The contract set the yearly rent that the firm had to pay to its administrative unit, in return for which the manager was the master in his own firm. Though the firm was collective *de jure* – consequently entitled to the privileges granted to any business controlled by local authorities, particularly when it came to getting credit – it was a private firm *de facto*. Within the firm, Mao faced up to all the responsibilities: 'I was, at the same time, the chairman of the board of directors, the general executive and the sales manager' (Chen & Xu 2003: 300).

When it was founded, the firm was a subcontractor for Shanghai plants. But, in 1986, because of over-production, the market went through a crisis. Within a few months, Mao lost his customers. He then started looking for another type of production (Mao 2002: 34-37). Following a friend's advice, he travelled to Xinyang (Hunan Province) and visited a manufacturer of measuring instruments who was supposed to have invented a new product. However, when Mao got there, the information proved wrong. From Xinyang, he went north to Beijing, to the Electronic Techniques Research Institute. There, a friend showed him another product, an electric fire-lighter (*dianhuoji*); Mao decided to start manufacturing the item. The setting-up of the new production lines took only forty-five days.

The new product got a good reception in the market. Mao sent his salesmen all over the country, travelling himself to the main cities like Beijing and Shanghai. He was awarded the 'Golden Eagle Prize' by Zhejiang Province, a prize meant to reward creative businesses (Mao 2002: 36). The product was exported, first through an international business company, from 1986 to 1989, then directly. In 1989, Mao took part in the Canton Trade Fair for the first time and signed his first

contracts with foreign customers.[7] The firm, from then on the first Chinese manufacturer of fire-lighters, was quoted among the first hundred exporters from Zhejiang Province, and it had become one of the first few national small-town businesses doing export trade. Mao was given the nickname of 'worldwide king of the electrical fire-lighter'. In 1992, the firm changed name and became the Feixiang Group (*Feixiang jituan*). Between 1986 and 1992, the number of employees increased tenfold, from 100 to 1,000. Mao had probably taken advantage of the fact that he was the first one to produce such an article. That enabled him to make huge profits. This was the case for many town and village enterprises that came first into a specific market (Byrd 1990: 97). However, Mao became a victim of his success: other businesses started manufacturing the same products in Cixi and in the neighbouring places of Ningbo and Yutao. A cutthroat competition between manufacturers brought the prices down drastically, from US$1.2 to US $0.35 per unit. In 1993, Mao started thinking of manufacturing a different kind of product.

The Founding of a Private Firm

In 1995, Mao Lixiang spent 5 million yuan on establishing a new business, Fangtai (Chen & Xu 2003: 303). The firm was established as a private limited company; it was a joint stock company, in which Mao's family owned 80 per cent. Mao was the chairman of the board of directors (*dongshizhang*); his wife was the president of the observation committee (*jianshehui zhuxi*) and his son, Mao Zhongqun, the executive manager (*zongjingli*). No other member of the family was employed. Betting on the improvement of the housing conditions of Chinese city-dwellers, the new firm, at the beginning, manufactured extracting-hoods for the kitchen; then it diversified into manufacturing all the kitchen facilities and furniture.

The history of Mao Lixiang's professional career calls for several remarks. First, it helps to draw a portrait of a captain of industry (light industry though it may be) – that is to say, of a businessman whose activities developed gradually: he went from subcontracting for big Shanghai companies to manufacturing and trading under his own brand, and he progressively hoarded a wealth of experience and a capital of acquaintances, of abilities and of resources that were all made to work for the economic growth of his activities. Contrary to those in China who, over the last twenty years, have made a fortune at the stock exchange or in real estate, Mao may consider himself a genuine entrepreneur who has created products (at the start, manufacturing products for the Shanghai TV industry, then making electrical fire-lighters and going on to producing all sorts of kitchen facilities), setting out to

conquer new national or international markets (the Canton Fair and its attendance of foreign buyers). This industrial history allows Mao to play the role of a spokesman.

Second, Mao's career has logically found a place in the record of the institutional transformations of the last two decades. For twenty years, from 1965 to 1985, Mao worked as a salaried employee of a collective business owned by the local government; then he set up a business on his own account within the bounds of the contract responsibility system, the only possible choice in the mid-1980s. The firm was officially collective, but it depended on Mao himself to bring the capital, and he was also responsible for the profit and loss. The public feature was just for show, since Mao only 'displayed the state label' (*guale gongjia de paizi*) (source: interview). Ten years later, after a company law had been passed in 1993, Mao was able to set up a legally private company with the profit he had saved from his previous activities. His past as a sales manager for a small town enterprise (from 1974 to 1994) was equally helpful to train Mao as an entrepreneur: 'Those were difficult years. At the time, the economy was planned, but we were not allowed any raw materials. Materials were given to state-owned firms, and their sales were warranted; but as to us, we had no guaranteed supplies; we had to find our own raw materials and our own market,' Mao confided in an interview. Managing a small town enterprise and being responsible for its profit and loss had thus enabled Mao to acquire the necessary abilities to become a business manager in a market economy.

By 1995, the founding year of Fotile, Mao already had thirty years of experience of doing business in Cixi. The continuity between the various firms was hardly linked to their productive activities or to the command of a technological skill, since they ranged from the manufacturing of pieces for TV sets to that of fire-lighters and then of kitchen equipment, all of them non-sophisticated products, technologically speaking. In the accounts he gives of his business ventures, Mao in fact suggests that changing from one product to the other happened, so to speak, by chance, while he also stayed in line with the local record of small mechanical and electric products industry. Hence, as electric fans had been made in Cixi for twenty years, Mao decided in 1995 to start manufacturing kitchen extractor hoods. Over forty years, this is less the record of a firm than the record of an individual who successively managed several businesses with different legal statuses and different productions. Their common feature is their manager, a feature of Chinese private enterprises noted by Barbara Krug and Laszlo Polos (2004: 86-87).

This is probably why Mao Lixiang never thought of setting up in any place other than Cixi – a choice he justifies by the quality of the local industrial infrastructure. Indeed, the local prosperity is linked to a net-

work of small and middle-sized enterprises that have been working for a long time as subcontractors for the big Shanghai industry. So all the supplying of Fotile can be done locally: 'whatever the piece, it could be manufactured in Cixi' (source: interview). As a matter of fact, the small-town businesses have played the greatest role in the local economic development between 1978 and 1987. In that lapse of time, their number went from 275 to 921, while the value of their production multiplied by eleven. Firms mainly produced household appliances (electric fans in the 1970s and 1980s, ovens and irons in the 1980s and 1990s) and electric components for the Shanghai TV, car and electrical appliances industries (Cixi shi difangzhi bianzuan weiyuanhui bangongshi 1992: 293, 382). Today, the road from Ningbo to Cixi runs across a landscape now urban, not rural anymore, and continuously industrialised. The recent opening of a bridge across Hangzhou Bay (May 2008) will strengthen the link with the metropolis since, from now on, it takes less than an hour to travel from Cixi to Shanghai.

The Firm and the Market Economy

At the end of his career, a career exemplary of the adjustment of a whole region to the institutional transformations, Mao Lixiang, today in semi-retirement, expresses his own way of looking at business and at the organisational method of the Chinese economy, in both specialised spaces and public spaces – at university conferences, in management books, at businessmen forums and in the media. Our study is based on a selection of articles put together in order to 'pass on a worthwhile statement to the younger generations of entrepreneurs' (Mao 2002: 1). In order to give the book a scientific character, an economist or a consultant manager comments on each text; the comments run from a few paragraphs to a few pages in length. Beyond a mere indication of the vocabulary, I mean to underline the ideological sets of rules that are evoked, and also to identify a number of arguments that, in a way, are turned into a system. Three main themes come to light in Mao's discourse: the firm as an organisation, the market as a space of confrontation of the producers, and the necessary collaboration with public authorities.

The Firm as an Organisation

Mao deals with the firm as an organisation from two angles: from the point of view of the manager's responsibilities and the part he plays, on the one hand; and from the point of view of the rallying of employees to serve the organisation's interests, on the other.

The entrepreneur appears as someone who must be both solitary and creative. He must 'keep away from the world' (*chaotuo*), a phrase with a triple meaning: 'Turn away from daily matters in order to apply one's energy to major problems; reject common ideas in order to think differently, in a creative way; keep away from the common practice of human relationships (*renji guanxi*)' (Mao 2002: 10-12). The entrepreneur's solitude (*gudu*) is a warrant of his ability to break new ground. 'Innovation, this is where the company's vitality lies' (Mao 2002: 57). Not only does this characterise the boss; it should also distinguish each and every employee; the same requirement is found in one of the slogans of Fotile: 'Be sincere, respect the company, study, innovate' (*zhengcheng, jingye, xuexi, chuangxin*). Innovation, as a matter of fact, is not restricted to technology; it also concerns the methods of organisation as well as the discovery of new markets (Mao 2002: 59). There is a popularised version of Schumpeter's definition of the entrepreneur.[8] The insistence on the crucial part played by the head of the business perfectly fits in with, and goes in the same direction as, the reforms started in 1978, the aim of which was to make the firms and their managers responsible for their profit and loss. Here, Mao Lixiang's ideas are utterly in keeping with all that has been written and published to pay tribute to business managers as the heroes of contemporary Chinese society.[9]

The manager's solitude has another meaning: it allows him to 'keep away from human relationships' (Mao 2002: 12). This is a call for giving up what Mao elsewhere describes as 'the methods of management characteristic of the previous step in the history of Chinese development'. Aware of the pressure of human relationships on economic life, Mao wishes for decisions to be made, from now on, regardless of these pressures. In short, he recommends the use of modern management methods against the Chinese social tradition. What he speaks about is the necessary economic modernity that should break from the old social practices. The entrepreneur must be modern, contrary to what Marie-Claire Bergère (1994) has called 'the old man'. What threatens the entrepreneur's interests are the Chinese social practices, such as those that can be read in the long national history, from which he has to break away. What Mao Lixiang says can also be understood as the rationalising of a practice that can be observed in many private family businesses, where actual power is fully in the hands of the entrepreneur, a charismatic authority.

In addition to the question of its management, the firm is considered as a human community; according to Mao, its major asset is its people. 'Modern management must consider man as its main resource'; it must 'put the people first' (*yiren weiben*) (Mao 2002: 116-118). Such words are in keeping with the change-over from a planned

economy – where firms were completely involved in their task of production and where staff management was strictly a book-keeping and administrative matter – to a market economy, in which it has become important to motivate the staff, and where success is determined by the efficient management of men. It is from this viewpoint that Mao comments on the necessity to build a firm as a community of men focusing on common aims – hence the importance given to creating a team-spirit (*tuandui*) or the necessity to 'create the Fangtai spirit together' (*gongzhu Fangtai hun*) (Mao 2002: 136-141) and a corporate culture (*qiye wenhua*). What has to be created in the employees is the feeling that they belong to the company.

The phrase 'put the people first' is also inspired by Confucian thinking and suggests the benevolent attitude the manager must have towards his employees, similar to the prince's towards his people. It is also the same slogan that has been used by the Chinese leadership since the fourteenth Party Congress (November 2002) to emphasise its concern for the people. In addition, in the importance given to men as a resource of the firm, there is somewhat of a 'socialist' echo. Mao Lixiang, in fact, does not rid himself of a rhetoric inherited from the time of the planned economy and from the work units acting in the economic, social and administrative fields. Mao thus appoints the firm to 'rise up to the employees' material, spiritual and affective needs, and to set up relationships of confidence and equality between individuals, in order to guarantee the working and vitality of the firm in the long run' (Mao 2002: 116).

In another passage, Mao insists on the permanence in contemporary Chinese economy and society of supposedly traditional values, particularly 'loyalty and sincerity' (*zhongcheng*).

> Traditional Chinese culture particularly insists on loyalty and sincerity. The *zhong* character in Confucian culture means loyalty. That unquestionable loyalty allowed the feudal political system to be maintained for 2,000 years (...). In modern management, loyalty and sincerity must be a principle of behaviour for the employees. (...) Modern loyalty – we must consider it from the point of view of the market, we must use it, and everybody should try to be loyal towards the group, towards the company. (Mao 2002: 152-153)

In other words, Mao reinvests a supposedly traditional notion with a new meaning.

The Market

Mao Lixiang's discourse is organised around a second theme: market as a space of confrontation between the producers. It is, in fact, the idea of competition by which Mao chooses to characterise the market economy:

> The market exists; anyone may take part in it (...). The market is like white rice, and the firms are like hens and ducks [trying to eat the white rice] (...). Competition in the market is something positive, it is only through competition that society can progress. (Mao 2002: 18-19)

Here, Mao puts into words a popularised version of the liberal theory: the free competition of individual interests (pointedly the firms' interests) produces the common good.

Mao emphasises that firms should find and keep a trademark – the very condition of the reputation of their products and consequently of their success. He illustrates his statement by giving foreign as well as Chinese trademarks as examples (Coca-cola, Pepsi-cola, 555 and Pierre Cardin, as well as Wahaha, Hongtashan, Haï'er and Changhong). Adopting a trademark is all the more important as Chinese products, in the future, will have to face a growing competition from foreign producers once China has become a member of the World Trade Organisation (Mao 2002: 244-248). The notion of trademark had, in fact, reappeared with the 1978 reforms. During the Maoist period, products did not bear any label, but only the references of the factory where they had been manufactured (indications of the place and often a number), except for a few companies already well established before 1949.

Together with the importance of the trademark, Mao Lixiang mentions the practices of imitation, declaring that imitation is 'a malignant tumour' (Mao 2002: 256). In another passage, he talks of 'orderless competition (*wuxu jingzheng*) [which] allows firms and trades people who do not create products, do not use advertising and do not set up sales networks, to make a lot of profit in a very short time'. He quotes the case of his own activity: 'At the beginning, in Cixi, there were only two plants manufacturing extracting-hoods (...). But once the media had reported "the Fangtai phenomenon", there were more than ten establishments' (Mao 2002: 18). Since then, Fangtai has been equipped with a legal department, partly to fight this curse. But, Mao thinks, firms pay their due taxes and are in a position to require from local authorities that they protect them 'in accordance with the law'. So he wishes for a local state that would be more helpful in the enforcement of the law, a guarantor of order in the market.

Firms and Local Governments

Mao Lixiang considers, indeed, that the state is an indispensable partner of businesses. In China, entrepreneurs 'can only rely (*bang*) on the government' (Mao 2002: 20-22). To the question 'must we run after the market or must we run after the mayor?' (in Chinese, the phrase is homophonic: *zhao shichang haishi zhao shizhang*), Mao answers that, of course 'the market is very important, but you absolutely cannot forget the mayor. As a matter of fact, the links between the Chinese economy and the government are very strong. You cannot do without the mayor! Our market economy is only emerging, it is still in a phase of development, competition in the market is often disorderly, you have to rely on the government to coordinate [the company's actions in the market]. When laws or rules are issued, it takes some time before companies adjust to the new environment, and there too the government has to play the part of coordinator (*xietiao*). Local rules are too numerous; if you want to develop, you can only rely on the government's help. Labour is also a matter of concern, social relationships (*shehui guanxi*) are also matters that can be solved only with the government's help. Many say you have to run after the market and not after the mayor, but not to seek the mayor's help is a harmful mistake!' (Mao 2002: 313-314). In the transition phase that characterises the Chinese economy – from a planned economy to a market economy considered not quite achieved – a relationship of cooperation between businesses and the local administration seems indispensable, in Mao Lixiang's opinion; the main reason he puts forward is the disorder that characterises today's market, a result of the inadequate legal and statutory system.

If Mao considers relying on the local governments as necessary, he nevertheless underlines the dangers of such cooperation. 'While you rely on authorities, you might fall into a situation from which it would be very difficult to get out of, or, to borrow a popular phrase, you might become the government's supporter, and then you could not develop anymore' (Mao 2002: 20). Here, he mentions 'the dangers of a too-near proximity that, instead of benefiting the firm, would on the contrary prove harmful; the firm would appear as the accomplice of local authorities collecting excessive taxes from the companies in their district'. Authorities, exactly like family members, may become predatory on the company:

> Running a company is a difficult task (...). The Fire Department, the Labour Office, the Commerce and Industry Bureau, the Land Bureau, the Protection of Nature Office, the Tax Department, they all come and see you (...). If the business manager

> makes profit, his brothers, relatives, friends, neighbours, school fellows, all come and call on him. (Mao 2002: 331-332)

At the end of this first clarification, three types of rhetoric can be identified in Mao Lixiang's discourse on business and the market: the first mentions modernity associated with market economy, the second refers to the Chinese tradition, and the third bears the mark left by thirty years of planned economy. The conversion to the benefits of the market is indicated by the increase in value of competition, of innovation, of the manager's daring, of corporate culture, of the employees' ability and of the importance granted to marketing. In the same way, referring to exemplary entrepreneurs – whether they are Americans like Lee Iaccoca, the former chairman of Chrysler (Mao 2002: 10, 175); Japanese, like Akio Morita, the chairman of Sony (Mao 2002: 138); or Chinese like Zhang Ruiming of Hai'er (Mao 2002: 17, 139) – makes room for China in a globalised economy where all the companies are defined according to the same criteria of efficiency. Tradition, when it is called for, shows positive dimensions that must be perpetuated – employee loyalty towards their employer – and negative dimensions that must be given up – the importance of social relationships seen as harmful for an efficient management. Explicit references to the past always allude to a pre-revolutionary past, that of a moral and social tradition.

In the importance given to the relationship with the government, one can find the implicit mark left by thirty years of planned economy. As a matter of fact, Mao repeats that the Chinese market economy is incomplete and he insists on its imperfections. He calls for a more predictable and institutionalised state to coordinate enterprises' actions, taking up the point of view of certain economists close to the Chinese leadership. Not to be found in these comments is the Communist Party, of which Mao Lixiang has nevertheless been a member since 1991 – but it does come to light in Mao's nationalistic rhetoric: Mao greets the success of Hai'er and wishes to turn his own business into a 'national industry' (*minzu gongye*) with markets both at home and abroad (Mao 2002: 2). While stating his own ambition, he reiterates the Party's aims to rebuild a great and powerful country. His entrepreneurial nationalism echoes the state nationalism. As to the workers, they are really kept out, except in the theme of rallying the labour-force into teams and creating a corporate culture capable of raising a feeling of membership and loyalty. It is true, however, that Mao Lixiang's statements are meant to be read mainly by managerial staff.

Defence and Illustration of the Family Firm

In addition to delivering a general discourse on the aims and constraints of entrepreneurial action, Mao Lixiang writes in defence of family business (*jiazu qiye*), making a *pro domo* plea. In fact, this type of organisation of economic activity has roused quite an interest, from both the media and the academia. Over the last ten years, the private sector – mostly made up of private businesses, a feature shared by many other economies – has become one of the driving forces behind Chinese growth. Media and specialists underline the need to find solutions to four urgent issues: the handover from the founders' generation to a new one, the professionalisation of the management (is the reliance on family members still practicable?), the technological upgrading of enterprises (whereas small and medium-sized enterprises are mostly labour-intensive) and the impossibility of resorting to banking credits (or the resort to informal financial sources) (Zhang, Ming & Liang 2002). More generally, the issue at stake is the sustainability of family enterprise as the driving force behind Chinese economic growth. After reviewing the particular case of Fangtai, I will attempt some analysis of this case study.

Fangtai, a Family Business

In 1985, at the time of the founding of his business within the contract responsibility system, Mao Lixiang was both the general manager and the sales manager. In order to 'improve the management of the firm', he called on his wife, who was then the production manager of a textile plant and a specialist in management and finance. She was offered a job as the deputy manager of the firm. But it was understood that 'no one else in the family could enter the business and hold a responsibility as part of the managerial staff' (Mao 2002: 157).

In 1995, when Fotile was established, Mao justified appealing to his family by the risk he was running: 'the risks were great. At that time, no one wanted to invest in us, only my wife, my son and daughter agreed to support the project' (Mao 2002: 157). Mao Lixiang's son, Mao Zhongqun, had just graduated from the electrical engineering department of Jiaotong University in Shanghai. He was asked to take a direct part in the management of the business. Mao's daughter and son-in-law were only contributing to the capital – they were 12 per cent shareholders of Fangtai (Mao 2002: 165-166). They were the managers of their own business and were going to become suppliers of pieces – first by producing pieces for the manufacturing of electric fire-lighters, then by making fans to be fitted on extracting hoods.

Mao Lixiang and his son both declare there was a negotiation between father and son, the latter only joining his father in his new industrial project (and giving up the plan to undertake graduate studies in the US) under a twofold condition: that the company be set up in an urban area, and that they manufacture a new product. Mao Zhongqun is supposed to have convinced his father to set up Fangtai in the Cixi economic development zone. He is also supposed to have been the one who chose to manufacture extracting-hoods. Both father and son thought that the market of kitchen equipment was promising, because of the growing demand of consumers for home improvements. Mao Lixiang favoured the manufacturing of microwave ovens because the advanced technology involved would make obtaining financial help from the government easier. But Mao Zhongqun wished to start the manufacturing of extractor hoods, a much simpler item. The latter's choice prevailed.

Father and son also seem to have negotiated the choice of a name for the company. Mao Lixiang suggested Feixiang, a combination of his own and his daughter's given names, the latter being the name of his previous firm that made firelighters, but his son supported the idea of inventing a new brand. In fact, they finally chose a trademark imported from Hong Kong, Fangtai, borrowed from the name of a lady-presenter (Mrs. Fang) of a very popular television programme produced in Hong Kong (by ATV channel), who is also the author of a cooking magazine sold all over South-East Asia, *Dongfang shiji*. Concerning the premises as well as the company name, Mao's son seems to embody the break from the past, together with a more modern vision.

Mao reports being responsible for the conditions of the establishment of his business and the methods of power-sharing between himself and his son (Mao 2002: 163-164). The co-operation between the two men progressed in three stages. First, between 1996 and 2000, father and son worked closely together. The son worked on perfecting the manufacturing of new products while the marketing and the inside management were shared. Between 2000 and 2005, the father slowly retired from active management. The son was general manager, while Mao Lixiang was chairman of the board of directors, declaring he had totally retired from the management. Between 2006 and 2010, Mao Lixiang intends to give over his chairmanship to hold only the position of member of the board of directors, after which he will permanently retire.

From this account, remember the two arguments Mao gives to justify the family feature of the business: the risk involved (only members of the family are ready to share the risk); and skills. As far as skills are concerned, Mao's son presents the best credentials: a graduate from Shanghai Jiaotong University in 1994, he got an MBA from the Sino-

European Business School, also known as China Europe International Business School (CIEBS), in 2002. Mao Lixiang, a charismatic manager whose figure is closely associated to his firm's endeavours to show that he shares his power, at least with his son.

The Three Steps in the Development of Family Firms

Beyond giving an account of the establishment of his own business and of his methods of management, Mao champions family business:

> There are some people, among economists and public administrations, who oppose the family system; they consider that it goes against modernity. But there are others who consider that, within the bounds of oriental culture, there is no getting away from a family system. When I lecture at Tsinghua, Beida or Beishida, many students ask my opinion on the family system. I answer them: 'Today, it is impossible for Chinese private businesses not to be family businesses, but they should not be too much so.' (Mao 2002: 61)

Forestalling his detractors, Mao says he is in favour of family business and that, at the same time, he is aware of the dangers of turning too often to this kind of help. He held a similar position on the matter of proximity to local authorities: one may be near, but not too near.

Mao takes up again the arguments he developed about his own choices: not enough available abilities and skills and too much risk. When setting up a business, 'only your wife and children can support you. It is the only possible choice'. Thus, you can only look for help from the family system (*jiazuzhi*). 'If you do not use the family system, then no one will want to get involved in such a fight [the establishing of a business]. Using your family, your relatives, your friends, your schoolfellows and your children, this is the best way to start' (Mao 2002: 310).

Then, 'private companies must give up their previous method of management and part management from ownership, train the employees inside and look for new talents outside the establishment' (Mao 2002: 160). You must therefore 'reduce the family system' (*tanhua jiazuzhi*). If you do not reduce the family system, if you do not set up a modern managing system, then there is no way to attract people of great ability into the company.

Mao insists on the need to separate management from ownership and to look up for able managers, but the level of confidence in the employees is not high enough, so family management is still relevant. 'The legal environment must still be improved, the technological qual-

ity of many managers as well as their moral qualities are not yet good enough; in an environment where confidence is missing (...). I have chosen my son to be my heir' (*Jinggji guancha bao*, 29 April 2002). Mao maintains that Chinese firms are halfway between the chandlerian business model run by managers and the model of traditional human relationships.

Conclusion

In this chapter, we brought to light the ideological context in which social movements take place, while analysing the discourse of one social actor contributing to a new language of legitimacy. Though social movements often originate in the lower social strata, our hypothesis is that the discourses of the ruling classes have to be taken into account. The Fotile case does not exhaust the subject of the variety of firms in today's China. It should be compared particularly with the firms that were directly inherited from the time of the planned economy, whether they are large state-owned corporations or collective firms. However, this defence of family business deserves some attention because this type of organisation represents a growing part of the Chinese economy.

Mao Lixiang's discourse on business and the market uses two styles of argumentation, one referring to the rationality of the market and the other pointing at human relationships. The first one is exemplified by practices that go in the opposite direction from the planned economy and are bound to spread: the creation and protection of trademarks that must be promoted, the constant use of innovation, the aggressive conquest of markets, the promotion of corporate culture, the rallying of competent managers. Human relationships are partly put aside as obstacles to efficiency, and partly justified: the still indispensable part played by the family because of the lack of available abilities as well as the impossibility of trusting employees. In the same way, the need for the firm to have close relationships with the local authorities and with the state is justified by the failings of the market, a market unable to play its part as a coordinator of individual initiatives, or because of a general disrespect of regulations.

Such an account appears as a heterogeneous combination of arguments put together in favour of the cause of the managers of family firms. The use of a rhetoric at the same time modernist (the creative and solitary entrepreneur), socialist and Confucian (putting people first) and traditional (the part played by the family) reflects Mao's opportunism, as well as the combination of values characteristic of today's China.

Mao Lixiang uses these arguments in favour of both his own interests and those of his peers, the private entrepreneurs – particularly those who have, just as he has, first developed their careers in the collective sector in the shelter of bureaucratic protections before setting up their businesses on their own account. It is thus possible to ascribe Mao's arguments to the practical logic with which they were produced to the real situation of their speaker and to his specific interests.

However, this discourse is not only a speech of justification. The justifications expressed are useful to the capitalist transformation of China, while they also try to restrain the protagonists. The references to foreign models are linked to the fact that Chinese firms are not only the suppliers of the global market but also face direct competition from foreign companies in China itself. The insistence upon the professionalisation of management and the call for skilled people go together with the spreading of management sciences in Chinese universities. The praise of the business-manager's qualities goes hand in hand with the changes in legislation, particularly since private ownership has gained constitutional protection. The business manager's legitimacy is, from now on, submitted to his professionalism. Likewise, Mao Lixiang condemns an 'orderless market' in which the rights of intellectual property are not respected, and imitation is the rule.

Within the scope of an authoritarian state whose mutation is far from complete, the institutions liable to rule competition and to structure the relationships between employers and employees are not yet established, and the nuclear family seems to be the institution most capable of securing the economic modernisation of the country. This is in the line of an endless debate, initiated at the time of the first Chinese modernisation, that dealt with the credit due to family as an institution made to serve the renewal of the Chinese nation (Glosser 2003: Chapter 3). More widely, the matters of the economic role of the state and of the importance of personal links of confidence in business management are well-known issues for the historians of the Chinese economy (Gardella et al. 1998). Interestingly, the discourse on family business in today's China may have more in common with other discourses expressed during an earlier phase of the modernisation of China, such as that of the first half of the twentieth century, than with the international contemporary discourse on globalised capitalism. The originality of Mao Lixiang's speech, when compared to that of his peers of the twenty-first century, may be his call for the fast building of a regulatory state, at a time when the latter is trying to take the place of failing authorities (Bergère 1989). Behind and beyond the record of a career and the championship of family entrepreneurship, one finds a contribution to the construction of a collective identity of family businessmen and to the building of a new economic and social order.

Notes

1 An earlier version of this chapter was published in *China Perspectives*, 2005 (58): 22-31.

2 Fotile manufactures kitchen range hoods, burners, water fountains and also kitchen furniture (see the firm's website: http://www.fotile.com). In 2002, it employed more than 3,000 people and controlled fifteen to twenty per cent of the Chinese market. It was the second biggest Chinese firm on that market (interview, 23 July 2002).

3 *Feixiang de guiji* (Under the Influence of Fotile), *Feixiang de guanli* (The Management of Fotile), *Feixiang de suiyue* (Fotile's Years), *Guanli qianqian jie* (Management Principles). An economic journalist, Mr. Liao Min, has become the most active promoter of the 'Fangtai model' through press articles and several books. He has notably published *Fangtai lunjian: Mao Zhongqun yu Liao Min duihualu* (The Fangtai Sword: A Dialogue Between Mao Zhongqun and Liao Min), Beijing: Qiye guanli chubanshe (2002) and more recently *Fangtai fangfa* (The Fangtai Method), Beijing: Qiye guanli chubanshe (2006). The contents of these books are very similar to one another.

4 At the end of 2006, there were 4,869 million firms registered as 'private' (*siying*) in China (*Xinhua*, 13 December 2006). Most of them are family businesses. It is the more dynamic part of the Chinese economy. To these 'private' firms, we should add the 'individual' ones (*geti gongshanghu*), that are also family run and owned. On the definition of the private sector, see Gilles Guiheux (2002).

5 Luc Boltanski and Eva Chiapello (2005) read the management literature as a discourse on French capitalism. The material I am using is different in nature (it is not from scientific textbooks), but it carries similar meanings. Jean Gadrey (2001) has underlined that articles from newspapers and magazines might be more typical of the 'spirit of capitalism' and more efficient in spreading norms and producing meanings than scientific literature. A common point between the texts analysed by Boltanski and Chiapello and my material is the public they are aiming at: future entrepreneurs or managers.

6 The growth of commune and brigade enterprises in the second half of the 1960s can be partly credited to the lack of goods produced in urban areas because the Cultural Revolution had forced many enterprises to stop production. In 1984, the commune and brigade enterprises became 'town and village enterprises' (*xiangzhen qiye*) since the communes did not exist anymore (Byrd & Lin 1990: 11).

7 Since 1957, the Canton Trade Fair (Zhongguo chukou shangpin jiaoyi hui) takes place twice a year, in spring and autumn.

8 Schumpeter distinguishes five types of innovation: new products, new methods of production, new forms of organisation of the industry, new markets, and new inputs. The Chinese press and media (such as *Zhongguo qiyejia*) have played a significant role in popularising the economic theory of entrepreneurship.

9 Not only in media, but also in literature and movies.

8 The Rise of Migrant Workers' Collective Actions: Toward a New Social Contract in China[1]

Chloé Froissart

Studies of Chinese society and politics have outlined how legalisation, that is the governmental project to promote a rule by law, has abetted the rise of rights claims in China. As recent as the 1990s, both peasants and state workers started to rely on newly enacted regulations to defend their rights, resorting to actions ranging from litigations to sit-ins and demonstrations (Lee 2002; Gallagher 2005; O'Brien & Li 2006). Although migrants from the countryside are known in Chinese cities as a new working class whose rights are commonly violated, they long kept themselves out of popular contention. These past few years, however, migrant workers have been increasingly resorting to conciliatory bodies and tribunals along with strikes and demonstrations to settle labour conflicts. Unlike peasants and state workers, migrants' claims for rights protection are supported by Chinese so-called NGOs that first appeared toward the end of the 1990s and the beginning of the 2000s. These organisations function as substitutes for trade unions from which these workers were long excluded and that are now increasingly deemed inefficient and sometimes illegitimate means of representation. NGOs also lobby authorities to improve migrant workers' conditions, and thus appear as social structures capable of organising migrants' resistance and interacting with the state on a sustained basis. I will first try to grasp the reasons why collective actions that have recently appeared among migrant workers emerged at this specific moment and how both political opportunities and constraints contributed to their specificity. I will then evaluate the NGOs' impact on migrants' resistance: to what extent do NGOs foster migrants' emergence as an autonomous self-conscious group capable of negotiating a new social contract in China? Finally, considering how the Party has been responding to this unprecedented social mobilisation, I will evaluate its impact on state-society relations.

Nurturing the Soil of Collective Action: The Failure of the Campaign for the Protection of Migrants' Rights

As Tarrow (1994: 2) observes, contentious actions are shaped both by 'changing political opportunities and constraints'. Individuals resort to actions in order to defend their rights, not so much once they are actually aggrieved but when changing political conditions abet the rise of new and previously unacceptable forms of contention.

Outsiders are Given a Legitimate Place in Urban Society

Since the end of the Cultural Revolution and Deng Xiaoping's return to power, the Chinese Communist Party has increasingly attempted to build its legitimacy upon the construction of a 'rule of law', also called 'socialist legal system', that aims to ground relations between social actors on the one hand and society and the state on the other upon the mediation of the law (Lee 2002; Gallagher 2005). Under such a system, the Party relinquishes its revolutionary mission, while the state strives to bolster its regulatory capacity. In other words, the Party that now claims to 'rule according to the law' tries to turn the law into an instrument of its power and legitimacy. While the 'construction of a socialist (...) rule of law' was enshrined in the Constitution in 1999, Chinese leaders have repeatedly stressed their opposition to any 'Western-style democratisation', in other words to political pluralism and checks and balances. Under the rule of President Jiang Zemin, the socialist rule of law was mainly understood as a means to strengthen market reforms. However, since the Hu-Wen leadership came to power in 2002, it has rather been seen as a way to buy out social stability by increasing channels for citizens to seek legal redress for their grievances. The concept of 'rule of law' thus further developed into a new ideology of 'citizenship', with both juridical and social contents. This ideology emphasised more equality between citizens and the protection of their legal rights while fostering new public policies in favour of those left behind (*ruoshi qunti*).

Migrant workers started to benefit from the central state's new commitment circa 2003. Until then, and according to the *hukou* system inherited from the Maoist period that binds rights to residency and induces a differential treatment between the so-defined 'agricultural population' and 'non-agricultural population', they were mainly considered as outsiders working in the cities on a temporary basis. They were not only deprived of any social rights, but authorities also turned a blind eye to the pervasive violation of their basic rights under the labour law. It was thus generally held that although migrants changed their profession and were working in the cities for many years,

their status remained that of peasants, that is, of second-class citizens. Starting from 2003, however, a number of important policies were issued by the central government that basically acknowledged migrant workers' right to have rights. The *Notice on Successfully Managing the Employment of Rural Workers in the Cities and Their Access to Public Services* in January 2003 was a milestone: this was the first time since the founding of the PRC that the central government had issued a document specifically addressing migrant workers' issues. This notice, along with the *First Document*[2] in January 2004 and the *Notice of the General Office of the State Council Regarding Furthering the Work of Employment Management and Services for Rural Residents Entering Cities to Work* in December 2004, requested equal access to employment and education, emphasised that under the labour law, migrants enjoy the same working conditions as urban residents and introduced a number of measures designed to improve their living and working conditions in cities (Guowuyuan 2003, 2004a, b). The central government then insisted that the national law is universal and should protect everyone equally, thus prevailing over the *hukou* system. The Centre's commitment to uphold this policy was embodied in campaigns to clear migrants' back pay launched annually on Chinese New Year's Eve. In August 2003, a circular was issued by the All China Federation of Trade Unions (ACFTU 2003) to urge migrant workers to join the trade unions, a right that has, in practice, often been denied to them thus so far.[3] A year later, the ACFTU (2004) published another circular that took concrete steps to make it easier for migrant workers to join trade unions, for example enabling them to enrol at their places of origin or via employment agencies. In addition, the Centre tried to foster local authorities' responsibility towards migrants by a demand to facilitate their access to state institutions like arbitration committees and tribunals and launched a campaign in October 2003 for migrants' widespread legal training, in an attempt to channel their grievances into legal redress. This central programme led to the mushrooming of training sessions organised by governmental agencies at every level, mass organisations, so-called 'Government Operated Non Governmental Organisation' (GONGO), and Chinese as well as foreign NGOs.[4]

Three main reasons account for the central state changing policy towards migrant workers. First, following the new commitment on restoring the socio-economic balance between rural and urban eras, the Hu-Wen leadership acknowledged that migrant workers' remittances to villages represented a vital support to the rural economy and should be secured as such. Second, according to nationwide surveys, migrant workers' stay in the cities had already expanded greatly, while they represented 60 per cent of the workforce in the secondary and tertiary sectors.[5] The discrepancy between their alleged status as temporary rur-

al workers and the place they *de facto* occupied within urban society and economy had become too obvious. Third, increasing delinquency and criminality among migrant workers since the 1990s as well as growing discontent over unpaid wages were threatening the social order. The state thus attempted to change its failing image as being predatory and discriminatory against migrants to a regulatory state now committed to serve them. Although the Centre changing policy towards migrant workers was purely instrumental and did not reflect a liberal conception of citizenship based on natural and inalienable individual rights, it did however provide them with a legitimate place in urban society and durably affected their relations to the Party-state, as I will argue hereafter.

Confronting Official Discourse with Unchanged Conditions: Growing Distrust of the Party and New Opportunity for Claims

As Lee (2002: 197) notes, 'the construction of a rule by law is a double-edge sword'. It first bolsters the state legitimacy by creating new hopes among migrant workers that their condition could improve under the protection of the state. In the short term, the Centre changing policy has had quite a strong symbolic impact for migrants, who were thankful for the public acknowledgment of the legitimacy of their rights. In December 2003, the Beijing municipality supported an exemplary trial against a construction company that owed over 5 million yuan to a 500 migrant-worker team, but the court decision was quite difficult to enforce since the company did not have enough money to pay the wages.[6] As a migrant who was a member of the worker team reported to central television: 'It's such an honour for us that the government pays attention to our case, no matter if we can get the money back, the most important thing is that the authorities side with us' (CCTV 1, 4 December 2003).

However, the legalisation drive encouraged the rise of new claims when migrants realised that promises could not be kept, and that '"rule by law" exists more as an ideological discourse than an institutionalised reality' (Lee 2002: 196). Despite a nationwide political campaign, the protection of migrant workers' rights did not, in fact, improve dramatically. According to workers' statements, working conditions in factories did not change: unpaid salaries, long unpaid overtime, lack of respect of security norms, frequent industrial accidents, absence of social security or support from the employer in case of work injuries or professional diseases are still the lot of migrant workers.[7] In August 2004, a year and a half after the launching of the first campaign to clear back pay, Vice-Premier Zeng Peiyan revealed that more than 360 billion yuan in unpaid wages remained owed to migrant workers (*China Daily*,

26 August 2004), while the total wages in arrears across China accumulated from 2005 to July 2007 to 66 billion yuan (*China Review*, 23 October 2007). Workers thus started to show a growing distrust of the capacity of the Party-state to implement its policies, as outlined by this remark made by a migrant working in a Shenzhen factory:

> Newspapers spent their time reporting that migrants' salaries have to reach minimum wage, the government also says supervision should be reinforced to check illegal practices such as back pay or overtime, but it's very hard to implement. Once out, a newspaper is already out of date and the government doesn't stick to its words, for what reason? (*China Review*, 23 October 2007)

Indeed, although state media widely reported impressive rates of enrolment in trade unions[8], the ACFTU – the sole trade union allowed in China as a mouthpiece of the Party – did not change its mode of functioning, and thus remained unable to make a difference in workers' life. According to the Trade Union Law of the PRC, the trade unions' mission is as much to protect workers' rights as to help the enterprise to 'raise productivity and improve economic efficiency'. The ACFTU thus does not act as a true representative of workers but rather considers itself as a bridge between labour and management that seeks to facilitate compromise when conflicts arise between the two sides. In fact, as trade unions are beholden to the management which, most of the time, appoints the trade union representative within the enterprise, unions generally have no choice but to side with the management.

Independent reports thus showed that newly created trade unions were no more than empty shells that were not truly functioning, and emphasised migrants' quick and deep disillusionment. The president of a trade union set up in a Beijing construction company that mainly employed migrant workers reported that more than half of the members told him a year after the branch was created, 'Whether this trade union was created or not, it would have been exactly the same' and 'for us migrants, joining trade unions is not really consequential' (CLB 2005: 26).

My interviews in the Sichuan province capital showed that some migrant workers were already reluctant to join trade unions. Only one month after the foundation of a trade union in the Chengdu migrant workers' labour market, the branch had already been closed for failing to recruit members.[9] Migrants were scathing about the union: 'No point to seek trade unions' help. They take your money and run'; 'Trade unions serve the capital, not the people'; 'Trade unions are full of conmen, and they never settle conflicts' were widespread statements. Mi-

grant hostility towards the trade union can be explained by the specific situation of the labour market, which is under the jurisdiction of the urban district government but in reality functions on a purely private and mercantile logic, a situation of which the market administration also takes advantage. Huge amounts of money are extorted by the employment agencies from the workers who cannot find proper jobs. Hence, migrant workers equate the trade union with the administration and the private agencies. Some said about the campaign on back pay clearance: 'It is not enough to issue new policies, they have to be enforced.' During these interviews, migrant workers were clearly denying the Party-state ability to protect their rights, govern with benevolence and preserve social order that are, as recalled by Shue (2004), the main grounds on which the CCP claims its legitimacy.

The Party's inability to prevent labour conflicts in a context of growing rights consciousness led to a dramatic increase in legal disputes. According to the ACFTU, arbitration committees across the country admitted 314,000 cases in 2005, a 20 percent increase over the previous year (*China Daily*, 30 January 2007). However, many workers still complain about being forced to rush from one review office to another and about the difficulty of getting their cases accepted due to the collusion between authorities and entrepreneurs. Likewise, delay in trial or in enforcement of court decisions as well as arbitrary and steep procedural fees still deter many workers from suing their employers, leaving them with no choice but to take to the streets.

The official discourse about promoting legalisation and citizenship rights for migrant workers created expectations that political institutions could not satisfy and provided a fulcrum on which claims could be mounted. The Party's strategy to fight against social instability hence proved somehow counterproductive, encouraging direct confrontation with the state and giving rise to a new form of contention termed by Kevin O'Brien as 'rightful resistance'.

The 'Power of the Powerless': Believing the Party-State at its words

A strike that was conducted in a Shenzhen factory in October 2004 offers an interesting case to study the forms of contention that migrants increasingly employ to gain support and force opponents to comply with the law.

In Hai Yan Electronic Factory, a Hong Kong-Guangzhou joint venture manufacturing electronic components, the workers were paid 240 yuan monthly for a regular working day of 12 hours, and 15 hours during peak times, seven days a week. Since the fixed salary was very low,

they regularly worked overtime, although they earned only 2 yuan an hour. Workers also had to pay for their accommodation and food. There was no trade union branch in the factory, and none of the complaints lodged by workers to the management and government offices was accepted. Workers resigned themselves to this impasse until the day they came to know that the Shenzhen municipality government had fixed the monthly minimum wage at 610 yuan. The news spread quickly. The workers decided to organise a collective action and printed flyers that were posted in the dormitories as well as distributed by hand. On 6 October 3,000 workers went on strike for one day and a half, and the morning of the second day, they took to the streets and blocked the main highway linking Shenzhen to Hong Kong for four hours in an attempt to push the government to intervene. They were successful. Although the demonstrators were forced back to the factory by armed policemen, officials from the municipal and district Labour and Social Security Bureaus held negotiations with workers' representatives and both managements from China and Hong Kong, which were compelled to enforce the legal minimum wage. Workers obtained a 170 per cent increase of their salaries. Overtime is now paid at 5.4 yuan per hour from Monday to Friday and 7.2 yuan per hour on weekends and national holidays, and is limited to 40 hours a month. Moreover, the management has to contribute to workers' social security.[10]

This strike is a good example of 'rightful resistance', defined by O'Brien (1996: 33) as a form of popular contention that demands 'scrupulous enforcement of existing commitments' and 'employs the rhetoric (...) of the powerful to curb political and economic power'. As this kind of resistance 'operates near the boundary of an authorised channel' (the Chinese Constitution does not acknowledge the right to strike, and demonstrations are still banned in China as an attack on the social order), it has to win public support. Indeed, staging a demonstration on the busiest traffic avenue is a way to draw public attention, and workers were again successful. The main reason why this strike had a positive outcome was its wide coverage by the local press. It was the Guangzhou press, especially the outspoken *Nanfang Dushibao* (*Southern Metropolis News*) that first reported the demonstration and so forced Shenzhen newspapers to mention it. As the latter are directly under the control of Shenzhen authorities, they were rather scathing about the strike, and denounced it as an illegal action inducing social disorder (*Shenzhen wanbao*, 8 October 2004). But the *Nanfang Dushibao* sided with the workers and pointed to local authorities' responsibility in the demonstration: since the complaints lodged by workers in the past had been ignored, there were no means left but to take to the streets.[11] Chinese media are now increasingly reporting on strikes, and whether the reports are sympathetic to the workers or not, they impose

pressure on local authorities to settle the conflicts. The press reports led to many postings on the Internet, most of them accusing local authorities of failing to do their duty and supporting the workers' collective action.[12] Local NGOs also supported the migrants' cause. One of them, the Shenzhen Institute of Contemporary Observation, explained to the local authorities that if workers had taken to the streets, it was not to create social disorder but to express legitimate claims.[13] This pressure obliged the police to free the two leaders of the demonstration who had been arrested two weeks before, and the labour authorities imposed a record fine of nearly 2 million yuan on the factory management, thus enacting an exemplary punishment (*China Daily*, 10 December 2004).

The economic context was also favourable for the successful resolution of the strike. Since March-April 2004, the Pearl River Delta had been suffering from a workforce shortage that local authorities had to publicly acknowledge. Since the media frequently related this shortage to bad working and living conditions in the factories, alleging that migrant workers were now 'voting with their feet', local authorities were forced to take measures to protect migrant workers' rights better. They also had to face the pressure of foreign companies and joint ventures worried about their public image. Following increasing international pressure, these companies are now seeking to enforce the corporate codes of conduct in the Chinese factories that produce their goods.[14] The Hong-Kong-based Computime Ltd was indeed favourably disposed to increasing the salaries and had encouraged its Chinese counterpart to do so in the past, but the latter was reluctant to comply. Shenzhen authorities are thus gradually forced to change their tactic to attract foreign investments and companies; whereas they had previously made the most of an abundant cheap labour force, they now also have to take social stability and economic efficiency into account.

Recourses to collective action reveal a significant change in the way migrants understand their relation to the state. Before the central government assigned them a legitimate place in the cities, migrant workers saw the state (whether central or local) as distant, unfavourable or even predatory to them (Solinger 1999; Li 2003). Therefore, they generally avoided contacts with authorities and rather sought support from family members and personal relations when aggrieved. Aware of being unwanted guests in the cities, they were rather wary about voicing their claims. Migrants now stick to the state's promise to rule according to the law and protect their rights to put it to the test by using its own rhetoric and values.

This kind of resistance thus arises when rights promised are not enforced and aims to compel authorities to stick to their promises. It differs from social movements in the sense that, as observed by Kevin

O'Brien (1996: 32), it 'operates within the frame of official norms (yet in tension with them)' and does not rely on the 'us against them' model. Far from calling the regime into question, protesters are cautious about not being seen as a political challenge and try to appear as loyal defenders of the law and government policies as much as of their own interests. Therefore, they do not demand an institutional guarantee of rights but rather authorities' *ad hoc* intervention to settle conflicts and, while trying to rally a broader public opinion, seek government approval of their collective action. Such popular protests are progressively tolerated and more likely to be effective provided that they are not politically threatening for the regime. Strikes indeed remain temporary episodes of resistance based on corporate-based solidarity and aim at immediate economic compensation from employers. Although there are many examples of such kinds of resistance among migrants[15], workers from different factories seldom try to rally themselves upon common claims. This is one of the main differences between migrant and state workers' collective actions: the latter dare to push the limits of political constraints further by attempting to generalise their grievances and associate (*chuanlian*) beyond the limits of their work-unit, although their movement still lacks proper organisation and coordination, as shown by demonstrations staged in Liaoning and Jilin provinces from March to May 2002 (Human Rights Watch 2002). Moreover, whereas migrant workers try to rally local authorities, state workers dare to express explicit claims against them, often referring to central policies to expose unlawful collusion between local officials and entrepreneurs (Lee 2002; Gallagher 2005).

In short, claims are usually mindful and circumscribed, loyal and economically oriented rather than politically oriented, reactive rather than proactive, spontaneous rather than well-planned and organised, local and parochial rather than national and autonomous. The characteristics of migrants' resistance are both the result of a lack of political consciousness and of a conscious strategy in a regime where civil society is not institutionalised: aggrieved workers know the rules of the game and are aware that they can win a little provided that they do not lose a lot. However, the outcomes of such a resistance that, in contrast to social movements, does not induce breakthrough institutional changes, are often non-sustainable: nothing prevents the companies, once they are not under media spotlights any more, from resuming their previous management style, and some of the Haiyan workers were actually fired after the strike.[16]

The Quest for New Forms of Representation: NGOs as Catalyst of Migrant Workers' Social Movement?

Growing distrust of the Party-state ability to implement its policies has led some migrants to seek support outside the Party framework, from so-called non-governmental organisations that tend to replace trade unions as legitimate means of representation of migrant workers' interests. Social organisations have developed in China in the past few years, providing social services that the party and the state did not want to or could not provide at first. The ones devoted to serving migrants offer a space of sociability to isolated workers, professional and legal training, general and health education and advice on urban life. Their main activity however is to provide support to aggrieved workers, hence providing a substitute for the discarded official trade unions. A growing number of migrants are seeking their help, and are working for them as volunteers during their free time. Most of these organisations also try to influence public policies, and lobby authorities in the name of migrant workers. Do these NGOs nurture migrants' self-organising capacity so much that they eventually turn their resistance into 'contentious collective challenges based on common purpose and social solidarity in sustained interaction with elites, opponents and authorities'? (Tarrow 1994: 4-5). Can NGOs help migrants generalise their grievances, elaborate a political reflection to tackle these grievances, and eventually propose an alternative value system that supports collective action for change? As a 'third sector' (*di san ge bumen*) exceeding the limits of the workplace and capable of amassing large numbers of otherwise unconnected people, can they foster class-specific or cross-class mobilisation by strengthening solidarity that relies on a common purpose?

Growing out of the State?

The state had to acknowledge the growing influence of such organisations by issuing and regularly reviewing regulations in an attempt to impose a kind of Leninist control over them. The principles of cooperation, control and cooptation are indeed at the core of the legislation regulating these organisations (Guowuyuan 1998). They are for example submitted to a dual track registration system according to which they first have to be sponsored by a state organ before being allowed to register with the Ministry of Civil Affairs or its local bureaus. They should not oppose the basic principles set out in the Constitution (basically, Communist Party's rule and official ideology), endanger national security and unity, harm national interest nor go against social morality. The legislation thus provides that these organisations should be an extension of the state or at least serve as its auxiliaries.

However, many organisations enjoy, in practice, much more autonomy. The organisations I surveyed have very different sociological profiles and can be ranged into three categories according to their degree of autonomy and the profile of their founders.

First, there is the Migrant Women's Club (*Dagongmei zhi jia*) that was founded in 1996 in Beijing by the chief editor of the National Federation of Women publishing house and is supported by a famous representative of the Beijing Municipality People's Congress who is a member of its management committee. Despite its close connections with high-ranking officials, this organisation is not a 'Government Operated Non-governmental Organisation' (GONGO)[17]: it is registered as an enterprise with the Bureau of Industry and Commerce and is financially independent. Second, there is the Beijing Cultural Communication Centre for Facilitator (*Beijing shi xiezuozhe wenhua chuanbo zhongxin*) founded in Beijing in 2003. This organisation was set up by urban residents and is not directly related to a state agency, although it has many governmental connections. Its founders are two defectors from the Migrant Women's Club who were also previously working for the National Federation of Women publishing house and thus are well connected to officials and the media. Third, there are NGOs run by migrant workers who think that migrants should only rely on themselves to defend their rights. The Home of Fellow Peasants (*Nongyou zhi jia*) was founded in 2002 in Beijing by a music teacher coming from the countryside who somehow became famous singing about the migrants' condition. Shenzhen Service Centre for Industrial Security and Health (*Shenzhen dagongzhe zhiye anquan jiankang fuwu zhongxin*) was set up in 2003 in Shenzhen by an injured migrant worker with the support of a Hong Kong rights defence group.

All these organisations managed to circumvent the law in many ways. First, they are registered as businesses with the municipal Bureau of Industry and Commerce and are financially completely independent, regarding both their sources of funding – coming from foreign foundations – and the way they spend their money. The dual track registration system constraint is indeed very often evaded in reality: out of the three million NGOs counted by the Ministry of Civil Affairs in 2005, only 280,000 were registered as social organisations, others were known as enterprises (*Kaifang*, 12 June 2005). Registration as a business operation requires a minimal management structure with a high degree of autonomy. Their half-legal status is tolerated as long as they prove their loyalty to the Party and their contribution to the public good. NGOs hence manage to circumvent the principle of direct control that is at the core of the legislation and cannot be considered as an extension of the state despite the CCP efforts to ensure a Leninist kind of control over them.

However, as their status is very insecure, NGOs need to provide a token of obedience to the Party. Beijing organisations in particular are keen to seek support among influential officials and try to develop programmes in collaboration with public institutions in the hope of being acknowledged as official partners of the state. On the other hand, authorities remain obsessed with the idea that these organisations – that are financed by foreign foundations – could serve a foreign political agenda and stir up a colour revolution as in the ex-Soviet republics.[18] The state thus tries to prevent NGOs from growing more autonomous and developing political activities by combining repression with cooptation: in 2004 Beijing Facilitator won the title of 'Outstanding Organisation for Education and Social Service to Young Migrants' awarded by the Communist Youth League Beijing Committee; the Training Centre for Rural Women that is affiliated to the Migrant Women's Club won the award of the 'Best School Founded by Social Forces'; the leader of Home of Fellow Peasants was elected 'Nationally Outstanding Young Migrant Worker' in 2005 because he had given information to state organs about migrant workers.

Enhancing or Channelling Migrants' Resistance?

NGOs widely propagate legal knowledge and promote rights awareness among migrant workers. As a young migrant volunteer in the Shenzhen NGO, put it: 'Only after attending the classes did I know that overtime should be paid, that when you get hired by a company you are not supposed to pay a deposit to your employer but you are supposed to sign a work contract with him.'[19] Beijing NGOs also hold workshops aimed at building up group identity and self-confidence. Migrants share their experiences and draw lessons from them, analyse the role played by social and political structures in the difficulties they encounter, as well as the widening discrepancy between their place in society and their growing contribution to China's economic development. Participants also analyse legal cases, assess the legality of verdicts brought by conciliatory bodies and tribunals, and become aware of the gap between law stipulations and real situations.

NGOs are also actively engaged in defending migrants' rights. They not only offer free conciliation with employers, but also facilitate migrants' access to administrative arbitration and tribunals by giving procedural advice, helping build up a judicial record, providing free or low-rate legal services, acting as an intermediary between migrants and uncaring officials or inefficient institutions. Beijing Facilitator and Migrants' Women Club sometimes manages to compel public institutions to take workers' grievances into account by locating influential allies, mobilising the media and gaining support from the wider public.

Many workers I interviewed admitted that they would never have obtained or even sought legal redress without the help of these organisations.

However, while providing an active support to migrant workers, these organisations also stick to the governmental project to increase the recourses to legal procedure as a way to diffuse recourse to collective actions, and compensate for the lack of juridical guarantee of legal rights by being an alternative to the failings of Chinese institutions.[20] Beijing NGOs indeed admit that one of their aims is to prevent workers from taking to the streets. NGOs' mobilisation thus appears as a hindrance to the development of social movements: they contribute to keeping conflicts in the private sphere and preventing the political expression of grievances. They indeed foster a top-down form of 'citizenship' education: migrants are supposed to be helpless and ignorant, and organisation leaders appear as benevolent parents or teachers who exercise a moral authority over their children/students. Speaking of the founder of Beijing Facilitator, who they call 'Professor Li', workers say: 'She shows us unstinting love.' NGOs aim to build up solidarity among migrants upon apolitical symbols, like the one of 'home' (*jia*), a word that appears in most of these organisations' names, and evokes communitarian rather than political bonds. NGOs indeed try to appear as a family for isolated workers away from their home and emphasise self-development and mutual aid among their members, as shown by Beijing Facilitator's motto: 'helping people help themselves'. NGOs' work style thus recalls mass organisations' paternalism and autocratic tradition: they convey the official conception of citizenship as being both moral and passive, teach migrants about their rights as much as they remind them of their duties toward the Party and the society. While 'educating' migrants to defend their rights within the framework of what is deemed politically correct, they also strive to nurture their confidence in the state's ability to reform itself and claim to have an active role in fostering actual changes. Beijing NGOs thus somehow foster the 'civic morality' (*gongmin daode*) promoted by the Party and whose core principles are: 'patriotism and compliance with the law, civility and honesty, unity and kindness, frugality and self-improvement, commitment to one's work and contribution to society'.[21]

Beijing NGOs thus appear to some extent as transmission belts, fostering official ideology among migrant workers and exerting a kind of social control over them in order to maintain stability and pre-empt migrant workers' emergence as an autonomous group. But the Shenzhen organisation developed a different strategy. Opposed to any moral-boosting education, it first and foremost spreads legal and job security information among workers and encourages them to go to court and help one another by acting as legal representatives for each other. The

Shenzhen Service Centre for Industrial Security and Health and similar organisations in the Pearl River Delta have indeed been the cradles of a new breed of 'citizen agents', former workers who turn themselves into self-taught 'barefoot lawyers' offering cheap legal aid to fellow migrants involved in labour disputes. The aim of this organisation is to encourage migrants' autonomy and broader solidarity among them while putting pressure on legal institutions in order to compel the state to enforce breakthrough reforms. This bolder stance is closely linked to the characteristics of Shenzhen, which is far away from the centre and where migrant workers are concentrated in industrial districts, thus having few connections with the local urban population. Workers in Shenzhen generally join labour organisations because they are aggrieved and eager to defend their rights, whereas many members of the Beijing organisations mentioned above are employed in the service sector and are also looking for a place of sociability and an opportunity to improve their general knowledge. More importantly, migrants' NGOs in Shenzhen have close relations with foreign labour groups, especially the ones based in Hong Kong. The Hong Kong rights defence groups, which act as counsellors and supervisors to these organisations, infuse other political references and connect them to international workers movements, such as the 'people's organisations' in Thailand, insisting that workers should speak for themselves and strive for autonomy. There are now around twenty organisations made up of migrant workers in the Pearl River Delta. However, as NGOs run by migrants, especially those with such an international exposure, are politically very sensitive and are even more likely than other organisations to be banned at any time, they are reluctant to unite and make every effort not to be seen as a political threat to the regime.

Helping the PCC to Adapt

Some of the Beijing NGOs, like Migrant Women's Club and Beijing Facilitator, initiated advocacy meetings attended by academic specialists, social workers, high-ranking officials and cadres of mass organisations, but also migrant workers who are encouraged to speak for themselves. These meetings are based on the principle of a pragmatic cooperation between state and society in order to find a solution in common. Even Sun Heng, the migrant worker who founded Home of Fellow Peasants because he thought that migrants should not be represented by urbanites and intellectuals, attends these conferences because he is persuaded that 'society cannot be changed by a social class but by the cooperation between different social spheres'.[22] These meetings indeed aim to inform authorities about the needs and difficulties of migrant workers, make them aware of the pervasive violation of their rights, try

to identify the reasons for rights infringements and suggest remedies. While there is a growing awareness among non-official participants – including migrants – that the main problem to be tackled is not the lack of legislation but the lack of implementation of existing laws, those meetings seldom give rise to claims for bold political reforms but rather for the design of new public policies in favour of the migrant worker. Representatives ground their claim on the fact that migrants have already become a new working class that has superseded the old working class of urban state workers, and contribute the most to the nation's well-being. Migrants therefore should enjoy rights commensurate with their growing contribution to national development. While enhancing the migrants' public image, NGOs try to foster a morally based social contract between authorities and migrant workers, recalling the moral commitment the state used to have toward state workers under socialism (Gallagher 2005: 60-61). Migrants' supporters also use utilitarian arguments to gain support among officials: rights should be granted to migrant workers in order to improve economic development and administration efficiency, as well as to maintain social stability. Participants therefore do not challenge the state instrumental conception of rights: they rather try to persuade the Party that its interests are identical to those of migrant workers and that improving their lot will benefit the entire nation. NGOs thus sustain an apolitical stance, treating political issues as if they were exclusively moral or administrative in nature, and proposing technical remedies to achieve a goal that is supposedly shared by the Party-state and the society altogether.

While fostering the integration of a social group that was previously excluded, NGOs also actively participate in the PCC efforts to establish a 'consultative Leninism' that consists of – as defined by Richard Baum (2007: 8) – 'substituting paternalistic consultation for autonomous political participation, co-optation for representation, advice for empowerment, and consensus building for the clash of conflicting interests'. Such consultative conferences indeed respond to the inclusive strategy of the state that tends to allow some kind of representation to each social group within the political system as a means to prevent claim radicalisation and growing autonomy for the society. They also enable top officials to gather field information they would not otherwise be able to get, somehow functioning as 'fire alarms' intended to alert central authorities to the existence of serious problems at the local level and helping them to design public policies that better meet people's expectations. Such conferences do not shift the power balance in favour of society – political decisions remain uncontested in the leaders' hands – do not promote the Party accountability to society, and somehow continue the status-based structure of Chinese society: migrant workers' 'rights' should be protected according to the new economic role per-

formed by this group while remaining subordinated to the Party's interests. The Shenzhen NGO thus questions this mode of representation within the political system that, according to its leader, 'does not promote autonomous development of migrant workers as a group and tends to bolster the Party legitimacy'.[23] He views Beijing organisations as 'Counsellors to the Prince' beholden to the state and as illegitimate representatives (being urban, non-elected, close to power) of a population deprived of any direct means of political expression. Beijing NGOs indeed help the Party to adapt and remain in power, but to which extent and for how long?

Questioning the Consolidation of a 'Consultative Leninism'

The Party has responded to growing social discontent and mobilisation by consolidating and institutionalising consultative Leninism, both at the national and the grassroots levels. Consultative Leninism is basically the means through which the PCC strives to build up a 'harmonious society', whose quest is defined by the Vice-Chairman of the Chinese People's Political Consultative Conference as the desire to 'reach unanimity... by harmonising various interests, synthesising different opinions and defusing complicated contradictions'.[24] Similarly, the ACFTU chairman reiterated at a speech to the union's executive committee in December 2006 that the unions' mission was to represent and defend workers' specific interests while promoting the development of the enterprises and protecting the overarching interests of the nation as a whole (CLB 2007: 37). As outlined by Baum (2007: 8), the implication of these formulations is strikingly authoritarian as it 'presupposes the existence of a paternalistic, super ordinate authority –"a benign despot" – that is capable of faithfully reflecting, representing and mediating the full spectrum of "legitimate" societal interests while suppressing persistently discordant ones'. More specifically, the utopia of a 'harmonious society' where all social contradictions are eventually absorbed within the Party appears as the last avatar of the phantasm of unity that is at the core of the totalitarian regime according to Lefort (1994).

The Party has thus striven to deal with social unrest by increasing its inclusiveness and representativeness, while designing administrative adjustments in an attempt to create more effective institutions without proceeding to core political reforms. Consultative Leninism was institutionalised at the national level in March 2008 when three migrant worker representatives were allowed for the first time to sit in the National People's Congress. The representatives were co-opted for having first been elected 'model workers' by the ACFTU and already relayed

some of migrants' 'legitimate' claims – such as improved living and working conditions, low cost transportation during the Chinese New Year and increased school enrolment for their children. This newly gained political representation might be highly symbolic but nothing more, falling short of promoting true political empowerment or political equality. Migrants account for over ten per cent of China's population, but only one-tenth of one per cent of NPC deputies. While this new form of representation does not mean – as it was widely claimed by the Chinese media – that migrant workers are now treated on an equal footing with other citizens, it also tends to divide workers from rural and urban origins, notifying the latter that the new working class already supplanted them both politically and in collective representations.

At the enterprise level, consultative Leninism has been promoted through the 'collective consultation and the collective contract system' developed by the government and the ACFTU over the last two decades and according to which workers' demands should in theory be discussed. A notice issued by the ACFTU in March 2006 (ACFTU 2006) and the *Labour Contract Law* enacted on January 1, 2008 both seek to consolidate this system and make it more binding. Yet, because of the lack of genuine worker participation in negotiations and the lack of trade union true bargaining capacity, collective contracts – when signed – hardly meet workers' demands and have proved ineffective in preventing disputes.

The ACFTU also adopted a more aggressive approach to expand membership in the private and foreign-owned sectors, particularly with regard to a number of well-known transnational companies that had refused to allow unions. The battle against Wal-Mart – won in less than two weeks in July 2006 – was a milestone. The ACFTU won it by combining a 'name and shame' tactic and grassroots union organising, a task not attempted since the early 1950s.[25] This was a highly symbolic victory in two respects: first the giant retailer, which employed at that time more than 30,000 people in sixty-two outlets scattered in more than thirty cities, was one of the biggest foreign employers in China; second, Wal-Mart was well-known for always having successfully opposed union presence in its stores, including in the United States. This initial victory enabled the ACFTU to dramatically expand membership in foreign-owned enterprises. According to the ACFTU national leader, 73 per cent of China foreign-owned and -invested enterprises had a union branch in March 2008 and 51 per cent of migrant workers were already enrolled.[26] However, the dramatic expansion of the ACFTU in this particular sector is also due to its failure to truly act as a trade union. As stressed by a Wal-Mart spokesman, the giant retailer concession was to be explained by the fact that 'the union in China is funda-

mentally different from unions in the West (...). The ACFTU has made it clear that its goal is to work with employers, not promote confrontation'.[27]

Since 2006 and the issue of *Certain Opinions Concerning Resolution of the Migrant Workers Problems* by the State Council, unions have nonetheless striven to become more proactive in defending migrants' rights. Echoing the document that contained a number of policies addressing migrant workers' wages, employment, technical training, labour protection, social security and public management and services, the ACFTU has conducted numerous inspections to check if the management has signed contracts with their employees and monitor the implementation of work safety measures and minimum wages standards, particularly among foreign-invested and private enterprises where migrant workers are concentrated. But a ridiculous number of companies were actually prosecuted. The ACFTU also focused on providing legal assistance to aggrieved workers or, so to speak, after-the-fact assistance, instead of dealing with the roots of social unrest.

The Party has also kept on amending the law to better meet workers' demands. The year 2008 has seen the promulgation of three major labour laws: the new *Employment Promotion Law, Labour Contract Law* and the *Labour Dispute Mediation and Arbitration Law*. The first one promotes greater equality before employment, the second one enhances job security, fostering long-term contracts and adequate financial compensation in case of redundancy. Finally, the *Labour Dispute Mediation and Arbitration Law* for the first time makes arbitration committee rulings in routine cases legally binding, abolishes the arbitration application fee, and extends the time limit for filing an arbitration case from 60 days to one year. However, without systemic reforms to increase procedures' transparency and arbitration committees' accountability as well as to greatly increase their sources of funding, the law is doomed to have little impact.

For the time being, legislative progress without systemic changes has only been able to expand the gap between rights promised and rights enforced, thus continuing to nurture frustration and discontent. According to CLB (2007), since 2005 the scale, frequency and duration of industrial action have increased and labour unrest evolved from random, sporadic outbreaks to regular occurrences. Although migrant workers' collective actions are still devoid of both the broad solidarity and sustainability that characterise social movements according to Tilly (1995) and Tarrow (1994), strikes, like the Haiyan one, that resort to public demonstration and blockades have become increasingly common: currently, in the Pearl River Delta alone, there is at least one strike involving more than a thousand workers every day. Recent outbreaks also show a tendency toward tactical escalation. Migrant work-

ers have become less reluctant to unite beyond the enterprise boundaries. In July 2005 for example, more than 500 workers from Toshiba Dalian Company, located in the development zone in the city of Dalian, went on strike as the management increased the production line while keeping on paying low wages. When workers obtained a wage increase of 150 yuan a month, the strike spread to other Japanese-invested high-tech enterprises in the development zone and eventually involved some 30,000 workers at over a dozen companies (Zhan 2005). Collective actions also tend to become more organised and autonomous and claims more proactive as shown by a strike staged by hundreds of crane operators at the Yantian International Container Terminal in Shenzhen in April 2007. The workers themselves organised a delegation to engage in collective bargaining with the management and successfully negotiated a settlement that significantly increased wages and benefits and ended the strike. They also demanded the establishment of a trade union and the right to elect the union head, which they did not obtain: as usual, the Shenzhen federation of trade unions and the management jointly set up the trade union in a top-down manner.[28] Migrant workers are now keener to call the regime into question. As many now commonly say: 'What matters now is not that there is no law to rely on but that the law is not reliable, its implementation is not strict and infringements have no limits' (*Xianzai zhuyao de wenti shi you fa bu yi, zhifa bu yan, weifa bu qiong*).

Tackling the Core of the Problem: Adjusting the Balance of Power between Workers, Management and Local Authorities

As administrative adjustments increasingly appear unable to curb social instability, the idea that more autonomy and empowerment for society might be the only way out is slowly emerging. Whereas in the past, the Chinese government adopted a harsh approach towards labour protests, often detaining their leaders, it now somehow acknowledges the legitimacy of such actions. In 2005, the Minister of Public Security admitted that 'at the current stage, mass protests are essentially manifestations of social and economic tensions. They are not oppositional and do not have a clear political motive'.[29] A year later, Premier Wen Jiabao echoed him saying: 'There have been problems in some areas of the interests of the masses being harmed, to the point of mass protests occurring, and many are due to government bureaus and their employees not doing their jobs according to our laws and policies.'[30] These statements represent a huge victory for 'rightful resisters', one of their claims being to seek legitimacy for their action. They actually show how much small-scale, unorganised, apolitical yet reiterated protests can be successful in pushing back the limits of what is

permitted and in opening up the social space in an authoritarian regime. Within the scope of a few years, workers' collective actions have evolved from being forbidden and thus transgressive, to being tolerated and now nearly accepted and contained. At the same time, while alerting the public to the discord that exists between the centre and local governments, these statements also prompted them to take corrective steps.

At the local level, some union officials also see the official recognition of the right to strike as the only way to counterbalance the power of management. Not surprisingly, Shenzhen is leading the way. In April 2008, the Vice-chairman of the Shenzhen Federation of Trade Union called on the government to establish guidelines for strike action and thus enable the peaceful resolution of disputes.[31] The Standing Committee of the Municipal People's Congress responded to this call in June 2008 by issuing *Draft Regulation on the Growth and Development of Harmonious Labour Relations in Shenzhen Special Economic Zone*. The regulations stipulate that when a major dispute breaks out, the government can order management not to take any action that is liable to exacerbate the conflict for a period of 30 days. However, the regulations still fail to call a strike a strike (the taboo word has been replaced by terms such as 'work stoppage' and 'slowdown') and empower local authorities to order employees to return to work. Yet, by clarifying the rights and obligations of employers, workers and authorities, these regulations slowly bring strike action within the scope of legal regulation.

More importantly, the *Shenzhen's Implementing Regulations for the Trade Union Law*, enacted on August 1, 2008, theoretically put an end to the consultative Leninism model at the grassroots level by redefining the trade unions' mission and fostering workers' participation. They explicitly promote 'collective bargaining' (*jiti tanpan*) against 'collective consultation' (*jiti xieshang*), providing clear guidelines on how the process should work in both preventing and handling labour disputes, and thus formally grant workers the right to actively negotiate the terms and conditions of employment.[32] As observed by CLB,

> [the Regulations do] not contain a single reference to the traditional tasks outlined in the Trade Union Law, such as helping the enterprise to restore normal production in the event of a work stoppage or slowdown. Instead the regulations make it clear that during a labour dispute, the role of the trade union is to represent workers in negotiation with the management.[33]

While stating that trade unions represent workers and no one else, the regulations are the first but potentially decisive crack in the ideology of

a 'harmonious society'. At the enterprise level at least, they officially acknowledge the Party's failure in building up consensus and unity and the necessity for it to represent one segment of the society against another. Yet, trade unions still have a long way to go to regain workers' confidence and actually win their independence from management.

Conclusion

Migrants started to resort to collective actions when the Centre changed its policy toward them and acknowledged their right to have rights. Once the state gave them a legitimate place in the society, migrant workers gained the opportunity to legitimately claim it. Even though migrants' collective actions do not challenge the regime, as social movements would do, and remain circumscribed to corporate-based economic claims, they reveal that migrants now tend to consider themselves as fully fledged citizens, expecting more equality before the law as well as a more contractual relationship with the state. Meanwhile, migrants' growing distrust in the Party-state's capacity to act as the guardian of rights has led them to find alternative redresses outside its framework. However, despite regional variations in political orientation, NGOs hardly act as catalysts of social movement. Although they nurture migrants' rights awareness and contribute to building up their new social identity, they mainly focus on channelling migrants' resistance into an institutionalised framework by enhancing their ability to seek legal redress. Both migrants' collective actions and NGOs' mobilisation originate in the growing chasm between rights promised and rights enforced and appear as an attempt to compensate for institutional failings, filling the gap in the political system without opposing it. However, they have also been able to open up the social space and push back the limits of what is permitted while putting continuous pressure on the Party to adapt and better meet migrant workers' demands. As advocacy groups co-opted by the Party that try to bargain with the state on a cooperative rather than contentious basis, Beijing NGOs have directly contributed to the regime move toward a consultative Leninism. While preventing migrant workers' emergence as an autonomous group, they also have been effective in influencing policy-making processes and have contributed to integrating a social group that was previously excluded, yet within the framework of an increasingly sophisticated authoritarian regime. However, the Party's attempts to reflect and synthesise the whole spectrum of social interests and to set up more effective institutions relying on administrative adjustments have proven ineffective in building up a 'harmonious society'. In Shenzhen, where workers' protests have been escalating and NGOs

have been keener on fostering migrants' autonomy, recent measures seek to redress the huge power imbalance between workers, management and local authorities. These breakthrough measures might well be tactical adjustments to give more power to the society in the economic realm in order to thwart political demands. But they nonetheless are the first official disowning of consultative Leninism and may also be the first step toward the recognition that 'democracy has a superior capacity to adapt, reconcile, represent and respond to a plurality of emergent social forces and stresses' (Baum 2007: 13). At least, these measures reflect the capacity of 'rightful resistance' to slowly change power relations at the grassroots level.

Notes

1 An earlier version of this chapter was published in *China Perspectives*, 2005 (61): 30-49.
2 The First Document, issued annually in January, sets the political priorities for the coming year.
3 There had previously been some local attempts to enrol migrants in trade unions, but it was the first time that the ACFTU made it a national priority. See reports of the Fourteenth National Congress of Chinese Trade Unions (2003) http://14da.acftu.org.
4 For example, in 2003, the Sichuan provincial government trained 2.1 million migrants and announced that 10 million would be trained by 2005. Public funding for this programme in Sichuan amounted to 4 million yuan in 2003 and 71 million in 2004. Interview with Mr. Ma, leader of the West China Sichuan Relief Centre for Migrant Workers, May 2004.
5 'Guanzhu chengwei...' (2004:16). According to Liu Kaiming (2004), an independent researcher and head of the Shenzhen NGO Institute of Contemporary Observation, in 2003 migrants represented 57 per cent in the manufacturing sector, more than 80 per cent in the construction sector and 50 per cent in the service sector.
6 '500 mingong gongzi ren wei nadao shou' (500 migrants have still not received their salaries), *New Beijing News*, 30 December 2003; '500 mingong qianxin an zaoyu zhixin nan' (Sentence over 500 migrants back pay case hard to enforce), *New Beijing News*, 10 January 2004.
7 Interviews with workers conducted in Longgang township, Longdong district, from fall 2003 to fall 2004. In its report on migrant workers' living and working conditions, the General Office of the State Council also admitted that efforts to better protect migrants' rights were not conclusive. See Guowuyuan yanjiushi ketizu (2006).
8 New China Press Agency website reported that more than 34 million migrants joined trade unions a month after the announcement, see CLB (2005: 25).
9 Survey at Guojiaqiao Labour market, Chengdu, November 2004.
10 Interviews with Hai Yan Electronic Factory workers, Shenzhen, November 2004.
11 'Tamen weihe yao du lu tao shuofa' (Why do they have to block the road to seek an explanation?), *Nanfang dushi bao* (*Southern Metropolis News*), October 8, 2004.
12 See for example 'San qian yuangong yong feifa shouduan weiquan biaoming le shenme?' Three thousands workers and employees are using illegal means to protect their rights, what does it reveal? www.rednet.com.cn; 'Yue gongzi jin you 230 yuan,

weihe yizhi wu ren guan?' Why does nobody care that our monthly salary is only 230 yuan www.help-poverty.org.cn; 'Cong zuoxiu dao zaofan, shei zai jinbu?' From demonstration to rebellion, who is making progress?), http://comments.szonline.net.

13 Interview with Jane Liu, Assistant Executive Director of the Institute of Contemporary Observation, November 2004.

14 Interview with migrant workers in Shenzhen, December 2004.

15 For a listing of migrant workers' collective actions in Guangdong province during the years 2003-2004, see CLB (2005). For example, workers from Xing'ang shoe factory and Xingxiong shoe factory (a Xing'ang company subsidiary) in Dongguan demonstrated at two days interval in April 2004 against salaries cut off and for a salary rise, respectively, but did not unite their claims.

16 Interview with Xue Hong, a student at the Chinese University of Hong Kong who enrolled as a worker in Hai Yan factory to study migrants' conditions, March 2005.

17 These organisations are initiated by government staff, are supervised by their relevant state agencies and generally receive public funds.

18 See for example Susan V. Lawrence, 'NGO's clout in China viewed with fearful government eyes', *Far Eastern Economic Review*, 2 April 2003, Josephine Ma, 'Foreign subversives blamed for riots', *South China Morning Post*, 4 March 2004 and 'Hu Jintao lidu baofa yanse gemin' (Hu Jintao makes every effort to prevent a colour revolution', *Kaifang*, no.10, July 2005.

19 Interview, December 2004.

20 It would be interesting to draw a parallel between the way NGOs serving migrant workers substitute for the lack of rule of law and the way poverty alleviation NGOs and charity funds substitute for the construction of a welfare state.

21 See for example 'Gongmin daode jianshe shishi gangyao' (Guidelines for implementing civic morality), *www.ydjps.sc.cn*; 'Jiaqiang gaijin gongmin daode jianshe goujian shehuizhuyi hexie shehui' (Enhance and promote the construction of a civic morality to build-up a socialist harmonious society), *www.civilness.com*.

22 Interview, June 2005

23 Interview with this NGO's leader and other migrant volunteers, Shenzhen, December 2004.

24 *People's Daily* (Overseas Edition), March 23, 2005.

25 Wal-Mart was relying on the Trade Union Law, under which the establishment of unions has to be a voluntary act by employees, to dismiss the ACFTU pressures on the ground that no employee had expressed such a claim. Local union officials thus approached workers after-hours in Wal-Mart's Pujiang store in Quanzhou, Fujian province, and encouraged them to petition for the foundation of a union branch. It then supported workers' demand, claiming that a union branch was already set up, thus forcing Wal-Mart to abide on July 29 and to allow the foundation of union branches at all its superstores across China by October.

26 'Quanguo zonggonghui: 73,1 per cent waiye yi jianli gonghui', 14 March 2008. *www.gxnews.com.cn*

27 CLB, 'Wal-Mart unionisation drive ordered by Hu Jintao in March – A total of 17 unions branches now set up', 15 August 2006.

28 'Crane operators end strike at major southern Chinese port', *International Herald Tribune*, 9 April 2007 CLB, 'Are trade union and labour officials in Guyangdong beginning to take their responsibilities seriously?', 28 February 2008.

29 Chen Luhua, 'Quntixing shijian kaoyan Zhongguo, xu jian ruoshi qunti liyi suqiu tongdao' (Mass incidents test China: weak groups need an avenue to defend their interests), *Huanqiu* (Globe), 1 August 2005, quoted by CLB (2007: 8).

30 'Weirao daju tuchu zhongdian shenru tuijin zhengfu liangzheng jianshe -Wen Jiabao zai guowuyuan di si ci lianzheng gongzuo huiyi shang de jianhua' (Focusing on the

overall situation and deeply engaging in promoting the building of a clean government: Wen Jiabao's speech at the State Council's Fourth Working Conference on clean government), *Renmin ribao* (People's Daily), 28 February 2006, quoted by CLB (2007:8).

31 CLB, 'Shenzhen: leading the way', 7 September 2008.

32 CLB, 'New Shenzhen regulations offer hope for the future', 13 August 2008.

33 CLB, 'A turning point for China's trade union', 28 August 2009.

9 Grassroots Activism and Labour Electoral Politics under Chinese Rule, 1997-2008

Ming K. Chan

The past eleven years witnessed many twists and turns in Hong Kong labour politics after the British colony's 1997 retrocession to become the PRC's Hong Kong Special Administrative Region (HKSAR). As its colonial polity was transformed into a partially democratic self-governing SAR, 1997 yielded space for grassroots political participation. Since 1985, there have been eight rounds of Legislative Council (Legco) elections in three phases: first, the functional constituency indirect elections introduced in 1985; second, the directly elected geographical constituency seats added in 1991; and third, the HKSAR Legco elections in 1998, 2000, 2004 and 2008. This chapter will delineate unionists' input into legislative elections during 1997-2008 to amplify labour-electoral politics interactive dynamics with the class line as a crucial cleavage.

Dimensions of Labour Unionism and pre-1997 Political Activism

Hong Kong's labour movement had been closely linked to mainland China, as local workers' activism has been marked by anti-colonial outbursts since the 1840s. A century later, a partisan divide from China's Civil War polarised local labour unions – the pro-Beijing Hong Kong Federation of Trade Unions (FTU) vs. the pro-Taipei Hong Kong and Kowloon Trades Union Congress (TUC), both founded in 1948. The 1951 UN embargo against the PRC reoriented Hong Kong's economy from China trade to export manufacturing while China's 1949 regime change unleashed an influx of mainland Chinese to provide the manpower and skills for an economic take-off.

The left-right rivalry enabled the colonial regime and employers to play a 'divide and rule' game among unions. The TUC unions suffered from undersized membership while the FTU unions had a larger base. Leftist labour militancy stimulated by China's Cultural Revolution triggered the 1967 riots when anti-colonial sentiments transformed an industrial dispute into violence that disrupted daily life by pro-Beijing activists who killed several and injured dozens. With community support, the colonial regime responded with firm measures against the riots

that faded as Beijing did not wish to take over Hong Kong while the mainland was in turmoil. After the riots, the colonial state adopted reforms on public housing, compulsory education, welfare, health care and industrial legislations to mitigate inequalities and class tensions. These helped clip militant unionism. With the FTU in retreat, the TUC collaborated with the colonial regime that rewarded the moderate right by appointing an ex-TUC secretary to the Legco as the first unionist-legislator in 1976. The TUC representatives also sat on the Labour Advisory Board, which was boycotted by the FTU until 1982 (Chan 1986: 237-239).

The 1997 retrocession yielded a new politicisation of Hong Kong labour, from Chinese politics on Hong Kong soil to local politics by locals in elections. Also significant is the concurrent process of Hong Kong/mainland economic integration as China's post-1978 reforms shifted Hong Kong from an export-oriented industrial base to a China-market service hub. The relocation of local manufacturing into the Pearl River Delta and the influx of mainlanders/imported labourers impacted Hong Kong's labour market, wage level and social services over the past quarter century.

Political divisions and the proliferation of small size unions have characterised Hong Kong labour unionism. Besides the left-right divide, traditional guild mentality also caused fragmentation along narrow skills, trade, and locale demarcations. The local pattern of many small-scale work units forming the bulk of manufacturing employment hampered systematic unionisation, especially among the service sector unions that in 1984 included 148 civil servants unions (93,273 members) and 26 social service unions (80,709) (Levin & Chiu 2000: 151). Hong Kong then had 383 employees' unions with 351,820 members for a 15 per cent union density among a 2.54 million member workforce – not a sign of strong unionisation (GIS 1985: 106-109). Nearly half of union members were affiliated with either the FTU (73 unions/168,000 members, mostly industrial unions of textile, transport, utilities and construction hands) or the TUC (71/35,700, mostly craft unions in the restaurant and building trades) (GIS 1985: 109).

Since the mid-1980s, Hong Kong has experienced a steady expansion of labour unions in membership and density (Lethbridge & Ng 1993: 77-78). Of note were the partisan realignment and sectoral cleavages due to 1997 and economic changes. At the end of 1999, Hong Kong had 583 workers' unions with 674,433 members, a 21.45 per cent density among 3.53 million employed workers (Labour Dept. 2000: 51). Half of these unions were affiliated with one of the five labour federations: the FTU (130 unions/278,063 members), TUC (57/22,696), Hong Kong Confederation of Trade Unions (CTU, 47/983,379), Federation of Hong Kong and Kowloon Labour Unions (FLU, 44/28,946),

and Federation of Civil Service Unions (FCSU, 18 unions) (*Registry of Trade Unions* 2000). Such growth occurred amid a prolonged 1998-2003 recession which burst the stock-property markets' bubbles and drove unemployment to 8.7 per cent in mid-2003. By the end of 2007, the HKSAR had 731 unions with 686,371 members at a 21.09 per cent density, with 176 unions linked to the FTU (311,184 members), 30 TUC (19,264), 76 CTU (116,669) and 62 FLU (34,125) (*Registry of Trade Unions* 2008).

The 1984 Sino-British accord on Hong Kong's retrocession uplifted the FTU, whose more moderate stance on livelihood and community service with proactive recruitment have contributed to its expansion since the 1980s. In contrast, the TUC with an aging membership had been in decline. The Kuomintang regime's localisation in Taiwan and mainland detachment undermined the TUC, whose fate as a major labour force was sealed by 1997. The FTU's ascendancy has been countered by the rising third force of independent unions, mainly among public service, utilities and transportation white-grey collars, which propelled the CTU's rapid growth as its core. Established in 1990 with Hong Kong Christian Industrial Committee (CIC) director Lau Chin-shek as chair and Clothing Industry Workers General Union's Lee Cheuk-yan as executive director, the CTU initially drew 22 unions and 4 labour federations with nearly 100,000 members. By late 2007, it became a 76-union/116,669-member network (*Registry of Trade Unions* 2008). Neither FTU- nor TUC-linked, these CTU unions have been active in political and livelihood campaigns as supporters of pro-democracy parties/candidates. Thus, 1997 realigned local labour politics into a FTU vs. CTU reconfiguration over democracy and relations with Beijing as unionists became active political players, forming alliances with political parties in elections and legislative manoeuvres to promote labour interests.

The mainland's marketisation revived Hong Kong's China trade hub functions and triggered a tertiarisation process with a rapid service sector growth but a manufacturing decline since the 1980s. The public sector grew in the sunset colonial era's welfare and social service expansion – 218 civil service unions (254,021 members) and 65 social service unions (96540) in 1997 (Levin & Chiu 2000: 152). As deindustrialisation proceeded, Hong Kong industrial plants relocated north due to much lower land and labour costs, manufacturing employment sharply declined. In mid-2008, manufacturing absorbed 152,200 (less than 5 per cent vs. 1981's 41 per cent) of Hong Kong's 3.67 million work forces while trade services surged from 20 per cent of 1980's GDP to 2004's 40 per cent, to account for over 70 per cent of Hong Kong's external earnings (Tung 2005). Hong Kong has a growing crop of white-grey collar service workers, who are younger and better educated, more

assertive on labour rights and livelihood demands, and more electioneering active than traditional blue collars (Louie 1993: 35).

Labour Activism in the Colonial Sunset Era, 1984-1997

A breakthrough in Hong Kong's labour movement was the unprecedented labour politicisation that shifted from socio-economic to political unionism in the 1984-1997 transition. This was an unspectacular period for local industrial conflicts, as the numbers of work stoppages, workers involved, working days lost and other labour disputes all decreased, reflecting production closures that terminated employment relationships. The 1984 Sino-British accord triggered two processes – limited democratisation before 1997, and the 1985-1990 drafting of the HKSAR Basic Law – that polarised public opinions, divided political activists and resulted in serious PRC-Hong Kong-UK discord. In September 1985, Hong Kong's colonial regime conducted the first Legco elections, for 24 indirectly elected members. Among the twelve functional constituency seats, the two allotted to organised labour on a one-union-one-vote basis were split without contest between FTU vice-chair Tam Yiu-chung and TUC leader Peng Chun-hoi. The FTU (166,386 members) and the TUC (35,556), each with about 70 affiliated unions, were able to divide the field among the 391 unions (359,000) in 1985 (*Registry of Trade Unions* 1986). Both were re-elected without contest to second three-year terms in 1988. This corporatist electorate might have been caused by union proliferation since the mid-1980s (Ng & Ip 2000). A major third force organ, the Hong Kong Professional Teachers' Union, was the second largest union, with over 40,000 members. Its then chair, Szeto Wah, was elected to the Legco education functional seat and was re-elected without opposition in 1988 (Chan 1992: 18).

To gain electoral support, the FTU built an extensive branches network to penetrate into working class neighbourhoods to earn a social service bonus to compensate for its political deficits. Yet, such efforts did not earn it electoral success until after 1997 (Chan 1992: 17-18). The 1985-1988 Legco functional elections were not the main thrust of labour political mobilisation as unionists were engaged in the triple democratisation struggles – the 1987-1988 debates on Legco direct election, the 1985-1990 Basic Law controversies, and the June 4th, 1989, Tiananmen Incident protests.

In May 1987, the colonial regime conducted public consultation on further democratisation, with possible direct election of some Legco seats in 1988. But Beijing opposed this as undermining Hong Kong's 'stability and prosperity'. Spearheading the anti-direct elections forces, the FTU joined conservative businessmen to label early introduction of

direct elections as undermining confidence and prosperity. Claiming a lack of consensus, the colonial regime rejected the 1988 direct elections option.

In 1985, Beijing established a Basic Law Drafting Committee (BLDC) of 59 members (including 23 Hong Kongers, mainly business and professional elites with two unionists Tam and Szeto) and a Basic Law Consultative Committee (BLCC) of 180, including thirteen labour figures, to collect public opinion on the Basic Law drafts (Chan 1991). Most independent unions lobbied for a more democratic HKSAR polity with universal suffrage and the guarantee of union recognition, collective bargaining and social security rights. The FTU proposed a single-chamber HKSAR Legco (with 45 per cent of the seats to functional groups, 40 per cent by direct elections, and 15 per cent by an electoral college); but it soon ditched its own proposal to support an unpopular, Beijing-endorsed, bicameral model (Mushkat 1990: 3). In the Basic Law, promulgated in April 1990, the rights to strike and union participation are included, but union recognition and collective bargaining are not. As a BLCC/BLDC minority, unionists had little influence in the drafting, in which the FTU's legitimacy was compromised by its lopsided collaboration with conservative elites, without gaining substantial concessions in return.

The 1989 Tiananmen crisis further challenged the FTU's tight balancing act between grassroots interests and pro-Beijing loyalty. From the start, Hong Kong's pro-democratic activists, including many non-aligned unionists, embraced their mainland counterparts and became leaders of the local protest movement. They formed the Alliance in Support of the Patriotic Democratic Movement in China to link the many local pro-democratic bodies, civic groups and labour organs. Szeto Wah was elected chair, while Lau Chin-shek and Lee Cheuk-yan became executive committee members of the Alliance that was condemned as 'subversive' by Beijing (*FEER*, 3 August 1989). Not Alliance-linked, the FTU also criticised Beijing's crackdown as FTU chair Cheng Yiu-tong and vice-chair Tam Yiu-chung were at the forefront of the May protests.[1] Many FTU unions joined other unions to support the Beijing protesters. Yet, as Beijing reined in the Hong Kong leftists after June 4, the FTU fell in line, further deepening local labour's divide over democracy.

To compensate for its political liability, the FTU projected itself as labour's socio-economic champion and even allied with the TUC, as in the 1989 bus drivers' strike over pensions, and in opposing imported labour. Such left-right collaboration reflected a labour realignment with the independent unions posing an increasingly serious challenge to the left. The FTU operated in a 'scissors style' – the left and right against the middle and the left-right splitting of the two Legco labour

seats. To facilitate Beijing's united front to win the tycoons' support for 1997, the FTU practised 'industrial pacifism' by becoming more restrained in industrial disputes to toe Beijing's 'stability and prosperity' line during the 1990s. Unlike the CTU's aggressive livelihood struggles against big business and the colonial regime, the FTU, with a hidden political agenda in its socio-economic unionism, broke ranks with other unions on labour rights and community issues and avoided public protests.

Labour and the 1991/1995 Legislative Elections

The 1991 Legco elections triggered a major realignment of the 60 seats – 18 directly elected form nine double-seat geographic constituencies, senior official seats reduced from ten to three, appointed members dropped from twenty to eighteen, and functional constituency seats increased from fourteen to twenty-one. The last British-conducted Legco polls in 1995 included twenty directly elected, thirty functional and ten electoral college seats. These direct elections institutionalised grassroots political participation that was cemented by organised labour's links with the new political parties. In April 1990 the democratic camp's major party, the United Democrats of Hong Kong (UDHK), was formed with organised labour among its major pillars, beside professionals and academics, as six of its central committee's thirty members were unionists, including Szeto Wah and Lau Chin-shek. Other non-aligned unionists sat on the UDHK organising committee and were active in the 1987-88 direct election advocacy and the 1989 protests (Chan 1992: 26).

Both Peng Chun-hoi-TUC and Tam Yiu-chung-FTU were returned without contest to their labour seats in the September 1991 Legco indirect elections. The UDHK's Cheung Man-kwong, who succeeded Szeto Wah as Professional Teachers' Union head, won the education seat with nearly 90 per cent votes against the head of the leftist Hong Kong Federation of Education Workers. Another UDHK unionist Ho Man-ka took the health care functional seat (Chan 1993: 234). The first ever direct elections for Legco's geographic constituencies on 15 September 1991 yielded a democrats' landslide that took sixteen of the eighteen seats and 65 per cent of the popular votes from over 750,000 (39 per cent) of 1.9 million registered voters (Chan 1993: 235). The UDHK direct poll winners included two eminent unionists, Szeto Wah, and Lau Chin-shek, who defeated FTU vice-president Chan Yuen-han (Chan 1993: 235, 250). Chan's fate as the only FTU direct election contestants was shared by all leftist direct poll candidates. The 1991 elections confirmed local organised labour's political realignment, especially the independent unions' increasing significance, not just due to

their size (56 per cent of unionised workers among 469 unions/469,700 members) but also due to their leaders' UDHK link. They had yet to put their weight behind a single candidate with sufficient institutional support to dislodge the TUC's Peng from his labour seat occupied since 1985, despite the widening FTU (84 unions/176,100 members)-TUC disparity (69/30,600) (GIS 1992: 109). Predicated on 'patriotic' criteria rather than on a class line, the leftist unions placed political objectives above labour interests in a leftist labour-conservative/business collusion against the pro-democratic camp, hence the FTU's active support of both other leftist candidates and tycoon-sponsored contestants. The 1991-1995 Legco had a majority of pro-business and pro-Beijing appointed and functionally elected members.

Producing an all-elected chamber, the 17 September 1995 Legco polls were conducted under last British Governor Chris Patten's reform, which enlarged grassroots representation through indirect elections in which the 29 functional and ten election committee seats were filled more representatively against Beijing's preferred corporatist approach. The Sino-British discord focused on the nine new functional constituencies for which Patten enfranchised almost a million working persons as functional voters and made all elected District Board (DB) members Election Committee voters to elect ten Legco seats (So 1997: 61-68). With a 36 percent voter turnout, a record 920,000-plus voters voted in the twenty single-seat geographical constituency polls in which the democratic camp took 64 per cent of the popular votes and gained a total of 29 seats; the Democratic Party (DP, the UDHK-Meet Point merged new organ), 19 seats; and other democrats, 6 seats. The pro-Beijing circle suffered another setback in 1995. Allied with the FTU, the Democratic Alliance for Betterment of Hong Kong (DAB, a pro-Beijing middle and working class party formed in 1992) took only one-third of the popular votes and seven seats. The top three DAB leaders were all direct-elections losers. By moving from his labour seat held since 1985 to the direct poll, DAB vice-chair/FTU vice-president Tam Yiu-chung failed to re-enter the Legco. CTU's Lau Chin-shek won a directly elected seat on a DP ticket, while among the two FTU direct poll candidates Chan Yuen-han won (So 1997: 71-72; Kuan 1996).

In the functional polls, the CTU and the FTU each supported 6 candidates among the 35 candidates for the nine newly created functional seats, and both emphasised livelihood on their platforms (FEER, 20 April and 28 September 1995). Besides the two labour functional seats (one won by FTU president Cheng Yiu-tong to replace Tam, another by moderate FLU leader Lee Kai-ming who replaced Peng Chun-hoi), unionists gained four of the nine new functional seats returned by 'universal' polls of persons working in the specific fields. His advancing age and the TUC's sharp decline (64 unions/25,438 members vs.

FTU's 118/258,186) made Peng's Legco retirement inevitable (*Registry of Trade Unions* 2000: 71). Retaining the functional seats in education, health care, and social work, the DP took the new functional seats in primary production and business service. In total, nine unionists – four CTU, three FTU, one FLU, and one independent – were elected to the 60-seat Legco (Chow & Fosh 1999: 71).

While secondary to democracy and the attitude toward Beijing, employment and livelihood issues featured prominently in their 1995 platforms. Like 1991, political stance, not the class line socio-economic issues, formed the main cleavages between the democratic camp and the DAB-FTU in 1995 (Sun & Wong 1996: 181-186, 192). The DAB top three's defeat shocked the pro-Beijing camp. The DP and CTU had solid democratic credentials while their pro-welfare and anti-labour-import stances appealed to the grassroots and neutralised the DAB-FTU's livelihood stance with its June 4th stigma.

The 1991-1995 elections, especially for the directly elected seats, redressed the historical power imbalance between business and labour in the colonial legislature. More labour-related issues were brought into Legco discussion due to labour's stronger political clout. A pro-labour, grassroots 'issues majority' emerged in the 1995-1997 Legco, livelihood issues filled the Legco agenda, and private member's bills were passed to improve labour rights like union recognition and imported labour limits (Louie 1996: 59-62). The 1990s Legco direct elections institutionalised grassroots political participation and politicised labour issues, thus transforming the Legco into an arena for political unionism, class politics and labour interests debates (Ng 1999: 258-262).

Labour in HKSAR Electoral Politics, 1998-2000

The democratic camp's 1990s electoral success provoked a democratic regression by the pro-Beijing bloc-big business axis in the HKSAR. In early 1996 Beijing established a HKSAR Preparatory Committee and a 400-member Selection Committee to choose the first HKSAR Chief Executive with the FTU and the DAB (23 and 42 seats) providing a grassroots presence on this tycoon-dominated body (Pepper 2000: 429-435).

Beijing also set up a 'Provisional Legislative Council' (PLC) to replace the all-elected colonial Legco on 1 July 1997. To protest this unelected PLC, all democratic Legco members except Frederick Fung boycotted the PLC. Yet the FTU was allotted only four PLC seats and the DAB seven seats (So 1999: 231; FTU 1999:41). The business-dominated PLC endorsed the rollback of pro-labour legislation passed in June 1997 by the last colonial Legco. Besides endorsing the reintroduction of ap-

pointed District Boards and Urban/Regional Councils seats, the PLC adopted a proportional representation system for the HKSAR Legco 1998 election's twenty directly elected seats. For the 30 functional seats, the nine new constituencies were reallocated with corporate voting re-adopted for most seats, thus disenfranchising many functional voters, who numbered almost a million in 1995 but only just over 120,000 in 1998. Labour received a third functional seat, but labour functional voters were reduced from 1995's 2,001 to 1998's 361, with each union a corporate voter instead of union officials as voters. The Election Committee, formed by all elected DB members in 1995, was replaced by an 800 electorate of four socio-economic sectors (Baum 2000: 446-448).

Labour and the 1998 Legco Elections

The first HKSAR Legco elections on 24 May 1998 drew a record 1.5 million voters (53 per cent turnout). The democratic camp received 65 per cent of the direct poll votes, similar to 1991/1995, but took only fourteen directly elected seats (two less than 1995), five functional seats (three less than 1995) and none of the ten Election Committee seats (three less than 1995) (*HK Economic Daily*, 25 May 1998). Despite their reduced Legco presence to nineteen, the 1998 results vindicated the democrats' 'return to Legco' dual focus campaign – democracy and socio-economic justice for the middle/working classes amid a worsening economic crisis. They were critical of the HKSAR regime on socio-economic problems and democratic regression without direct criticism of Beijing in the altered political realities (Chan 2003).

The four direct poll seats gained by the new Frontier group – two of its winners, Lau Chin-shek and Lee Cheuk-yan were CTU leaders – reflected such bi-focal appeal with union links (Lo 1999a: 17, 23). The DP winners in nine direct poll and four functional seats included unionists Szeto Wah and Cheung Man-kwong. The new electoral system facilitated the pro-Beijing bloc's gain: the DAB's ten seats (five direct poll, three functional and two Election Committees) (*HK Economic Daily*, 26 May 1998). Its pro-Beijing negative image was partially compensated for by its strong livelihood platform. Reflecting labour concerns in a recession, all five labour leaders – Lau, Lee, Tam, Chan Yuen-han and Leung Yiu-chung – easily won direct polls. The FTU took two labour functional seats with the third occupied by FLU leader Lee Kai-ming in the first real labour-seats contest, as five unionists competed for three seats among 339 union votes (Lo 1999: 19). There were ten union-linked Legco members in 1998-2000: five FTU, three CTU, two DP/Professional Teachers' Association. FTU leaders Tam Yiu-chung and Chan Yuan-han were among the four DAB cadres in di-

rect poll seats. In mid-1997, Tam became the first unionist appointed to the Exco (FTU 1999: 43).

Analysis of the 1998 election issue voting patterns shows the impact of class and economic issues in voter preference. As most direct poll voters self-identified as lower class, over 70 per cent of the respondents regarded the economy (52 per cent) and the class issue (19 per cent) as key concerns (Wong 1999: 107-118, 124-127). Besides the planks on democracy and criticisms of the PLC and the HKSAR regime, the DP placed 'labour and employment' as its 4th ranked campaign item, followed by 'economic relief' and 'social security'. The DAB offered 'labour protection' as the 5th ranked plank, while the Frontier put 'employment' as its 8th priority (Lo 1999: 89-111).

The grassroots' demographic majority, the intensification of the class cleavage and the politicisation of labour issues became increasingly crucial in post-1997 contests. The democratic camp soon became embroiled in internal discord over class and socio-economic policies. Lee Check-yan's introduction of a minimum wage bill into the Legco in April 1999 lit the fuse that blew open the DP's division over its class identity and support base to intensify its Young Turks vs. mainstream leadership debate on street protests vs. parliamentary manoeuvres (*HKEJ*, 17 April 1999; *Sing Tao*, 20 September 1999; *Yazhou Zhoukan*, 20 September-2 October 1999; Ma 2000b). The DP split deepened in May 1999 over Lau Chin-shek's dual DP-Frontier affiliation while the DP accepted Lau's two (CIC/CTU) labour hats. Lau left the DP in mid-2000 on the refusal to end his Frontier ties. Supported by young Turks [0], Lau had toyed with the formation of a 'labour party', an idea not favoured by Lee Chuek-yan and other CTU cadres (*Sing Tao*, 16 June 2000).[2]

Labour and the 2000 Legco Elections

The 10 September 2000 Legco elections did not alter the partisan alignment but yielded keen labour politics signs. The 43.57 per cent turnout for the 24 direct poll seats was almost 10 per cent lower than in 1998. Still the largest party with twelve Legco seats, the DP's popular vote share declined from 1998's 42.9 per cent to 34.7 per cent. Despite vice-chair Gary Cheng's conflict of interests scandal, the DAB gained 29.7 per cent of the popular votes (25 per cent in 1998) with eleven seats – seven directly elected, three functional, and one election committee seat (*Ming Pao*, 11-13 September 2000). After losing the late-2000 by-election to fill Cheng's void (who resigned under pressure), the DAB commanded only ten seats.

Public concern for livelihood issues helped the grassroots/labour-linked candidates. All five labour leaders who won in 1998 easily re-

tained their direct poll seats. Three of the FTU winners were DAB-FTU joint candidates, two in direct elected seats and another in a labour functional seat, while a FTU cadre took a second labour seat and a FLU unionist took the third labour seat (*SCMP*, 12 September 2000). Four democratic direct poll winners had labour credentials: Szeto Wah, Lau Chin-shek, Lee Cheuk-yan and Leung Yiu–chung. The DP's Cheung Man-kwong retained his education seat vs. a pro-Beijing rival. ADPL's Frederick Fung, a 1998 loser due to his PLC tint, returned to the Legco (*Ming Pao*, 11 September 2000). While labour components in the new Legco remain unchanged, the popular vote distribution reflected a partisan realignment – 61.9 per cent democratic camp, 30.6 per cent pro-Beijing and 6.6 per cent conservative.[3] With the leftists keeping their 1998 support level, the DAB brought other pro-Beijing candidates from the FTU and the pro-business Hong Kong Progressive Alliance (HKPA) under its banner in the direct polls. The democrats' failure to gain any of the four new direct poll seats was alarming as their discord over socio-economic policies undermined grassroots support (*Ming Pao*, 12 September 2000). The DAB-FTU's gain despite the Gary Cheng scandal revealed their mobilisation capacity through local branch networks.[4]

The democratic camp's Legco presence stood at twenty seats after the December 10 by-election in which democrats supported independent barrister Audrey Eu to defeat the DAB candidate and four independents (*Yazhou Zhoukan*, 18-24 December 2000). To mobilise the 'patriotic' labour votes, the FTU stationed top leaders around polling stations at major working class public housing estates on by-election day.[5] Yet the DAB-FTU's impressive campaign resources could not prevent this democratic landslide (*Bauhinia Magazine*, January 2001: 13). Eu's professionalism was a key asset, reinforced by input from DP/CTU/Frontier leaders who galvanised middle and working class voters for Eu. This by-election win was a rare successful cooperation in the fractured democratic camp, still a minority in the 2000-2004 Legco against the pro-Beijing loyalists' 24 seats and the conservative-moderates' sixteen seats (*HKEJ*, 12 September 2000).

Labour in Mass Mobilisations and Electoral Contests, 2003-2004

The Article 23 Debacle and Direct Elections Advocacy[6]

At the start of his second term in July 2002, Chief Executive C.H. Tung introduced a new political appointee system and inducted the LP, DAB and FTU chairs into the Exco to form a 'ruling coalition'. Tung soon began a daunting task – enactment of a national security law against treason, subversion and sedition, and for official secrecy protec-

tion as stipulated by the Basic Law's Article 23. The autumn 2002 public consultation of the draft bill, with its proposed illiberal provisions impairing civic rights and freedoms, soon triggered heated debates and fierce protests that drew global media attention.

This controversy was sidelined during March-June 2003 while the HKSAR was engulfed in a 'severe acute respiratory syndrome' (SARS) epidemic that originated from Guangdong. Besides a death toll of 299, this public health crisis caused panic and inflicted heavy economic losses in Hong Kong. Forfeiting the popular relief after Hong Kong was delisted as an infested area on 23 June 2003, Tung's decision to enact the bill by a 9 July deadline provoked the largest protest in Hong Kong history against a local government. A mass rally of 500,000 on 1 July 2003 was fuelled both by stern opposition to the bill's contents and the regime's unyielding stance as well as by Tung's flawed policies, regime blunders and dismal leadership in an economic recession. Responding to the protesters' demands – his resignation and greater democracy – Tung conceded on the bill's most criticised provisions. After the Liberal Party chair's 7 July Exco resignation, Tung deferred enactment to avoid certain defeat and accepted the resignation of the security and financial secretaries. He eventually shelved the bill in September 2003.

To restore Hong Kong's political stability amid demands for Tung's resignation, Beijing professed strong support for the Tung regime, lest the HKSAR 'people power' set a dangerous example for the mainland populace. Beijing opted to uplift Hong Kong from its malaise of social discontent and economic pains with relief measures like the Closer Economic Partnership Arrangement (CEPA), individual mainlander tourism to Hong Kong, HKSAR banks' Renminbi service and the building of a Hong Kong-Zhuhai-Macao Bridge. The 2003 'people power' tidal wave was a watershed in HKSAR politics, and Tung's debacle delegitimised the DAB-FTU bloc for their insistence on the unpopular bill's enactment by 9 July. The anti-Tung regime victory galvanised support for the democrats and propelled to the forefront the Civil Human Rights Front, founded in September 2002 as a pan-democratic coalition of 48 women, labour, grassroots, social, religious, academic and minorities groups to oppose the bill. The Front has since been a vocal force in the campaign for 2007-2008 direct elections over Beijing's objection, and its spokesman, Richard Tsoi, was CTU chief Lau Chin-shek's legislative assistant.

These reenergised pro-democratic activists soon mounted an aggressive campaign against the patriotic bloc in the 23 November 2003 District Councils elections, when a record one million (44 per cent) voters yielded a democratic camp victory, taking 161 of the 326 contested seats. The DP won 93 seats (86 in 1999) among its 120 candidates.

The pro-Beijing DAB suffered its worst defeat, gaining only 62 seats (83 in 1999) among its 204 candidates, and party chair Yok-sing Tsang soon resigned. While organised labour networks on both sides played vital roles in the November 2003 electioneering, it was the high-profiled direct involvement of many middle-class organs and professional leaders that reshaped the HKSAR electoral and party politics. Building upon their November 2003 triumph, some 100,000 joined in the 1 January 2004 rally for faster democratisation – direct election of the Chief Executive in 2007 and of the entire Legco in 2008. Alarmed by such a people power upsurge, Beijing intervened to counter the calls for 2007-2008 universal franchise. On 6 April 2004, in a major departure from Beijing's self-restraint on local autonomy, the National People's Congress Standing Committee (NPCSC) issued an interpretation of the Basic Law provisions on electoral changes that abrogated to Beijing the power to approve any HKSAR electoral reform, which could only be initiated by the Chief Executive according to 'actual need' and 'gradual and orderly progress' for 'balanced participation' by all local sectors, classes and circles. Hence, Beijing ruled out HKSAR direct elections in 2007-2008 and fixed the same half (directly elected) and half (functional) ratio among the seats in the 2008 Legco elections.

Labour and the 2004 Legco Elections

The third HKSAR Legco included an equal number (30) of directly elected geographical and indirectly elected functional seats. Despite the NPC's April veto of direct 2007-2008 elections, the democrats' 2004 Legco campaign still focused on democratisation. From the sentiments of the 200,000-strong 1 July 2004 march against Beijing's verdict and Tung's lacklustre performance, many had predicted a democratic victory in the September 2004 elections. However, the HKSAR populace responded favourably to Beijing's mid-2004 conciliatory gestures for a democratic camp/Beijing dialogue. While Lau Chin-shek embraced détente with Beijing, hardcore democrats (such as Sezto Wah) remained sceptical[7], leading to an internal split on relations with Beijing over democracy. The mid-2004 electoral campaign unfolded amid an economic rebound partly engineered by Beijing's up-lifting measures. The PRC athletes' impressive gains in the August 2004 Athens Olympics and the 50 Chinese Gold Medallists' visit to Hong Kong right before polling induced among HKSAR voters a strong nationalistic pride that was beneficial to pro-Beijing candidates.

The 12 September 2004 legislative election results sent a host of mixed signals (*Apple Daily*, HKEJ & Ming Pao, 14-15 September 2004). Out of 3.2 million registered voters 1.78 million (55.6 per cent turnout) cast their ballots for 30 directly elected seats. The fragmented demo-

cratic camp captured only 25 seats (18 direct poll seats with 61.8 per cent vote share and 7 functional seats). The DP retained only nine seats. A new pro-democratic force was the Article 45 Concern Group, whose four candidates, all barristers, easily won with middle-class support. The pro-Beijing parties got a 25.7 per cent vote share, and the pro-business circle received 11.5 per cent. The DAB with thirteen seats became the Legco's largest party. The pro-business LP was second with ten seats, including two direct poll seats for its chair and vice-chair. Such results vindicated Beijing's softer tactics since mid-2004, while its beneficial measures did uplift both Hong Kong's economy and public mood. In the 2004-2008 Legco, besides the DAB, LP, and FTU (each has an Exco member), the HKSAR regime also enlisted several independents to form a pro-regime majority on political issues; but on socio-economic policies with divergent class interests, a 'loyalist' majority could not be assured. The 2004 poll results revealed patterns of political malaise that continued to plague the labour movement.

1. Most labour legislators, like Lau Chin-shek (19 per cent), Chan Yuan-han (18 per cent), Lee Cheuk-yan (10 per cent) and Leung Yiu-chung (13 per cent vs. Tam Yiu-chung's 25 per cent in the same constituency), suffered a popular vote share decline.
2. First-time candidates with strong middle-class appeal did well in the direct polls – Albert Cheng and Leung Kwok-hung as well as barristers Alan Leung and Ronny Tong of Article 45. Direct poll winners LP chair Michael Tien and vice-chair Selina Chow, both ex-functional seaters, were helped by their anti-Article 23 stance.
3. Lau Chin-shek's vote share decline was partly due to his political 'repositioning' for a dialogue with Beijing in June 2004 that provoked condemnations from some democrats. This forced Lau to contest the 2004 polls as an independent. The CTU was also hurt by Lau's mid-2005 support of Donald Tsang as replacement Chief Executive.[8]
4. Two FTU-DAB joint-list candidates, unionist Chan Yuan-han and businessman Chan Kam-lum had to run on separate lists after failing to coordinate campaign strategies. This FTU vs. DAB split stemmed from their increasingly divergent class identities and socio-economic stances as the DAB tried to gain middle class votes (Lo et al. 2005).
5. The democrats' setback stemmed from strategy errors and inter-party coordination failures. Except for Lee Cheuk-yan and Leung Yiu-chung, most democratic contestants did not prioritise grass-roots economic concerns but over-emphasised political demands. Media limelight on scandals overshadowed livelihood issues in an election run on personalities and ideological labels. Most platforms

aimed to attract middle-class voters whose role in the 2003 protests obscured crucial working-class inputs.

6. Ex-FTU Legco incumbent Chan Kwok-keung's defeat as an independent for a labour seat revealed internal tensions of the FTU that fielded new functional candidates in 2004.

Labour and the 2008 Legco Contests

The sudden C. H. Tung to Donald Tsang leadership change engineered by Beijing in March 2005 validated the protests against Tung's flawed governance. HKSAR chief secretary and ex-colonial civil servant Donald Tsang won an unopposed contest in June 2005 as the replacement Chief Executive for Tung's remaining two years. On the momentum of an economic recovery since 2004, Tsang was initially blessed with falling unemployment (3.2 per cent in mid-2008, a 10-year low), high GDP growth and wage increase for many workers. Yet, inflation surged to 6.3 per cent in July 2008.

Despite the economic uplift, the state-society front was punctuated by grassroots and middle class protests against questionable regime decisions. The number of strikes in the mid-2000s remained very low, but there were over 1,000 labour disputes per year, mainly involving wage/benefits payment defaults (Labour Department 2000-08). The 2007-2008 industrial relations scene was rocked by collection actions to redress the uneven distribution of gains from the post-2003 rebound. A 36-day strike by construction site steel-bar benders who gained a 15 per cent wage hike in mid-2007 (*Ming Pao*, 14 September 2007), and four short strikes of transport workers employed by beverage-food suppliers in July 2008 (that yielded 4.5-8 per cent wage increases) crested labour actions to recover salary/benefits lost in the recession (Chinaworker.info 2008). The effective coordination of anti-globalisation protests at the late 2005 WTO summit in Hong Kong by the CTU's People Alliance on WTO testified to labour activism on a grand scale.[9]

The Tsang regime's failure to pass its modest, Beijing-endorsed 2007-2008 electoral reform with a required two-thirds Legco majority on 21 December 2005 revealed the limits to Beijing's 'economic benefits to defuse political demands' strategy and led to Tsang's reorientation toward socio-economic issues. On bread and butter concerns, the pro-Beijing unions had room to collaborate with the independent unions while they continued to disagree on political matters. After the 2004 Legco defeat of a minimum wage bill, Tsang in mid-2005 promised to reconsider the issue. Yet, Tsang fell short in his October 2006 Policy Address that instead of setting a mandatory minimum

wage for all workers introduced a 'Wage Protection Movement' (WPM) for cleaners and security guards to be supported voluntarily by employers/contractors (Tsang 2006: 12). Citing opposition from the Labour Advisory Board's employer representatives, Tsang adopted a softer approach to please the business chambers and employers' organs whose support he needed in his 2007 Chief Executive re-election. Tsang's WPM proposal provoked strong criticisms from the unionists. Under pro-Beijing pressure, Chan Yuan-han and her FTU Legco peers accepted the regime's compromise to review the WPM after two years before taking the legislative option[10] (*Ming Pao*, 27 October 2006). Organised labour also joined business bodies in opposing a goods and services tax (GST), as proposed in a July 2006 consultative paper. Facing stern opposition from all social classes, this GST proposal was soon shelved. To lift Hong Kong from the webs of 'deep-rooted conflicts and internal problems' (as Premier Wen Jiabo said) has remained a challenging task.[11]

With Beijing's blessing and business support Donald Tsang in March 2007 won a Chief Executive second term for five years in a lopsided election by defeating pro-democratic challenger Civic Party legislator Alan Leong with over 80 per cent of the 800-member Election Committee votes. But Tsang was unable to suppress the popular demands for the 2012 direct election of the Chief Executive and the entire Legco. Once again, Beijing stepped in to defuse the democratisation crisis. On 29 December 2007, the NPCSC set a timetable for the direct election of the Chief Executive in 2017 and for the entire Legco by 2020. This breakthrough decision pre-empted the democrats' signature battle cry for faster democratisation in the 2008 Legco electoral campaign.

Of the HKSAR's 3.37 million registered voters, only 1.515 million (45.2 per cent) cast their vote on 7 September 2008 for the directly elected Legco seats. This low turnout (vs. 2004's 1.784 million votes/55.64 per cent) was commonly attributed to the lack of big issues facing the voters. Rather a mixed bag of secondary livelihood concerns filled the campaign platforms of a record number of 142 candidates on 53 tickets contesting the 30 direct poll seats. Despite the low turnout and retirement of political superstars, the predicted pan-democratic rout did not materialise, but yielded surprising results of profound significance (*HKEJ*, *Ming Pao*, *Apple Daily* and *Oriental Daily*, 8-9 September 2008).

Faring much better than expected, the democrats captured 23 of the 60 Legco seats (19 direct poll and 4 functional seats), down from a previous 26 seats (with Anson Chan's late 2007 by-election win) but still over the 21 seats threshold to veto future electoral reforms. The democratic camp received 899,223 direct poll votes/59.34 per cent, slightly

lower than 2004's 61.8 per cent with a loss of 0.17 million votes. Specifically, the DP with 8 seats (7 direct poll and 1 functional), 1 less than 2004, remained the democrats' flagship party even though its vote share declined to 20.63 per cent with 321,692 votes, some 0.15 million fewer than 2004. The middle-class-based Civic Party retained 5 seats (all winners were lawyers, 4 direct poll and 1 legal-functional), 1 fewer than 2004 with 2070,000 votes (13.66 per cent). The radical, diehard democratic upstart LSD took 3 direct poll seats with 153,390 votes (10.1 per cent). The two pro-democratic labour/grassroots organs both retained their sole Legco seat in the NT-West direct polls, the Neighbourhood and Workers Service Centre (NWSC)'s Leung Yiu-chung got 42,441 votes while CTU's Lee Cheuk-yan gained 42,211 votes (both 2.8 percent). The grassroots, public housing-based ADPL's Frederick Fung was re-elected with 42,2111 votes in Kowloon-West, and an ADPL member heading the Social Workers' General Union won the social welfare functional seat. The Frontier's Emily Lau was re-elected in NT-East and the Civic Act-Up's Cyd Ho revenged her 2004 defeat by winning in Hong Kong Island.

The pro-Beijing DAB with 13 seats remains the Legco's largest party. On its own the DAB gained 10 seats with 311,436 votes, and it claimed another three FTU seats (1 labour-functional and 2 direct poll) whose winners are DAB members but ran on FTU tickets, yielding the DAB-FTU a combined 397,747 votes (26.21 per cent). The conservative pro-business LP received only 78,633 votes (5.19 per cent) with all its four direct poll contestants defeated. The blow was especially severe as the LP lost its only two directly elected seats held by party chair James Tien and vice-chair Selina Chow. Both soon relinquished their party leadership posts, and Chow also resigned from the Exco. Its total Legco lineup now stands at 3, after losing the tourism functional seat, the resignation of Lau Wang-fat (a Legco veteran who took unopposed the Hueng Yee Kuk – New Territories affairs consultative body – seat instead of his 2004-08 District Councils seat) and of three other functional seat winners from the LP. With other pro-Beijing but non-party affiliated candidates' 102,518 votes (6.76 per cent), the pro-establishment camp collected a total of 603,544 votes at a 39.82 per cent share. The non-partisan candidates took in a combined 43,848 votes (2.89 per cent). As a whole, the previous pattern of direct polls vote share ratio of 6 (democrats): 3 (pro-Beijing): 1 (business and independent) seems to remain despite 2008's low turnout and the LP debacle. Viewing from the class line and labour issues perspectives, several pertinent points emerge.

The Class Line and LP Debacle

The LP's direct poll rout must not be over-stretched to indicate a pervasive anti-business sentiment among most HKSAR voters (*Ming Pao*, 17 September 2008). Rather, a combination of factors sealed the LP direct poll candidates' fate. Its grossly inadequate local network with poor community service limited its voter mobilisation capacity, a defect that the small (300 members) Civic Party also shares. LP leaders James Tien and Selina Chow's 2004 gain of two direct poll seats partly resulted from their July 2003 defection that doomed the Article 23 enactment. By 2008 their anti-Article 23 halo had faded, while two previous major sources (pro-regime ally DAB and the rural votes under erstwhile LP legislator Lau Wong-fat) of local support in NT-East/-West for Tien, and Chow did not deliver the votes this time. Recent public uproars against 'official-business collusion' (over a retired housing official's conflict of interest employment by a property giant) tarnished the LP's public image.

Some business leaders criticised the LP's narrow base and pro-tycoon bias that failed to represent other business interests and its 'out of touch' stance on issues like minimum wage that enjoyed business support (*Ming Pao*, 23 September 2008). Calling the LP defeat a local politics 'earthquake', one academic attributed this to its being pro-regime and pro-big business when the Tsang regime's public approval plummeted after recent political scandals while big business's popular esteem also suffered in official-tycoon collusion scandals and over opposition to fair competition and minimum wage laws (Michael DeGolyer, *Hong Kong Journal*, Winter 2008). Another scholar called for the founding of a new party more fully representative of business interests to contest future direct elections (S.H. Lo, *HK Economic Times*, 12 September 2008).

The LSD's impressive debut – 3 direct poll seats gained by its 5 slates, one in each geographical constituency – was not solely due to its strong grassroots appeal but also to middle-class voters' dissatisfaction with Tsang's performance. A novice among its three winners, LSD chair Raymond Wong, a popular media commentator/regime critic, collected many votes from middle-class residents in up-market high-rise blocks (*Ming Pao*, 11 September 2008). The middle-class-identified Civic Party's gain (207,000 votes/13.66 per cent) is considerably higher than the combined total (127,017 votes/8.39 per cent) of the democrats' three grassroots organs (NWSC, CTU and ADPL each got over 42,000 votes/2.8 per cent). The DP's 312,692 votes/20.63 per cent came from middle-class voters with some grassroots input. The same applies to the two small pro-democratic organs with only one slate each who both won – Emily Lau and Cyd Ho.

In the pro-regime camp, the DAB has moved up the social ladder to cater more to middle-class interests, especially after its 2005 merger with the HKPA of pro-Beijing business/professional elites. The FTU fielded only two direct poll slates both headed by a FTU veteran who won with a total of 86,331 votes, 7,678 higher than the LP's 78,633 votes but below the DAB's 311,416 votes. Such patterns indicate that political bodies identify mainly with the grassroots remaining minor partners in their own camp. While the LP is now totally (3) functional seats based, the FTU's four legislators are half in direct poll and half in unopposed labour-functional seats. Like DAB chair Tam Yiu-chung who is concurrently a FTU vice-president, three of these FTU legislators are also DAB members, thus cementing the DAB's multi-class base (of 10,000 plus members) through interlocking leadership and overlapping membership with the FTU as the largest pro-Beijing organ (311,184 members in 2007). The middle-class or mixed-class parties still outshine the smaller grassroots organs in elections, even though the largest parties are courting middle- and working-class voters with multi-class platforms.

Labour Issues on Campaign Platforms

The democrats' unexpectedly strong performance confirms their still considerable popular appeal as champions of socio-economic justice, advocates for middle/working-class livelihood and as vigorous watchdogs safeguarding civic liberty and the rule of law. The DAB can claim a similar mandate in the first two, but as a pro-regime party, it can hardly meet public expectations of a vigilant regime critic. There were hidden class tensions on bread and butter issues in both camps, especially among democratic direct poll contestants who did not coordinate platforms, allocate votes or campaign zones on any systematic basis. A content review of their campaign platforms will reveal their differences on socio-economic issues besides a shared commitment to fuller and earlier universal franchise direct elections.

For instance, the Civic Party has built much of its appeal on its four direct poll winners' professional integrity as barristers. Besides a common democracy stance, the platforms of all Civic Party contestants, those of most DP candidates and other pan-democratic runners showed a similar concern for improving grassroots livelihood with anti-poverty measures, increased welfare and stronger labour protection provisions. Often criticised as elitist aloof from the masses, the Civic Party candidates' clear support for enacting minimum wage and maximum hour laws and for criminalising wage payment defaults by employers can be viewed as an attempt to broaden its voter base by reach-

ing out to the grassroots and as a manifestation of their crusade for socio-economic justice.

Unlike the Civic Party candidates' common stance on universal minimum wage law, some DP candidates' platforms also endorsed such a law but would limit it to only cleaners and guards (like solicitor Andrew To re-elected in Kowloon-West). Still, no reference to the minimum wage appeared on the platforms of some DP candidates like DP chair Albert Ho, a solicitor re-elected in NT-West, and Nelson Wong, a social worker who won in NT-East after his 2004 defeat. Ho's omission of labour issues might stem from a deliberate avoidance of clashing with CTU's Lee Cheuk-yan, whose platform headlined the minimum wage/maximum work hour law. Lee was re-elected in a tight race of 14 lists competing for 8 seats that included three other labour leaders who were all re-elected – fellow democrat Leung Yiu-chung of the NWSC, and two pro-Beijing unionist, FTU vice-president Tam Yiu-chung (running as DAB chair to win big enough for the re-election of rural leader Chueng Hok-ming ranked second on his list), and FTU veteran/DAB member Wong Kwong-hing who traded his labour-functional seat for a direct poll seat on a FTU list that focused on labour issues with the minimum wage/maximum hour law a priority. The Tam-Cheung platform prioritised official minimum wage measures as a top issue besides 'anti-inflation' and 'economic growth'.

Democratic Legco veteran, LSD's Albert Chan, who supported minimum wage/maximum hour laws won in NT-West, in which LP vice-chair and Exco councilor Selina Chow lost her re-election. Running against an array of strongly pro-grassroots platforms, Chow's pro-business platform paled by comparison and got even fewer votes than Civic Party loser Fernando Cheung, who switched from his social work functional seat to contest a NT-West seat on a platform calling for a fairer and more compassionate community without explicit reference to labour issues. A defeated ADPL ticket ran on a platform that listed a minimum wage/maximum hour law after anti-inflation. Three defeated independents in NT-West ran on platforms that did not mention any labour issues.

As a whole, the minimum wage and maximum work hour issue was featured in 8 slates (30 candidates) out of the 14 slates (42 candidates) contesting in NT-West. Those with a labour issues plank collectively received 307,630 votes/77.4 per cent of the constituency's total of 398,292 votes cast. Among the 8 winners only Albert Ho on one of the three DP slates did not explicitly refer to any labour issue on his platform 'for progress and justice'. This was in sharp contrast to the DP's two other NT-West slates headed, respectively, by winner Lee Wing-tat and loser Cheung Yin-tung whose platforms supported the minimum wage. Perhaps as DP chair, Ho was mindful of the 1999 minimum

wage debate that split the DP ranks and hence chose to highlight community service and local issues for a combined middle-class and grassroots appeal. A survey of the platforms in the other four constituencies reveals a similar pattern indicating the prevalence of livelihood issues among voters in the absence of key political issues.

Labour in Post-election Legco Politics

Labour presence in the 2008-2012 Legco should include three white collar and middle-class unionists in functional seats – education's Cheung Man-kwong, social welfare's Cheung Chu-kwok and medicine's Leung Kia-lau, ex-head of a Hospital Authority physicians' union supporting a minimum wage and collective bargaining rights. With the labour-functional seats' three legislators (two FTU and one FLU) plus the FTU's two Mr. Wongs (Kwong-kin and Kwong-hing) in directly elected seats, CTU's Lee Cheuk-yan, NWSC's Leung Yiu-chung, and DAB chair Tam Yiu-chang (in his FTU hat), unionists now claim ten Legco seats. Yet two veterans, ex-CTU chair Lau Chin-shek and FTU vice president Chan Yuan-han, both failed to be re-elected, yet their exit was not unexpected due to intra-camp politics. With the DP, DAB and ADPL's basically sympathetic stance, the new Legco now has a *de facto* 38-seat pro-grassroots socio-economic issues coalition with a centre-left tilt on public policies.

Soon after the election, LSD chair Raymond Wong called for the formation of a 'Pan-Livelihood Alliance' with three other democratic Legco grassroots advocates (Lee Cheuk-yan, Leung Yiu-chung and Frederick Fung) not affiliated to any major political parties (*Ming Pao*, 11 September 2008). As in the LP's defeat and the dominance of rice bowl and labour issues in most winning platforms, Donald Tsang's 15 October 2008 Policy Speech has confirmed the new livelihood concerns (*Ming Pao*, 16 September 2008).

Now unionists are pushing the minimum wage issue as a test case to counter the HKSAR regime's pro-business tilt. An earlier bill proposed by Chan Yuan-han failed to pass in late 2004 due to the pro-business and pro-middle-class legislators' joint opposition. But the lack of success of the Tsang regime's voluntary 'Wage Protection Movement' (two years after its October 2006 debut, it was subscribed by only 1114 firms covering 30,000 cleaners and guards) led to Tsang's October 2008 decision to legislate on a minimum wage (*Ming Pao*, 16 October 2008). The proposed minimum wage law will be universal in covering all workers, and the question remains the appropriate minimum wage standard. As a majority of legislators support this law, many in the business circles are keen to keep the standard wage low (at HK$22 per hour vs. the unionists' HK$33). Tsang must balance the competing sec-

toral claims, exchanging the law's universal coverage (to satisfy organised labour) for a fairly low minimum wage (to appease business interests). The enactment process might take more than a year into 2010 and in view of the global financial crisis' impact, few can predict the economic situation by then.[12]

HKSAR Labour Activism since 1997

The 1997-2008 record of strikes, labour disputes, mass protests and electoral campaigns yields glimpses into the unfolding dynamics in HKSAR labour activism.[13] The great socio-economic urgency and overriding political concerns vis-à-vis Beijing constituted the two major forces reshaping Hong Kong labour politics in the early HKSAR years (Ming Chan 2008). The once optimistic assumption of uninterrupted growth was shattered soon after the 1997 handover as the HKSAR slid into a prolonged recession with negative GDP growth, record unemployment, and budget deficits that necessitated wage cuts. With a 60-month deflation, business bankruptcies and negative equity for property owners, economic recovery came painfully slow and late.[14] Rebound began in 2004, and most economic indicators did not return to the 1997 level until 2007.

This economic crisis deprived the local populace of their self-confidence with any assurance of economic security, upward mobility and livelihood advancement. This new economic vulnerability was complicated by the deepening economic dependency on mainland China. A common fear among local workers is the rapid rise of other mainland economic hubs that would marginalise Hong Kong's functional superiority and its near-monopoly in China-global economic links. An economically humbled HKSAR's mainland dependency is clouded by competition with other Chinese cities. Such darkened prospects were also echoed by a widening wealth-poverty gap between the haves and have-nots in Hong Kong society. As many middle-class elements were reduced to negative-equity homeowners while the working class endured wage cuts and unemployment, and the disadvantaged suffered severe reductions in welfare benefits due to budget deficits. Yet, the top economic echelon grew by leaps and bounds. This growing inequality and the rapid debasement accelerated class tensions and social instability.

The post-1997 workers' marginalisation and middle-class proletarianisation were accelerated by large-scale deindustrialisation amid Hong Kong's economic restructuring that shifted the bulk of local productivity from labour-intensive manufacturing to higher-skill services. This has created serious employment problems for the non-skilled la-

bourers, many of them recent mainland immigrants, adding to an alarming trend of an expanding aging population with an inadequately skilled workforce. Many middle-aged, middle-class people face the prospect of unemployment once they lose their jobs, and those who get training do not get the proper positions due to job/retraining programme mismatch. All these problems, when combined with the regime's 'neo-liberalisation' approach to privatise public facilities/community services, could mean limited regime capacity with less penetrative governance. The myriad problems on the HKSAR social front due to prolonged economic pains and regime incapacity yielded new space, opportunity and need for expanded direct engagements by civil society activists and other non-regime players in a rising tide of civic activism through collective actions or political manoeuvres.

The rapid politicisation of the labour movement since the 1980s, while lamented by scholars and unionists, has amplified the fragmentation of Hong Kong's labour scene along ideological divides in the post-colonial era (Ng 1999; Ng & Ip 2000; FTU 1999: 36-39). Armed with massive membership and buttressed by labour 'stars' electioneering appeal, the rival union networks have since the 1990s assumed the political functions of the constituency organisation and electoral mobilisation. The politicisation of organised labour and the intensification of labour militancy over rice bowl issues have characterised the local labour scene. While loyal to Beijing on political matters, leftist unionists often return to their class line over socio-economic concerns. The FTU's promotion of labour welfare and its stance against tax hikes in the 2004-2005 HKSAR deficit budgets reflected its awareness of the grassroots' concerns as a bona-fide local labour, instead of a Beijing-led political organ. While the independent unions remain the democrats' major grassroots electoral pillar, the TUC's fadeout yields a more fluid centre vs. left balance, as HKSAR politics evolve around new state-society dynamics.

Amid the middle-class's new political input, the local labour front is still fragmented along a blue-grey vs. white collar divide and polarised by the CTU vs. FTU demarcation, as each competes for support externally but also battles intra-camp allies over class identities and social constituencies. The DAB-HKPA merger signalled a new middle-class power organ at the expense of the DAB's FTU grassroots links. The Article 45 Concern Group's four Legco barristers became the Civic Party in March 2006 with new recruits among academics and professionals. This might signal a new middle-class power vs. grassroots concerns within the democratic camp, but the 2008 Legco poll results refuted such a simple dichotomy as the LSD's gain confirmed livelihood concerns tied to democracy and demands for regime accountability. The

DP's 2008 rebound validated its mixed middle/working-class appeals with community service catering to voters' needs.

The seemingly competing dynamics of political vs. socio-economic unionism need to be rearticulated. In the post-2003 economy recovery, HKSAR unionists have re-established socio-economic unionism as the bedrock to advance workers' interests through electoral/legislative manoeuvres, and the looming economic downturn by late 2008 (as October unemployment rose to 3.5 per cent) could reinforce this trend. As such, cross-party and inter-union collaboration on bread and butter issues and social justice struggles is imperative for the entire labour front to arrest grassroots marginalisation under the HKSAR plutocracy. Long-term unemployment and dislocation stemming from economic restructuring will ensure the emergence of emphasis on poverty and livelihood in policy debates, with an increasingly sharp class differential. The revival of social unionism could pave the way for a democratic camp and a pro-Beijing grassroots class coalition on livelihood concerns transcending political divides. A stable democratic-patriotic camp populist 'rice bowl coalition' would be of decisive significance as it might command a Legco majority to reshape HKSAR legislative politics.

As the HKSAR polity evolves toward Beijing-promised universal franchise by 2017-2020, labour input into party politics and electioneering over labour issues will likely intensify. In a troubled economy with a widening wealth-poverty gap, labour politics would reflect the deepening of class cleavages in electoral politics. A fragmented labour movement tied to a pluralistic political arena could be a natural outcome for the 'electoral politicisation of labour' and 'labourisation of legislative politics' twin processes in twenty-first century HKSAR. Local politics might unfold along the twin axes of partisan divisions on political matters and class interest coalition on socio-economic issues. The troubled economic prospects ahead due to the US financial crisis and global recession could re-ignite tensions and escalate conflicts on the domestic front. These could yield space for a much needed strategic repositioning of the political parties in both camps to cast themselves as effective advocates for middle-class and grassroots interests versus a pro-business regime to gain momentum in future political maneuvers.

Notes

1 The author joined FTU leader Tam Yiu-chung in the 21 May 1989 march and observed at close range. Tam and FTU chair Cheng Yiu-tong at the forefront of the 28 May 1989 protest which drew a million.

2 Private meetings with CTU leaders Lau Chin-shek and Lee Cheuk-yan in Hong Kong, 1-2 May 1999, 3 and 17 November 1999; and conversation with CTU secretary-general Elizabeth Tang, 29 June 2000.
3 Figures provided by Dr. Suzanne Pepper, in her 26 October 2000 private letter to the author.
4 Private meetings with Mr. Tam Yiu-chung in Hong Kong, 3 November 1999 and 15 November 2000.
5 The author visited the major Hong Kong Island labour-grassroots area polling stations on election day.
6 This entire section is based on Ming K. Chan & Shiu-hing Lo, *Historical Dictionary of the Hong Kong SAR and the Macao SAR* (Lanham, MD: Scarecrow Press, 2006), pp. 16-17, 47-49, 74-75.
7 Private conversation with DP veteran Szeto Wah in Hong Kong, 16 October, 2004.
8 See note 7 above.
9 Meeting with CTU's Ms. Elizabeth Tang in Hong Kong, 9 March 2006.
10 Telephone conservation with CTU's Ms. Elizabeth Tang, 23 October 2006.
11 *Ming Pao*, December 29, 2005. Wen said this to Tsang a day earlier on his first duty visit to Beijing.
12 Telephone interview with Ms. Cherry Tse, HKSAR Commissioner of Labour, 24 September 2008.
13 See Labour Department Annual Reports, 1997-2007.
14 Ming Chan and Sonny Lo (2006), especially pp. 60-68, 86-87, 111-113, 200, 214-222.

10 Hong Kong's Trade Unions as an Evolving Social Organisation and Their Prospects for the Future

Sek Hong Ng & Olivia Ip

Workers come together in trade unions largely for the purpose of acting in concert to protect and advance their pay, job security and other occupational interests in the workplace. Such an 'industrial consciousness' about common job interests shared by the employees is hence often narrow in scope, being localised and economical and sectional in nature. It is sustained by a shared perception of conflicting interests vis-à-vis the employer or management. However, trade unions often also subscribe to a philosophy or spirit of association that is ideological or quasi-ideological – betraying, characteristically, a vision of their social mission and yearning for the realisation of 'working class' solidarity with other unions (Flanders 1969). As such, a labour movement can be recognised, in addition to its industrial agenda of seeking better payment and employment conditions directly from the employers, by its political orientation and philosophy and, in turn, its participation in political activities. In other words, it is not unusual for trade unions to behave politically, in spite of their supposedly intrinsic character as the employees' representative organisations or agencies to defend and better the latter's occupational interests.

This chapter attempts to look at the changing posture of trade unions in Hong Kong as this society went through a hectic pace of transition during the last two and a half decades. During this period, Hong Kong was ushered through a dualistic experience almost unique and hardly paralleled by its counterparts in Eastern Asia. The first was its 'de-colonisation' process, compressed within a horizon of a 13-year span prescribed by the Sino-British Joint Declaration of 1985, which mandated the reversion of Hong Kong back to China in 1997. The second were China's landmark 'post-socialist' reforms to evolve into an economy of 'market socialism', a process for which Hong Kong has been both a conduit as well as a beneficiary.

As a sequel to the above experiences, there has been a considerable amount of fluidity in Hong Kong's society arising not only from the increased mobility of labour and capital but also the creation of new institutions and re-structuring of existing ones. An example of these institutional changes is the trade union system. Organised labour had been fading for almost three decades in post-war Hong Kong. How-

ever, the momentous impetus of the political transition before the 1997 'dateline', plus the re-structuring of Hong Kong's economy and industry because of the new 'paradigm' created by China's marketisation reforms have precipitated far-reaching changes in the structure, power base, strategy and policies among Hong Kong's labour unions and their movement.

In this context, Hong Kong trade unions and labour organisations are penetrating the neighbourhood community, outside the conventional 'industrial jurisdiction' of these workers' combinations. Such propensities are manifested in the electoral activities that are performed with growing density by Hong Kong's trade unions as *de facto* 'labour parties' at the grassroots level in various districts and local communities.

Therefore, a thesis to canvass and explore here is the postulation that Hong Kong's organised labour is becoming a kind of 'third sector organisation'. Such a notion has been adopted by writers like Giddens (1998, 2000) to describe those emerging agencies and institutions, located outside the public and private sectors, for social leverage against deprivations of the under-privileged and excluded from the 'mainstream' in modern societies.

The outline of the chapter is as follows: first, we will sketch the post-war development of Hong Kong's labour unions through the 1980s as the background. Then we move on to a discussion of the developments of the labour movement in the transition period towards the 1997 dateline, highlighting the challenges and limitations faced. This is followed by an exploration into the future prospects of Hong Kong's trade unions, drawing on the 'Third Way' theory put forward by Giddens (1998, 2000).

Historical Background: A Longitudinal Profile of Post-War Unionism in Hong Kong

In retrospect, it has been suggested that Hong Kong's labour unions have evolved largely from a background which fashioned their character as, by and large, a pervasively 'political' movement of the working class. Political and ideological aspirations of organised labour in Hong Kong were essentially a 'spill-over' from the vanguard militancy of the 'revolutionary' worker-cum-student movement in pre-war China. Labour unions in Hong Kong owe to such a pre-war background their historical image as collectivities enmeshed in Chinese politics. They were concerned accordingly more with ideological rhetoric, fraternal mutual benefits and acting as the quasi mass organs for the rival Nationalist and Communist parties after their formal split as China's gov-

erning elite in 1926. The rupturing of the relationship between the left and right wings of the Chinese labour movement followed, coinciding with the collapse of the 'landmark' Hong Kong-Canton General Strike and Boycott in the same year (Ng 1985: 419).

A Political Impasse of Ideological Split: 1950s to Mid-1970s

A pervasive theme of its 'politicisation' persisted within the Hong Kong labour movement after the Second World War. In the wake of the resumed civil war in mainland China and its liberation in 1949, the Hong Kong union movement was politically divided into polarised blocs between the pro-China and pro-Taiwan sectors. This dualism in the labour movement consolidated when the two politically opposite trade union centres, the left-wing Hong Kong Federation of Trade Unions (FTU) – then known as the Hong Kong and Kowloon Federation of Trade Unions – and the right-wing Hong Kong and Kowloon Trades Union Council (TUC) were both created in the same 'watershed' year of 1949. Ironically, both adversaries, the TUC and the FTU, all opted to register as non-union 'friendly societies' under the Societies Ordinance. They did not challenge the restrictive provision in the newly introduced Trade Union Registration Ordinance of 1948 which, technically, prevented them from registration as official trade union centres.[1]

During the 1950s and 1960s, this vanguard labour movement retreated visibly to an industrially non-militant stance.[2] Behaving more as industrially based 'friendly societies' or craft-based fraternities, most of these labour unions, as either FTU or TUC affiliates, 'delivered the much needed mutual aid benefits and other supplementary provisions to their veteran members constantly threatened by the insecurities of unemployment and low pay' (Lethbridge & Ng 1995: 76).

Such a union strategy was probably rational during this period when refugees flooded the Hong Kong labour market. Given the paucity of social wages (like public housing, medical care, schooling and social security public assistance) available from a government of much less sophistication than today, many of the socially dislocated and marginalised refugee workers on causal hire in transient jobs had to look to private associations, like the unions or clan associations and other voluntary charity agencies, for income supplements, dormitories, clinics, education classes and other welfare benefits.

Another feature of the labour movement in this period was the proliferation of unions emerging along lines of politico-ideological cleavages. It was a commonplace picture of dualistic unionism, featuring the FTU (and its affiliates) and its right-wing rival, the TUC (and its affiliates), in almost every one of the major industries, occupations and trades which they organised. This polarisation occasionally extended to

the workplace level as rival union branches in the large-scale enterprises like the transport, power and other public utility corporations. Given such an impasse of inter-union contest for enlisting membership and organisational influence along the 'left-right' political divide, it was clear that the relative resourcefulness of these worker fraternities became an integral aspect of their emulative and competitive strategy. In this connection, the union's mutual aid and benefit provisions were instrumental in cementing the loyalty and ideological commitment of the rank-and-file members. Hong Kong's unions functioned, as consistent with the model of socialist unionism which places priority upon the party-labour movement link, like a transmission belt in fostering the political organisation of the labouring mass (Lethbridge & Ng 1995: 76).

At the same time, Hong Kong as a labour-surplus economy was striving to industrialise and restructure itself into a manufacturing base from its pre-war entrepôt commercial background. Hong Kong and its labour market were hardly conducive, at least in terms of a working-class consciousness (a consciousness antagonistic to capital and foreigners, as was conspicuous behind the militant waves of workers' solidarity of the 1920s), to the brewing of any recalcitrant labour unrest and agitation. When the manual labour market was flooded with refugees, these arrivals were understandably politically neurotic and averted any overt expression of collective action against the authority and employers.

When Hong Kong moved from the 1970s into the 1980s, the labour movement was also purged of its initial 'radical' character inherited from its pre-war activism in the 1920s. Politically obsessed with the left wing-right wing rivalry, organised labour was emasculated as an industrial combination and became an inarticulate veteran movement. Its voice was hardly audible in public policy formulation, especially given the FTU bloc's boycott of participating in any officially appointed consultative organs. The FTU's policy of staying away from any membership of government-sponsored boards and committees, touched off by the 1967 civil upheavals, persisted doctrinally until the late 1970s. The boycott was rescinded by the FTU following the 'opening up' of China to the outside world. Symptomatic of an ageing and passivity syndrome afflicting the labour movement, the level of unionisation subsided to a historical ebb of less than 16 per cent of the salaried and waged labour force in the territory in the mid-1980s (Lethbridge & Ng 1995: 78).

A 'New Deal' of De-politicisation: Mid-1970s to Mid-1980s

However, the politically dichotomised 'mainstream' labour movement began to emerge from the doldrums of its industrial inactivity and fee-

bleness of the 1970s by starting its creeping renewal process of reforms and modernisation. Reforms were ushered in when the movement was afflicted increasingly by the unions' internal problem of organisational stagnation (England & Rear 1975; Turner et al. 1981), as well as the challenges stemming from a younger, more inquisitive and better educated labour force – let alone the crystallisation of competition poised by an articulate fringe of non-union labour pressure groups spearheaded by a Christian group, the Christian Industrial Committee. Also compounding this arena of organised labour was the rise of an alternative 'white-collar' union movement. The latter was based locally upon the civil service and epitomised a non-political (or at least, politically neutral) image of concentrating its involvement in pay, pay differentials, conditions of service and collective bargaining with the government as a bureaucratic employer over sectional grade-specific interests. At the same time, these labour unions were also eclipsed by the 'usurping' effects of a reformist programme of labour legislation pursued by an increasingly technocratic civil administration which sought to decolonise its image and role, both local and externally. This coincided with a period of enlightened governorship beginning with Sir Murray Maclehose. He steered and ushered Hong Kong along the path of modernisation and industrial advancement into an affluent and civil society which witnesses today, *inter alia*, the upgrading and safeguarding of the working life standards of the labouring mass.

The modernisation of China since the early 1980s has also induced and inspired these veteran unions to rescind gradually their former obsession with ideological rhetoric and embark, instead, upon a renewal strategy to pragmatise and depoliticise their union programmes. These union initiatives to innovate began to emerge around the mid-1970s and to crystallise in the mid-1980s, and are documented briefly as follows.

As Service Organisations

Of benchmarking importance on the unions' renewal agenda have been their moves to modernise the provision of membership benefits, recasting their nature from the supply of philanthropic wage supplements to those which would appeal better to the average wage-earner as both a privatised affluent consumer and a receptive young worker yearning for after-work education and association activities. In this connection, the FTU and its large affiliates, which were relatively resourceful in providing space within their premises, emerged as one of the best known agencies organising the private equivalents to the university fixtures of extra-mural educational activities. Concomitantly, many of the bigger labour unions, whether affiliated to the FTU, TUC or 'in-

dependent' bodies such as the civil service staff unions, have stepped up their co-operative enterprises by providing their members with retail outlets dealing in a variety of popular merchandise items at concessionary prices, often extended to include catering and travel agency services, and even credit card facilities. Other popular services/amenities addressing membership's leisure pastime activities covered, *inter alia*, sponsoring recreational activities, sports and outings, as well as organising, as mentioned above, extra-mural programmes or a variety of adult education and vocational skill training. In this connection, it has been commonplace for the leading trade union centres to institute each worker education centre as an annex to the union administrative bureaucracy.

As Workers' Representative Organ

The second measure widely adopted by the unions for attracting and consolidating the membership has been their conspicuous assumption of a more vocal spokesperson's role in representing the occupational interests of the workers whom they organise. At the micro level of the enterprise or industry, there were a number of attempts by different unions to regularise their dialogue with individual employers, corporate or otherwise, in establishing or re-establishing mutual links of union recognition for collective bargaining (Turner, Fosh & Ng 1991: 82-84; Lethbridge & Ng 1995:86). This was paralleled by an ascending propensity of the unions to intervene in employees' trade disputes and work stoppages – partly as a resource to support the workers in dispute and partly in a conciliatory posture to reconcile their differences with employers.

In addition, the labour unions have also become one of the most vocal and audible pressure groups in society articulating the 'grassroots' interests of the labouring masses. Where pluralistic sectional interests proliferate and prevail in Hong Kong, such a quasi 'transmission-belt' role would probably be strategic in a modern non-authoritarian society in order to help a basically appointed colonial administration to keep monitoring the pulse of the social beneficiaries' (i.e. the grass-roots citizens) expectations and needs in public policy formulation. Following the uplift of its freeze on dialogue with the Hong Kong government in the late 1970s, the FTU and its affiliates, as well as other unions outside the FTU ambit, became involved in an increasing number of government-appointed or officially sponsored consultative bodies – such as the Labour Advisory Board, the Vocational Training Council, the Industrial and Occupational Safety Council and, more recently, the Employee Retraining Board. Besides acting in such a rudimentary 'ministerial' role, the modernised unions were less restrained in recourse to street-

corner social actions in protest against alleged acts of social injustice. Hence, by way of petitioning, public assembly, demonstration, or staging industrial actions, these unions have on various occasions presented a salient pressure on the government over controversial labour policy decisions (such as on labour importation and other official actions of labour market intervention) and lobbied for favourable legislative motions in order to protect and advance the workers' cause (Lethbridge & Ng 1995: 77).

Paradoxically, what has emerged from these unions' policy readjustments and organisational restructuring in the early and mid-1980s was a syndrome of a dualistic process of 'depoliticisation' and 'politicisation' in the labour unions' public posture and activities. Against the background shifts in the political economy of China, as well as the uncertainties looming over Hong Kong's future political status after 1997, Hong Kong's unions have visibly depoliticised since the mid-1980s by engaging themselves less and less in ideological polemics over the mainland-Taiwan tussle. However, they have in parallel become more and more enmeshed in the internal public administration and domestic politics of the territory. Compounding such a shifting terrain of unions' retreat-cum-advances in the political arena, a salient impetus was given by the democratic reforms sponsored by the government since the beginning of the 1980s – initiated partly to erect an institution of representative government and partly to position the territory for its political transition towards 1997. 'As a by-product of these electoral reforms, trade unions were provided with an avenue and enhanced access to political power, being enshrined in the "estate of the realm" when designated as members of one of the earliest functional constituencies' (Lethbridge & Ng 1995: 77). Unions in Hong Kong were reshaped to assume a new mission which has persisted until today.

Labour Unions as the Beneficiary of the Political Transition for the 1997 Dateline

The electoral reforms sponsored by the government, while enhancing the public image and political influence of organised labour, have unwittingly precipitated and provoked a second and renewed 'wave' of political contests and tussles, splitting again the labour movement and emasculating its 'solidarity'. This time, the movement drifted back to a fragmented state of multi-unionism, now centred upon the polarised stance between the veteran pro-China FTU, and the newly constituted, yet popular, third trade union centre allied (yet void of a formal partnership) to the Democratic Party, the Hong Kong Confederation of

Trade Unions (CTU). Conditioned by the political impasse in which the territory was trapped before the handover and hastily encouraged by the Hong Kong government in a 'zealous' endeavour to democratise drastically the administrative and legislative institutions in Hong Kong[3], the local union movement seemed to have behaved in such a staggering way as to waive increasingly its intrinsic 'core' character as the representative body of organising and articulating workers' industrial interests. Instead, it now becomes trapped in the impasse of a highly politicised tussle between the FTU and CTU, as these two union centres, in this second 'wave' of politicisation, evolved into a pair of embattled adversaries and contestants for i) political influence in the legislature, and ii) leadership as the standard-bearer of the working-class interests of the labouring masses.

Ironically, the contradiction arising from the escalation to a new 'estate of realm' in the political domain of the labour unions, thanks to their newly gained electoral-based popular power, has been the eclipse of the labour movement as a *bonafide* industrial organisation representing the genuine occupational interests of the working class. 'What claims precedence on the union's platform ceases to be the commitment to "deliver the goods" wanted by their membership, but instead becomes the question of how best to appeal to the votes...' (Ng 1986: 284)

An analogy can be drawn, at least implicitly, between the British situation a century ago and the Hong Kong picture today. In the former case, 'an awareness of the incompatibility between industrial and political goals helps to explain the decision of the British Trades Union Congress to sponsor, around the turn of the century, the creation of a separate Labour Party' (Ng 1986: 285). Now in the Hong Kong context, it has become apparent as well that many of these trade union politicians, as novice members of the governing elite, are increasingly withdrawn from the normal labour union affairs, which the thesis of 'union integration' suggests, whether from the Marxist (Hyman 1971: 11-14) or non-Marxist perspective (Galbraith 1972: Chapter 23 & 24).

The Tussle between Trade Union Centres: The Political Impasse of the 1950s Re-created?

A corollary to the hastened elevation of these vanguard labour unions and their leaders into the rank of Hong Kong's new echelon of the governing '*nouveau riche*' has been the stalemate sustained by the increased hostilities between the FTU and its new adversary, the CTU. The latter has been a purportedly 'independent' body yet appearing essentially as a democratic, anti-China and, curiously, a quasi-socialist (anti-capital) grassroots organisation of the labouring masses. On the

periphery of these two contesting trade union centres in the labour movement existed a pluralistic fringe of lesser union federal bodies like i) the pro-Taiwan TUC, which has withdrawn from the political arena largely because of its failure to find an effective role in the post-1997 environment, and ii) the (nominally) neutral union groupings such as the Federation of Hong Kong and Kowloon Labour Unions (FLU) and the federal-like civil service general unions – the biggest of which is the Chinese Civil Servants Association (the union with the largest membership in Hong Kong). See Table 10.1. A number of key personalities in their leadership have successfully enshrined themselves as political activists, with a sizable cohort of them being co-opted into the establishment as elected members of the law-making Legislative Council.

On this contested terrain, both the FTU and the CTU have been evidently, up to the present, the 'core' contenders for leadership and domination in the mainstream labour movement and the exercise of the movement's political influence on the governance of Hong Kong. The CTU's agenda is even more ambitious – not only to serve as the stan-

Table 10.1 *Declared Membership of Major (Employee) Trade Union Centres in Hong Kong, 1997, 2000, 2003, and 2006*

Major trade union centres	*No. trade unions (%)*				*Declared membership (%)*			
	1997	*2000*	*2003*	*2006*	*1997*	*2000*	*2003*	*2006*
Affiliated to FTU	118 (21.93)	136 (22.90)	149 (23.14)	174 (24.3)	260118 (40.15)	286904 (42.61)	289741 (43.34)	292671 (43.81)
Affiliated to TUC	61 (11.34)	55 (9.26)	40 (6.21)	33 (4.6)	26575 (4.10)	19520 (2.90)	18385 (2.75)	19622 (2.94)
Affiliated to CTU	40 (7.43)	47 (7.91)	57 (8.85)	73 (10.2)	91245 (14.08)	100115 (14.87)	114137 (17.07)	117137 (17.53)
Affiliated to FLU	38 (7.06)	45 (7.58)	51 (7.92)	57 (8.0)	22468 (3.47)	28530 (4.24)	29818 (4.46)	32258 (4.83)
Others	288 (53.53)	316 (53.2)	352 (54.66)	384 (53.7)	254505 (39.28)	243397 (36.15)	221814 (33.18)	212651 (31.83)
Total	538 (100)	594 (100)	644 (100)	715 (100)	647908 (100)	673375 (100)	668532 (100)	668034 (100)

Source: Annual Statistical Report, Registry of Trade Unions, Labour Department, Hong Kong SAR Government, various issues.

Notes: (1) CTU, Hong Kong Confederation of Trade Unions; FLU, Federation of Hong Kong and Kowloon Labour Unions; FTU, Hong Kong Federation of Trade Unions; TUC, Hong Kong and Kowloon Trades Union Council.

(2) According to the records of the Registry of Trade Unions, some employee unions were affiliated to more than one trade union centre between the years of 1997-2006.

dard bearer of the alternative movement to the FTU 'orthodoxy' but also to usher upon the legislative infrastructure a number of hastily assembled pro-labour legislative motions (like the 1997 law providing for collective bargaining and consultation rights to trade unions at enterprises, which was later repealed by the newly incumbent SAR government). These were parts of a professed endeavour by the CTU to erect a 'pro-active' institutional system of 'rule by law' within Hong Kong. Besides, the CTU has also been keen to nurture and consolidate a web of international hedging with friendly overseas organisations in an attempt apparently to pre-empt any possible threats of excessive intervention and coercive control by the PRC on trade union freedom and rights of association in Hong Kong after 1997.

Virtually, what has emerged from the CTU's inflated political power as a sequel to the heavy dosage of government-sponsored democratic reforms before 1997 is a re-creation of the post-1949 syndrome of ideological confrontation and internal split within the Hong Kong labour movement.[4] This time it is the FTU and the CTU (in place of the TUC) which have been openly and unyieldingly engaged in a mutually emulative and 'cut-throat' campaign against each other in eliciting popular votes from the labouring grassroots in successive episodes of political elections.

The implications are at least two-fold for the labour movement. First, these two key union centres have never collaborated closely with each other on any co-ordinated or harmonised programme of organised labour's activities but, instead, contested vigorously with each other on parochial issues which would appear to appeal best to the voters' nominal industrial interests and preferences.[5] A patent example has been the controversy centred upon labour importation in the 1990s. Understandably, given its close association with the PRC, the FTU was locked in an embarrassing situation over this issue during the early and mid-1990s. It was confronted with the political imperative of having to deny the admission of its mainland compatriots to work in Hong Kong as migrant labour, due to the hostile local mood of the labouring masses against the guest workers for depriving them of their job opportunities during a lean period of high unemployment. To censure labour importation from the north was clearly a perturbing source of policy contradiction for the FTU. The dilemma helps explain the FTU's reluctant militancy and lukewarm opposition to such a measure of labour market de-regulation at the beginning. Second, the two sides of industry, the labour unions and the employers and their associations have drifted into open hostilities on the debate of whether to continue or limit and even halt the large-scale importation of guest workers from the mainland and elsewhere. The rupturing of labour-management dialogue in the mid-1990s at the central level of public policy

consultation was apparently triggered off by this issue – trivial in nature given the relatively small size of the population of imported workers involved (25,000 under the General Labour Importation Scheme). The 'divide' between organised labour and management on this issue became so wide on the eve of the 1997 handover that their mutual antagonism seriously impeded the efficacy of the tripartite Labour Advisory Board.

The emasculated Labour Advisory Board has been further weakened by the usurping acts of a number of vanguard politicians elected to the legislature under the trade unions' sponsorship. Having now ascended to the echelon of political representatives in the Legislative Council, these trade union leaders-cum-Legislative Councillors zealously guarded their newly acquired legislative prerogative against the low-key yet workable mechanism of tripartite labour policy consultation and formulation. Such tripartism has hitherto centred at the level of the Labour Advisory Board where compromise and consensus have been, as a normative practice, jointly negotiated with prudence between representatives of the two sides of industry. As a sequel, the tradition of a steady labour legislation programme for bettering workers' protection and employment standards, established in the early 1970s under the governorship of Maclehose, has been ruptured because of the aggrandising acts of the more ambitious, newly elected union representatives in the Legislative Council. Anxious to push forward a well-intentional yet ill-coordinated number of 'progressive' labour legislations, they coerced a weak government to usher in, often in a premature and bizarre fashion, a series of pro-labour private members' bills to the Hong Kong legislature in anticipation of the handover. And the Labour Advisory Board was often by-passed for consultation. Such activism of these 'democratic' unions led to the glutting of the labour arena with a voluminous and fragmented mix of new and amended enactments and alienated the bulk of the local small and medium-sized enterprises, forcing them to canvass the option of cross-border relocation away from Hong Kong. It appears that the proliferation of fragmented pieces of new labour law has unwittingly added to the territory's unemployment agony, by inflating production costs and inducing Hong Kong factories to migrate to mainland China where costs were much lower.

Limitations of the Trade Unions as Industrial Organisations

In spite of their political ascendancy since the mid-1980s, there has been lack of any noticeable advance of the unions in improving their workplace status. Trade unions have remained feeble in penetrating the workplace by any structured shop steward arrangements. And this feebleness has been attested by the persisting failure of their workplace

organisations to make any progress in negotiating for voluntary union recognition for collective bargaining by the 'lead' private corporate employers (Turner, Fosh & Ng 1991:80-83, 100-102; Ng 1995: 214-215). Concomitantly, sporadic incidents of union militancy have appeared but invariably collapsed, as illustrated vividly by the 'landmark' industrial episode which led to the disintegration of the famous air stewardess strike waged against Cathay Pacific Airways in 1993. Union feebleness to levy defensive industrial action was also echoed, about a decade later, by other examples of organised labour's collective acquiescence, as witnessed by the mass layoffs by Hong Kong Telecom (later taken over by and re-titled as Pacific Century Cyberworks Ltd, PCCW) and its subsequent 'down-sizing' exercises, later emulated in other leading cases of corporate re-organisation in the public utility and banking industries. These industrial crises notwithstanding, such qualms about job security have not touched off any militant acts of union protests and labour agitation.

De-industrialisation and Prospects for the Future

The industrial feebleness and docility of Hong Kong unions as documented earlier are explicable to a large extent by the de-industrialisation-cum-recommercialisation process which this society experienced during the last two and half decades as it evolved as a post-industrial economy.

De-industrialisation: this attrition process occurred due to the migration of factories away from Hong Kong in the 1990s. Paradoxically, this took place because of mainland China's industrial take-off. The PRC, in its reform euphoria since the mid-1980s, has liberalised admission of foreign and overseas investment, provided a lucrative outlet for Hong Kong capital with an expanded market, a supply of capital, and production goods. Hence it has afforded this city economy with a low-cost 'hinterland' (of cheap land and labour) to which the latter's manufacturing activities could be decanted and relocated. The migration *en masse* of Hong Kong-based factories across the border, pushed away by escalating production costs (of land and labour prices), led to a dramatic 'withering away' of Hong Kong's manufacturing sector. De-industrialisation has also drastically curtailed the size of Hong Kong's industrial employment, causing a sizable group of middle-aged and redundant blue-collar workers to live away from their workplaces.

Concomitantly, Hong Kong has evolved to enshrine itself as a leading business and financial centre of East Asia. Vested with an efficient infrastructural system of transportation, telecommunications, and banking services, plus a stable government and convertible currency re-

gime, Hong Kong has been recycled swiftly back to its commercial role as an entrepôt, especially as the gateway to China. It used to serve for China in this capacity before the Korean War embargo. Instead of concentrating on such traditional maritime industries as shipbuilding and repairs, wharf and godown storage, and waterfront stevedoring as it did before the war, Hong Kong has advanced and diversified its core tertiary activities into new areas such as container port handling and trucking, air cargo transport, banking and telecommunications.

The above economic processes have given rise to a two-fold implication which affected the development of trade unionism in Hong Kong. First, there was a drain of the blue-collar veteran members from the older and established trade unions as the size of the production workers shrank rapidly because of de-industrialisation. Some unions, in particular those belonging to the FTU and CTU blocs, responded with an enhanced endeavour to recruit white-collar union members from the newer service occupations like those located within the finance and banking sector. However, the industrial basis and the working class solidarity of the entire labour movement were emasculated. Second, the factories became less and less tenable as the workplace level for unions to liaise with and organise their members, largely as a sequel to their en masse migration northwards across the border to the mainland. Indeed, the changing configuration of the labour market due to the growth of atypical employment, flexi career, and foreign migrant labour has made the workplace increasingly marginalised as the basis for the trade unions to consolidate and cement their membership. In this context, it appears that Hong Kong trade unions, in spite of their newly discovered political status and influence in the domain of electoral politics, are exhausted increasingly in their industrial agendas as workers' combinations are purged of an industrial basis because of the transient nature of the workplace as a unit of work and employment for the labouring mass.

The advents of the East Asian financial crisis and the recession afterwards, ensued in 2003 by the epidemic and its depressant impact upon the Hong Kong economy, have exposed the vulnerability of the labouring mass and the incapacity of the trade unions. The latter were almost helpless and resourceless as workers' defensive organisations to shield the Hong Kong employees at risk from the vicissitudes of capital and predicaments of widespread job losses and dislocation, when a retreating economy became trapped in 'doldrums'. Down-sizing, business closures, lay-offs and wage cuts, as well as the creeping growth of a recasualised labour market (largely due to part-time and short-term contract hiring practised increasingly among employing organisations) bred a new urban sub-class of the unemployed and low waged peripheral workers. However, lacking an infrastructure of collective bargain-

ing deals with employers and their associations, Hong Kong trade unions were overtly powerless and characteristically docile about these 'offensives' with the exception of sporadic industrial militancy in the retail and aircraft engineering trades (Chan, Ng & Ho 2000: 88-91).

Ironically, such a union docility at workplace level organisation and the relative absence of an entrenched collective bargaining tradition among enterprises have bred an element of resilience actually enjoyed by these Hong Kong labour unions. This is because of a strategic flexibility they apparently possessed, inasmuch as they were able to avert and by-pass the thorny task of having had to defend and amend the legacy of what has always been viewed as the orthodox and sacrosanct function of western-styled business unionism, which was a role as a collective bargaining agent. Indeed, such a reformist agenda, as how to rationalise and restructure activities of collective bargaining so as to realign these with the new 'paradigm' of a post-industrial economy and its business, has beset incessantly the labour movements in the 'First World' domain. And a focal point of this challenge has been the emasculation and decay of collective bargaining (partly due to its endemic rigidities) and endeavours by organised labour to salvage and re-vitalise such an eclipsed arrangement (Gindin 1998: 198-202). However, given the global mood for 'market fundamentalism' and the state's (and also business's) anxiety to de-regulate and rescind regulatory and restrictive institutions like collective bargaining, the labour unions' defence for this type of industrial and workplace arrangement and practices has proved to be cumbersome and costly (Wood 1998: 4-6, 11-15; Meiksins 1998: 32-38). Not only collective bargaining has been viewed as an expensive activity but also the free and new economy proponents articulate an entrenched suspicion against union bargaining as a totem of workers' power which negates the efficient operation of market forces and resists the competent organisation and direction of the technocratic managers (Sisson & Storey 2000: 12, 22-29; Moody 1998: 63-64). The embattled and uncompromising contest between management and labour (organised labour) is hence centred upon the adversarial collective bargaining system, and by default, Hong Kong unions may have, even unwittingly, enjoyed a strategic gain by not having been caught in captivity for defending its continuance, because of its relative absence.

Paradoxically, a feeble tradition of collective bargaining has made it possible to advance a thesis that trade unions in Hong Kong have a propensity to develop and evolve into 'community unionism' as a new form of 'third sector' organisation. This is because of the pre-1997 political reforms sponsored by the government which led to a process of democratisation and growing mass participation in election activities. The continuation of this process has been guaranteed by the Basic Law

for the Hong Kong Special Administrative Region (SAR) after 1997 (Basic Law 1990; Ng 1998: 213-216). Trade unions in Hong Kong are encouraged by the shifting political context of electoral advances to evolve a strategic role of organising the grassroots neighbourhood community in support of and partnership with the formal political parties. In addition, some trade unions in Hong Kong are equipped (as workers' self-organisations) to perform an 'agency' role of penetrating the neighbourhood community for mutual assistance and insurance.

Besides, due to the changing labour market and the subsequent growth of the self-employed, seasonal workers and part-time employees and those employed in other forms of atypical employment arising from the labour market flexibility 'creed' (i.e. a drift towards 're-casualisation'), the workplace has retreated into an eclipsed position and become less the 'bastion' for labour unions to enlist and organise their membership. Instead, the unions are now paying equal attention to the residential community for sustaining a dialogue and liaising with their members. This 'lay' approach is also consistent with the legacy of Hong Kong unions, which have never been strong at the workplace level. Also, given their feeble industrial strength, some 'vanguard' unions and labour bodies now act as the spokesperson of workers across all trades in the neighbourhood regarding employment, wages and labour market issues. It appears that the labour grievances which some unions articulate are even generic and not specific to employment affairs, pertaining to housing, transport, general price level and cost of living, pollution and the environment, as well as associated ecological issues which can affect the wage-earners' common well-being and position either as employees or self-employed (Ng 1997b: 667-672). The agenda for these unions is to cater to the 'working life' betterment of the people, whether they are workplace or neighbourhood-based. They also lobby extensively for official leverage against the industrial vicissitudes of 'post-modern urbanism', in the capacity as labour's pressure groups belonging to the 'third sector' domain at a time when these community service-providing agencies are expected to have a widened scope in Hong Kong (Tung 2000: 33, 98). They campaign with vigour, for instance, that the government should intervene, using appropriate policy dosage like taxation reforms, improved social security and public assistance provisions and minimum wage legislation to correct income inequality and the increasingly sharp wealth differentials which polarise the rich and poor, between those who 'have and those who have not' in Hong Kong society.

Because of the above developments, a new type of unions' activities and of policy agenda for Hong Kong trade unions has emerged during recent years. There exists a possibility for these Hong Kong labour unions, or at least a number of them, to evolve a community-oriented role

which suggests potentially a new mission for unions. Tentatively, the following postulates are suggested that mirror these propensities as Hong Kong's unions are adapting their nature and functions to the imperative of 'de-industrialisation'.

Postulate I

Trade unions in Hong Kong are relatively free from the constraint of the collective bargaining institution and its bureaucratic implications. This freedom enables them to explore a new role and function when collective bargaining has become exhausted of its agenda and declined globally in popularity. Ironically, such a flexibility is due to the relative immaturity and under-development of collective bargaining activities in Hong Kong.

Postulate II

Trade unions in Hong Kong are prompted and encouraged by the shifting political context of electoral development and mass participation in such processes to evolve a strategic role of organising the grassroots neighbourhood community in support of and partnership with the political parties. This is reminiscent of the 'transmission-belt' function of the socialist unions yet re-created in the milieu of an ecologically fragmented 'post-industrial' society.

Postulate III

Trade unions are equipped as the workers' self organisation, to perform an 'agency' role of penetrating the neighbouring community. Besides, due to the growth of the self-employed, part-time employed and other forms of atypical employment resulting from the labour market flexibility 'syndrome', the workplace has retreated and become less the 'nexus' for labour unions to organise their membership (Ng & Poon 2004: 212). Instead, trade unions, as in the Hong Kong situation, are paying equal attention, if not more, to the residential community for sustaining a dialogue and liaising with their membership.

Postulate IV

There is a propensity for the trade unions facing the challenge of 'de-industrialisation' to develop and evolve into 'community' unions as an alternative form of unionisation. Instead of demarcating themselves along industrial lines, the modern and post-modern unions can function as 'local community' unions by representing and acting as the

spokesman of workers across all trades in the neighbourhood about employment and wages and labour market conditions, alongside housing, transport, general price level and cost of living, pollution and wage-earners' common well-being and their stake as employees or the self-employed. These occupational interests and expectations about 'working life' betterment can be oriented and directed both at employers as well as actors outside the workplace and employing organisations.

The above postulation about a potentiality of Hong Kong labour unions to evolve a role in organising the neighbourhood community as a 'third sector' organisation can probably be put in perspective against the background of post-industrial urban development. Such a prospect may suggest that the trade unions are becoming less workers' combinations and more a representative agency acting for and organising the wage-earners and their associated interests.

We are suggesting in this chapter that some Hong Kong unions are exploring an avenue of crystallising their membership base anchored in the neighbourhood (and residential) community largely because of growing difficulties these unions have experienced in organising the workplace. It is hence essentially a response of organised labour to the erosion and retreat of the employing and work unit as a fixed station for unions' recruitment and membership organisation.

The shop floor 'nexus', however, recedes as a result of the changing character of work and employment, the most noticeable manifestation of which is the rise of atypical employment in categories like those of part-time and temporary hiring. These new forms of employment, alongside the rise of self-employment in industries like transport, stevedoring, hospitality and entertainment mean that the wage or fee earner does not have an employer or lacks a fixed employer. In terms of the conventional wisdom about the organisational strategy of labour unions, these new employment groups are far less amenable to membership recruitment, an exercise which hence needs extending beyond the 'domain' of the workplace. The latter retreats as an employing unit for the individual and becomes less relevant than in the case of regular employment for these casual atypical employees.

However, there are also endemic to the process of 'post-modern' urbanism a series of 'dis-organisation' and 'fragmentation' tendencies which threaten to rupture a neighbourhood-based community. As argued by Giddens in his critique on the sociology of 'post-industrial' modernity, the urban and suburban people are periled increasingly by the anomie and pathos of community disintegration and loss of identity and security. This is largely because the pattern of lifestyle in 'late modernity' becomes heavily 'commodified' and 'individualised', betray-

ing an element of ego anxiety about recognition as well as a creed for privatisation and freedom of independent choices in the commercialised marketplace. 'Late urbanism' hence cherished an ethos of 'material symbolism' and 'consumerism' which could pervert more embedded and intrinsic values of commitment and affiliation.

> 'The consumption of ever-novel goods becomes in some part a substitute of the genuine development of self ... consumption under the domination of mass markets is essentially a novel phenomenon which participates directly in processes of the continuous reshaping of the conditions of day-to-day life.' (Giddens 1991: 198-199)

The post-traditional and post-industrial neighbourhood communities under the impact of 'late modernity' also lose their traditional, fraternity-based social equilibrium as they become 'risk societies' (Giddens 1991: 28). They are, first, beset by new risks as the basic dimension of 'space' (social and material distance) is compressed heavily by science and technology. Second, the residential community becomes far less competent, both ecologically and technically, to accommodate and hedge against risks for its members because of institutions' decay (specifically, a 'de-institutionalisation' process as a result of the decline of the church, mutual aid fraternities, clan groupings and community charity associations, etc.). Precisely because of these accentuated risk propensities, while the urbanised individuals are more or less constantly alert to 'signals that relate here-and-now activities to spatially distant persons or events of concern to them, and to projects of life-planning' (Giddens 1991: 128), the 'post-modern' neighbourhood community has evolved to attach a high and strategic premium on insurance against collectivised risks which cannot be handled adequately by the individual via the marketised agencies and devices alone.

As a new 'risk society', the post-industrial neighbourhood hence poses an equally strong, if not more pervasive, demand for collective agencies of community hedging and support than its traditional pre-industrial counterpart. These are hence the 'providential reasons' as pivoted around the assumption that 'increased secular understanding of the nature of things leads to a safer and more rewarding existence for human beings' (Giddens 1991: 28). A role for such a nature was performed by the occupational fraternity as a nexus of a community during the period of basic craft production. Later, in the heydays of the factory system, the social work voluntary organisations also excelled as key agencies of community integration and stabilisation. However, as the domain of work and the institution of the workplace change in their nature and decline in relevance to the working (and labouring) in-

dividuals in an era of 'late modernity', which fragmentises waged employment and blurs the traditional divide between the work and non-work existence of the individual, these conventional agencies of community integration are emasculated and no longer adequate socially. And in this post-modern context new agencies are required. An example prospective is hence a community-oriented labour body which can act as a 'third sector' socio-industrial agency to cater to those having entered or about to enter the waged labour market and even retired persons.

Giddens in his 'Third Way' thesis makes an explicit claim on 'third way' politics to address a new paradigm of these 'post-modern' risks (Giddens 1998, Chapter 2; Giddens 2000: 2), for which the 'third sector' organisations are to perform a key role of community leverage and standardisation.[6] These activities therefore occur outside the domains of the government sector and private businesses, and distinguish these para-institutional agencies as the 'third sector' organisations. In the context of 'late urbanism' (post-modernity), the imperatives of providing for opportunity, stimulus of innovations and hedges of security are paralleled by the challenges of the new risks, shifting ecology and environment, and the quest for individual autonomy.

These risks are also ascertainable in the instance of Hong Kong as a post-industrial urban society. In particular, the political transition of Hong Kong, the industrial drama of China's modernisation reforms, and the East Asian financial crisis and post-crisis recession, combined together to precipitate a series of social and industrial issues which its government and people have to face in the new decade. Many of these problems are associated with the labour market interests, work and employment of the urban population, especially among those at the periphery of the labour economy. Examples of these current industrial issues are the insecurity of part-time and flexi employment, staggering unemployment levels, low wages and long hours, business consolidation and personnel down-sizing, involuntary self-employment and retirement, and perils of foreign workers importation, de-skilling and problematic retraining, and a stampede for expensive adult education in search for competency enhancement and credential layering. These issues of the post-industrial labouring people are probably a global syndrome and not specific to Hong Kong. There has been an embryonic awareness among the refractory mass of the working class around the world about protecting their interests at the grassroots level and regulating the 'world labour market' as a mission of the trade unions or other social agencies purporting to represent the workers and their interests (Moody 1997: 282-292). However, these challenges apparently constitute a new risk syndrome also for Hong Kong as a post-industrial society, which will pose a pressing case for an agenda of effective action

to the government and organised labour. To perform such a role, labour unions can be destined to act as a potentially 'third sector' agency.

Conclusion

We are postulating that the post-industrial society of late urbanism is confronted with a new constellation of industrial and labour market risks, which are pervasive for the individuals and the community to which they belong. However, these problems can no longer be competently handled by the state, the welfare agencies and private businesses. Neither are they crystallised entirely at the workplace level, largely because of the transient nature of the workplace as a unit of work and employment. We suggest a potential propensity for Hong Kong trade unions to restructure themselves as community unions in response to these industrial challenges. As an echo to Giddens' 'Third Way' thesis, we also postulate that the future unions exploring and assuming such a community role can be resourceful as a revitalised industrial agency located within the 'third sector', outside the state and private business sectors, as well as outside the conventional ambit and territory of any specific trades, industries or occupations.

There were, of course, problems arising from these attempts to create (and re-create) a union-focused community outside the occupation. An occupation-based worker community has been popularised in the western literature (on industrial sociology and industrial relations) during the 1960s and 1970s as a bastion of worker solidarity, especially among the craft trades. However, this type of craft community is industry or trade specific and is solidaristic largely because of its parochial narrowness and boundary distinction vis-à-vis other occupations. But if unionisation were to be based upon the organisation of the neighbourhood community as envisaged under the present 'new unionism' model, the analogy could be at best partial. This is because the union base actually becomes fragmented into 'enclaves' and local pockets of employee associations whose membership could belong to a diversity of industries. A common occupational interest would hence be less tenable as the denominator to sustain a solidaristic identity for mutual association among members due to i) the drift of a new regionalism which could overshadow the workplace; and ii) industrial diversity of those making up the 'constituency'. For this reason, what can be envisaged at present are probably the 'seed' potentials of a fraction of the labour movement in Hong Kong evolving a role and activities which suggest the thesis of a community union as a third sector agency. However, it is still premature to postulate in any deterministic manner the relative pervasiveness of this form of new community unionism. As it

appears, it is still embryonic and visible in a teething stage. It may take more years for it to crystallise into a shape which may eclipse the 'mainstream' union tradition as an alternative in the 'post-industrial' age.

For this reason, it may be hazardous to suggest that the Hong Kong experiences with community unionism would pose a model which can be emulated elsewhere in other post-industrial economies facing similar economic re-structuring dramas of 'de-industrialisation'. However, the Hong Kong case does point to the imperative of late urban industrialism as a potent force inducing trade unions to change and re-position themselves as the social agency organising the labouring mass. A possible route of re-configuring the trade union and (re)writing its mission and agenda is, as canvassed in this chapter, for it to evolve into a 'third sector' organisation. Such a 'third sector' trade union will be more effective in penetrating and organising the new hybrid 'working class' today which are either wage-earners in employment or self-employed recipients taking a fee from their 'principals'. They are located in the neighbourhood community and are diversified in terms of their work life interests, occupations and industries, as the workplace is gradually retreating as the 'nexus' of labour market participation. They tend to harbour a plurality of industrial as well as non-industrial expectations in search for a better quality of urban life. And a 'third sector' community union may need to learn to equip itself with the appropriate competencies in order to cater to these grassroots needs and expectations in an effective way – perhaps by evolving or allying itself with a 'new' labouring party in a post-industrial society.

Notes

1 Such an anachronistic clause, inherited from the pre-war legislative regime to contain local unions' excessive political activism and only rescinded recently by the post-1997 SAR government, has been prohibiting labour unions from combining into union federations, save where these federal mergers were limited within a single industry, occupation or trade. However, this limitation was liberalised and rescinded by the SAR government a year after it came to power.

2 This was in sharp departure from the earlier and widespread militancy betrayed in organised labour's agitation directed against the post-war British administration and its private capital allies in the public utilities and commercial sectors controlled by the British hongs, i.e. 'trading houses', during the rehabilitation years after the Second World War. See Ng 1997a: 54-55.

3 This zeal has been widely interpreted as a pre-emptive strategy by the pre-1997 government to conserve Hong Kong's *status quo* in preparation for the political changeover of sovereignty.

4 These reforms have nurtured and extended, in the 1995 election, the system of political balloting by direct electoral voting to such an extent that it antagonised China

which, in turn, castigated these 'premature' electoral advances as a devious ploy by the British administration to attempt perpetuating its post-1997 influence in Hong Kong.

5 The most patent illustration of such a polarity was probably the separate and competitive adoption of an almost identical yet overtly protectionist stance against the mainland guest workers by both the CTU and FTU.

6 The 'third sector' organisations are those non-governmental agencies (NGO) and secondary associations outside the public and private business domains which perform a role of service providers within the post-industrial societies. They are especially viewed as the key institution for social leverage against deprivations and crisis for the underprivileged in modern and post-modern societies. See, for example, Giddens 1998.

11 Non-governmental Feminist Activism in The People's Republic of China: Communicating Oppositional Gender Equality Knowledge[1]

Cecilia Milwertz & Wei Bu

Can a new wave of the women's movement be identified among the emerging social movements in contemporary China? According to the historian Wang Zheng (1998) not only does a new women's movement indeed exist in reform period China, but this movement is also nationwide in scope, is launched by women themselves, and is 'one of the most significant things happening in contemporary China'. A women's movement constitutes 'the conscious collective activities of women [and men] fighting for feminist goals' (Dahlerup 1986), while feminism can be defined as '... the critical examination of gender relations from the position of protest against women's unequal status' (di Leonardo & Lancaster 1997). The current wave of the women's movement in the PRC began in the 1980s. It was then greatly nourished by the United Nations Fourth World Conference on Women being held in Beijing in 1995. Major actors in the movement include the All China Women's Federation system, academic women's and gender studies scholars, professional women's organisations, various forms of non-governmental organising and religious organising (Jaschok, Milwertz & Hsiung 2001). Each of these groups is engaged in promoting gender justice and challenging the dominant, unequal gender order by advancing changes in knowledge, attitudes, practices, policies and legislation concerning gender equality issues. In this chapter we are concerned with one of these groups within the women's movement: non-governmental or popular (*minjian*) feminist organisations. These are organisations that have been set up since the late 1980s by activists at their own initiative and whose activities are determined largely by activists, regardless of any formal affiliation/registration they may have with party-state institutions (Milwertz 2002).

Popular organising started out in Beijing, as well as elsewhere in China, as a reaction to the increasing discrimination against women that was resulting from economic reforms. It then evolved to provide a variety of interpretations of and activism against an increasingly broad range of gender inequalities. Activists began to organise spontaneously to support vulnerable social groups, to create social change and to challenge gender-based inequalities in society (Du 2004; Howell 2004; Liu

2004; Milwertz 2002; Wesoky 2002). Such organisations do not have political change as their motive, and they do not contest for state power. They are, however, as Howell (2003) has argued, important occupiers of non-governmental space and components of a public sphere within which they create critical reflection around gender issues.

One of the defining features of the current wave of organising is the reinterpretation of taken-for-granted cultural assumptions about the dominant gender order through the 'cognitive praxis' (Eyerman & Jamison 1991, 1998) of social movement organising. The creation, and also the dissemination, of new knowledge about gender equality issues take place at several interconnected sites of interaction and communication. These include: 1) communication within the movement, 2) interfaces between the movement and the global women's movement, 3) interaction between the movement and society - the general public and authorities. Elsewhere we have built upon the work of Lave (1993), Lave & Wenger (1991) and Lather (1991) to show how new knowledge about gender relations (specifically related to the issue of domestic violence) has been generated by activists in a situated learning process and within a community of practice (Milwertz & Bu 2007). Following Assiter (1996), we have argued that activists in popular organising have joined a global emancipatory epistemic community that considers women's rights to be human rights. Our focus in this chapter is on the third point of communication mentioned above. We are concerned with the ways in which popular feminist organisations in Beijing extend the emancipatory epistemic community they have joined by communicating alternative gender equality agendas to policymakers, authorities and the Chinese population in general. The question we address is: How is oppositional gender knowledge disseminated in a context in which the media are tightly controlled by the party-state.[2] With the term oppositional we refer to knowledge (and practices) that seek to challenge the legitimacy of the dominant gender order and break its hold over social life. In other words, we are concerned with how activists bring about meaningful social change. Our focus is on two examples of the various modes of communication by which activists disseminate gender equality knowledge about violence towards women, particularly domestic violence.[3] The two examples are of two forms of drama – the first is an instance of political theatre in which activists aim to influence policymakers, while the second concerns the use of documentary drama to reach out to and include the population in general in the movement.

The promotion of gender equality is one of the Communist Party and People's Republic of China state's central policies. A large number of studies have analysed cultural and socio-political aspects of gender issues in China, as well as the advances that have been made in elimi-

nating discriminatory practices and securing women's rights but also the vast inequalities that persist.[4] The issue of men's rape of women is one example of the ongoing struggle for women's rights and the elimination of violence against women.[5] As we will shortly be moving on to the use of various forms of drama, performance and education as modes of communication, we illustrate the long-term struggle for change concerning this particular issue by juxtaposing an old song 'The Three Main Rules of Discipline and the Eight Points for Attention' (translated in Perris 1983) to a recent regulation passed by the Ministry of Education. The song has been sung since the 1930s by soldiers in China, and it is familiar to anyone who experienced the Cultural Revolution. The seventh point in the song, which provides guidelines for proper behaviour, prohibits rape. Statistics on rape are far from accurate in China. Rape is considered extremely shameful and is stigmatising for the victim and the victim's family as reflected in the recent case of Huang Jing, in which the women's movement was intensely involved (Ai & Hu 2005). Despite the lack of precise numbers, in 2003 the reporting of numerous incidents of rape of girl students by male teachers led the Ministry of Education, the Ministry of Public Security and Administration of Justice to recognise this as a serious problem that should be addressed by legal means (Jiaoyubu, Gonganbu & Sifabu 2003). Thus, as in the case of many other gender-related matters, an issue that has been addressed for many years is as yet unresolved. However, as this example illustrates in the new context of the reform period, the problem is being addressed in new ways by both the women's movement and the state.

This chapter is divided into two main parts. In the first part we describe the emergence and development of popular feminist organising in Beijing since the mid-1980s as one element of a new reform period wave of the Chinese women's movement, and we discuss the relationship between such organising and the state. In the second part we discuss the use of mainstream and alternative media in a politically restrictive context, focusing on two aspects of communication processes. First, we examine how the communication of oppositional gender equality knowledge is legitimised and how activists experiment within the bounds of acceptable modes of communication that are also effective in reaching their goals. Second, we look at how the use of alternative media enables the democratisation of the social movement knowledge creation process. Popular organising in many ways imitates party-state modes of communication that use the mass media, street counselling, political theatre and documentary drama. We argue that when activists use radical and alternative media for public consciousness-raising, this may democratise the communication process. Activists use this realm to communicate their ideas to a targeted audience and ulti-

mately engage that audience in the knowledge production processes that lie at the core of the movement. We argue that the success of activists' endeavour to transform society may lie in these kinds of participatory processes, which may then lead to the widespread generation of emancipatory knowledge that challenges the dominant, inequitable gender order.

Popular Feminist Organising in Beijing: One Element of a New Wave of the Chinese Women's Movement[6]

This chapter is based on a study conducted from 2000 to 2002 of popular feminist organising in Beijing in the 1990s and early 2000s. We identified 27 popular feminist organisations, groups, networks and women's studies centres established in Beijing between the late 1980s and the late 1990s. Our data are from several sources. First, we conducted interviews with the founders/directors of 22 Beijing organisations, groups, networks and women's studies centres. Second, we carried out questionnaire interviews with 180 activists about their activism within these organisations, and, third, we made use of case studies of six organisations engaged in addressing domestic violence. Five of these organisations were addressing domestic violence in the 1990s, these were the Women's Research Institute/Maple Women's Psychological Counselling Centre, The Women's Media Watch Network, The Legal Advice Service Centre, The Centre for Women's Law Studies and Legal Services, and *Rural Women* magazine. One organisation, the Domestic Violence Network, was established in 2000 and was based upon experiences gathered through activism carried out during the 1990s. We interviewed core activists in each of these six organisations. Our study of the Domestic Violence Network is ongoing. Data on the involvement of the organisation in the staging of the play *The Vagina Monologues* has been collected by Bu Wei, who is also involved in these activities as an activist responsible for the network website.[7]

It is difficult to say exactly how many people are involved in popular organising. Based on the numbers provided by each of the 22 organisations in our study a total of 717 activists had been active in these organisations up to the year 2000. Of the 717, 482 were reported as currently active in 2000. This is a very approximate number as the organisations were not able to provide exact numbers. The 180 activists we interviewed were active in an average of three organisations. If we assume that the 482 activists reported as currently active were also active in an average of three organisations, then the total number of activists would be 160 – a number very close to the number of activists we were able to include in our study. However, since we are aware that we were

unable to include all activists, it is likely that the numbers are under-reported. It seems that there were in fact approximately 500 active activists in 2000, as reported by the organisations. This number must then be broken down into those activists working at the core of organising and others who have looser links. The Domestic Violence Network, for example, reported 200 activists, of which the majority were employees of the Women's Federation, a hospital and local community administrators engaged in Network projects. The 180 activists included in our survey are mainly female (93 percent), middle-aged (average age 41 years) and well-educated (98 percent have studied up to or beyond college level). Half of these people are members of the Communist Party, and about one-fifth consists of members of the Youth League or the Democratic Parties. In terms of their jobs, the majority (72 percent) are employed as university teachers or journalists, or else they are university students. Some 9.2 percent hold jobs as cadres in the government administration or at government institutions (Bu & Mi 2005).

How do these activists and their organisations relate to the state? On account of the complexity of the state, which is not uniform in its practices, projects or effects (Yuval-Davis 1997), most women's movements in the world apply a dual strategy of working both with and against the state (Basu 1995, cited in Desai 2002). In the controlled political context of China, working directly against the state would be equal to eliminating possibilities for future activities. On the one hand, the patriarchal state endorses and maintains unequal gender relations through its economic policies and overall strategic planning. As Desai (2002, referring to Borchorst 1999 on feminist theory of the state) has shown in the case of India, women's movement activists contest the way the state perpetuates women's subordination by defining them primarily as wives and mothers, even when they participate in the paid workforce, and despite legislation that defines women as equal citizens. A recent obvious example in China concerned the Women's Federation slogan 'Today's girls – tomorrow's mothers', used to promote education for girls by emphasising the benefit to society in terms of their later contribution as mothers. The slogan was changed to 'Today's girls – tomorrow's women', following contestation by activists from popular organising. On the other hand, activists recognise the necessity to work with the Women's Federation and the party-state in general to effectuate changes in policies and legislation.

In the early years of popular feminist organising, various forms of interaction with party-state institutions were employed as strategies for survival and legitimisation and to gain recognition by the state. The story of the Women's Research Institute/Maple Women's Psychological Counselling Centre, related by its founder Wang Xingjuan (2000), gives a good impression of the difficulties encountered. Since then, the

interaction between popular organisations and party-state institutions, including the Women's Federation system, has been developed into more genuine forms of collaboration. Popular feminist organisations do not possess institutionalised power in the sense that there are no established formal political channels through which they can work. In this situation collaboration with party-state institutions is of the utmost importance for their policy-focused activities to have an effect. In order to submit reports and law proposals to authorities, popular feminist organisations work through formal political channels via their contacts with individuals within party-state institutions. Moreover, they reach out to the population in general via the administrative structures of party-state institutions and the Women's Federation system. The fact that the Women's Federation is undergoing major changes is also emphasised by activists as being a significant reason that collaboration is becoming increasingly possible. Such is the pragmatic side of organising. Importantly, collaboration between activists and the state is also based on the activists' ideological sense of sharing with the party-state a responsibility for the well-being of their society.

Dahlerup's (1986) definition of women's movements (mentioned at the beginning of this chapter) provides a useful framework for understanding the contemporary Chinese women's movement and its fluid links between activists, activities and organisations situated within and outside the formal structures of the All China Women's Federation system and other party-state institutions. Popular organisations are part of a movement that is driven by many different types of organisations, groups and followers – by what Suzanne Staggenborg (1995) has defined as 'a social movement community'. Moreover, Dahlerup (1986) stresses the importance of movement activities rather than structures of organisations. In the Chinese case this implies shifting the focus away from the issue of state control. Almost all popular organisations are in some way affiliated and registered with party-state institutions, but focusing on this may complicate rather than promote understanding of the role of these organisations in effectuating changes in gender relations.[8] Additionally, activists share their commitment to a common cause. What binds the activists, their organisations and their activities together to constitute the current wave of the Chinese women's movement is the combination of presenting a collective challenge to existing practices and of sharing a collective commitment to emancipatory change. If we focus upon the shared ideology and goals of the women's organisations rather than on their various structures, or on the opposition between new forms of organising and the party-state, the women's movement may be seen to both protest against the party/state and its policies and also cooperation with it in addressing practices such as domestic violence. There has been a shift in China from a single, party-

state initiated women's organisation to the growth of many women's organisations. The way in which these new organisations are dependent upon, co-opted by or resist the state needs to be considered. However, new forms of organising, elements of the All China Women's Federation and other party-state institutions are also joined together in a new wave of the women's movement. The activists' attitude towards collaboration with party-state institutions is a combination of strategic pragmatism on their part, and the fact that party-state representatives and activists share many social movement objectives. The founder and core activist of one popular organisation described the collaboration of her organisation with the government as follows:

> We have the same goals as the government. However, identical goals do not mean that we have identical analyses, methods and perspectives related to the issue of domestic violence. These differences do not mean that the government is our enemy. They are our comrades in arms. We and the government are together in one trench. This means that we have a united front. The CCP emphasises a united front. In our (...) work we should also apply the united front strategy. (Interview September 2002)

The waves of women's movements, again following Dahlerup (2000), consist first of the establishment of many new feminist organisations and groups, second, of extensive debate within and outside of the movement, and, third, of the movement making an impact upon legislation and the discourse on women and gender. A new wave is emerging within a movement that oscillates between periods of greater and lesser intensity of mobilisation. If it is successful, the movement will contribute to changing the norms and values in society, and this may be taking place as activists succeed in enhancing public awareness. The new wave has been formed by co-organising across institutions, and includes active participants and supporters from within party-state institutions. Thus, the rise of popular feminist organising in Beijing is *one aspect* of the development of a new phase of the Chinese women's movement. This phase is neither limited to the activities of non-governmental feminist organising, nor is it confined to the capital.

Legitimising and Democratising Communication of Oppositional Gender Knowledge

As in other parts of the world, activists are dependent on the media to transmit their messages to the general public and authorities. Most Beijing organisations have cooperated with the ACWF newspaper *Chi-*

na Women's News, and all the organisations that aim to influence both the public and the policymakers collaborate in various ways with the mainstream mass media. Since the late 1990s, additional modes of communicating information on gender justice have been adopted. In terms of communication technology these range from the extremes of internet websites to traditional drama performances written and staged locally by rural citizens. In the following we describe and discuss two examples of such modes of communication. The first, a planned street demonstration that turned into a public meeting, tested the limits of acceptable action. The other, based on the staging of a play, has developed into democratised communication processes that seem to be spreading.

Political Theatre: A Demonstration That Became a Public Meeting

Social movements in many other parts of the world generally use various forms of protest – demonstrations, strikes, marches, boycotts and occupations – to focus attention on their issues. In China, however, even though the authorities are no longer unaccustomed to organising from below, outright protest actions in the name of registered organisations are more or less impossible. A different style of action has therefore been adopted by popular feminist organisations to manoeuvre within this political climate. In contrast to the many street demonstrations staged by as diverse interest groups as peasants, workers and new urban homeowners, we know of only one attempt by popular feminist organisations in Beijing to stage a street demonstration.[9] In 1998 members of the Media Watch Network became aware of the atrocities taking place against ethnic Chinese women in Indonesia through information provided to them by a member who was abroad and also through the Internet.[10] In contrast to the attention being given to the matter in other places, the Chinese government and media were silent on the issue. The fact that nobody in China seemed concerned about what was happening made a great impression on the activists. In order to protest against the events, activists from the Media Watch Network decided to stage a demonstration outside the Indonesian embassy in Beijing, and a request for permission to hold a demonstration was submitted to the relevant authorities. Activists were well aware of the controversial nature of their request. One of the main organisers of the demonstration was a Party member, so in order to avoid repercussions against her, it was decided that only the non-Party members should sign the application. Unsurprisingly, permission to hold the demonstration was not granted. This, however, did not discourage activists from their determination to demonstrate both their solidarity with ethnic Chinese women in Indonesia and their opposition to violence to-

wards women in general. An explicit aim in pushing the case was to shift the boundaries for acceptable non-governmental political action and enlarge the space available for the expression of alternative discourses. This is an objective that is rarely voiced by activists. One of the organisers explained:

> I realised that there was no hope. But I thought that that attitude – even if this is Chinese society – believing that we cannot do things and then not trying, means we will never be able to do things. For example, when we wanted to establish the Media Watch Network we had to put in a lot of effort. We did a tremendous amount of work before it became possible – including convincing our leaders. Otherwise, we would never have been able to set up the network. So I thought, OK, they don't accept that we hold this [demonstration], but perhaps there will come a time when everyone will be doing this sort of thing. Slowly, this kind of citizen human rights mentality will evolve (...). Slowly a momentum will build up. (Interview Media Watch 2000, transcript 43.3)

Holding onto their ambition to expand the space available for expressions of protest, activists proceeded with alternative plans to hold a public meeting at the *China Women's News* offices where the Media Watch Network held its monthly meetings. The day before the meeting the chief editor of the newspaper was called upon by the All China Women's Federation. The Federation had been informed that the newspaper had applied to hold a demonstration and that a meeting was to be held, and the chief editor was requested to call off the meeting. Media Watch activists reacted by explaining that the meeting was not a newspaper activity. On the contrary, it was a 'popular (*minjian*) NGO activity'. Moreover, Media Watch activists emphasised that they had no intention whatsoever of making trouble for the newspaper, and they suggested moving the meeting to the more neutral grounds of a hotel. The Federation responded that if the newspaper was not involved then there were no grounds for intervention on their part.

Information about the meeting was spread via women's movement organisations and gender studies centres, where students were asked to further spread the message. About seventy people, including women and gender studies scholars, women's movement activists and also students, who were not necessarily active movement participants, joined the meeting. Everyone was given a yellow ribbon to wear because the organisers had read on the internet about a yellow ribbon campaign organised by overseas Chinese to support ethnic Chinese in Indonesia. The speakers included Professor Wu Qing, a women's movement acti-

vist, who was then an elected member of both the Haidian District People's Congress in Bejing Municipality and the Beijing Municipality People's Congress; Chen Mingxia, Professor of Law at the Chinese Academy of Social Sciences who is involved in drafting laws related to gender equality and the first coordinator of the Domestic Violence Network; the well-known author Zhang Kangkang; Liao Xiaoyi, the initiator of Global Village, an environmental NGO; women's movement activist Ge Youli and the Head of the China Central Television programme Half the Sky, Zhao Shujing. In her speech Zhao Shujing emphasised that the television programme had been established as a result of the 1995 Women's Conference being held in Beijing, and that this meant the programme was duty bound to relate to the Indonesia events in solidarity with women in other parts of the world. A similar argument, legitimising the meeting by placing it within the context of China's commitment to international agreements, was used in the opening speech of the meeting. Two years after the meeting the speaker explained how she had focused her speech upon the international rationale for convening the meeting:

> The most important thing is that we ourselves [the Media Watch Network] are an outcome of the 1995 Women's Conference. The aims of this organisation are precisely to implement the Platform for Action and to supervise the Chinese government and society's implementation of the Platform because implementation is the responsibility of the whole country. We must under no circumstances forget that the 1995 Women's Conference was convened in Beijing and that thousands and thousands of peace doves were released over the skies of Beijing (...). I also said that a nation, a people and an individual can do without a lot of things, but we can never do without people's conscience in the face of this violation of women's human rights. If we are silent it would be equivalent to losing one of humanity's most basic intuitions (...). The first aim was to let the world know that women in China had not forgotten the 1995 Women's Conference, that we were continuously monitoring the Chinese government. The government was silent; we could not be silent. We were monitoring the government and society and letting them know that implementation of the Platform for Action includes action against violence towards women – this is a very important part of the Platform. This was our aim. Our aim was also to let the world know that women in China are not silent and that we wanted to safeguard peace in the world, that we must do something against violence towards women. These were the two most im-

> portant aims.[11] (Interview Media Watch 2000, transcript 45.1, 45.2, 46)

In likeness to Esherick & Wasserstrom's (1990) analysis of the spring 1989 events, the public meeting may also be viewed as an exercise in political theatre, although evidently on a much smaller scale. The meeting was political theatre in the sense that it followed an historically established repertoire of collective action, meaning that 'even when improvising, protesters worked from familiar "scripts" which gave common sense to how to behave during a given action ...' (Esherick & Wasserstrom 1990:839, based on Tilly 1978). Thus, the meeting followed the format of a standard political meeting, starting with an opening speech and followed by speeches by various prominent 'leaders' – a well-known procedure thus being used for communicating alternative messages. While the meeting followed a standard format, it also provided space for creative improvisation by organisers and speakers. Professor Wu Qing, who is an eminent speaker, provided one of the most moving performances. She was dressed completely in black – an inspiration from the global Women in Black Movement – and carried a candle:

> When she went to the podium she lit the candle. She cried. Many people in the audience cried. She said that she was not only speaking for women violated in Indonesia. She was also speaking for women in Rwanda and for women all over the world. (Interview Media Watch 2000, transcript 45.4)

Wu Qing definitely succeeded in moving the audience. However, as Esherick & Wasserstrom argue, building on Tilly (1986), it is the authorities that are the main target of political theatre, although the general public is also addressed. This is emphasised by the use of the petition format, which acknowledges the fundamental legitimacy of the government to which the appeal is being addressed. Two petitions had been prepared for submission by the meeting – one addressed to United Nations secretary general Kofi Annan and the other to the Indonesian government. Moreover, the media had been invited to ensure media coverage of the petitions and the meeting. Although many journalists attended the meeting, in this instance Media Watch Network activists were unable to secure coverage of the event in the Chinese media. Only *China Women's News* printed a short piece on the meeting. Drawing on their professional contacts, the organisers managed to ensure coverage in non-Chinese media, including *The Voice of America*, *The New York Times*, *The Washington Post* and *The South China Morning Post*. Recognition that they were testing the limits of acceptable action

is expressed by the activist who, although she stressed that popular organising supports the state, also noted:

> We support the nation in implementing the Platform for Action. In the Platform there is a paragraph about violence towards women. This is what we said. Nobody could accuse us of anything. (Interview Media Watch 2000, transcript 42.4)

The political sensitivity of the event was also reflected in activists' response to a *Voice of America* broadcast on the meeting, which implied that activists were criticising the Chinese government. Activists again emphasised that their meeting was a protest against the Indonesian government and not against the Chinese government. Nonetheless, the meeting was controversial insofar as activists were attempting to use the arena of the street to voice the agenda of the women's movement, but also because they were indirectly criticising the government for its failure to react to events in Indonesia. While this meeting was exceptional in so directly addressing the government's failure to act, the public meeting format is often used by popular organisations, and such meetings are also usually covered by the media. This coverage by the state-controlled media is understood by activists as an expression of state recognition of popular organising.

Documentary Theatre: A Play That Democratised the Communication Process

Another form of communication used by popular feminist organisations for challenging existing gender inequity and opposing violence towards women is, as has been analysed by Louise Edwards (2008), the play *The Vagina Monologues*, which was written by US actor and playwright Eve Ensler (1998).[12] The author interviewed about two hundred women whose real-life experiences were transformed and condensed into a sequence of stories that form the play. The play builds on the second wave women's movement practice of consciousness raising, which again is inspired by the Chinese practice of 'speaking bitterness' (Milwertz & Bu forthcoming). It aims to break the silence on secret, private, and shameful sexual violence, to shift the issue into the public domain and facilitate discussions of sexual oppression. In March 2002 the play was staged in Shanghai in an English-language performance for a predominantly expatriate audience. Subsequently, at the initiative of the Domestic Violence Network, a Chinese version was staged by students from Zhongshan University in Guangzhou in December 2003. The Guangzhou performance, as well as later activities that evolved out of that particular performance, is our focus below.

The play was first translated into Chinese because activists viewed it as a useful medium for communicating oppositional knowledge about violence towards women. They felt it would help them particularly to reach a young target group that was not attracted to activities like the more conventionally used street counselling. The Chinese version of the play was developed in collaboration with Professor Ai Xiaoming (then known from her involvement with the Sun Zhigang case[13]), who was using the play in her gender studies class. The young students who performed the play became involved in a consciousness raising process in which their own taken-for-granted assumptions of gender relations, sexuality and violence towards women were questioned and challenged. The students also actively participated in the design of the Chinese performance. This was demonstrated most clearly by their addition of a dance sequence depicting the abandonment of infant daughters in China. This meant that what was originally intended to convey a message to a young target group, perchance involved the actors themselves in both communicating and generating knowledge about gender relations. The creation of the Chinese performance was thus transformed into an alternative media communication process, 'offering the means of democratic communication to people who are normally excluded from media production' (Atton 2002: 4). Alternative media has been defined not only by its content, but also by its capacity to generate non-standard methods of creation, production and distribution (Atton 2002). The use of this play provides an example of such media, one that has enabled democratisation not only of the dissemination process, but also of the knowledge creation process.

After the play had been performed in Guangzhou, Professor Ai Xiaoming and the Gender Studies Forum at Zhongshan University, supported by the Domestic Violence Network, began working with documentary filmmaker Hu Jie on two documentary films – one of the performance of the play itself (Hu 2005a) and one of the process of using the play to communicate oppositional knowledge about violence towards women (Hu 2005b). The idea was to distribute the films so as to inspire further use of the play across China. One of the places where this was successful was in Guangxi at the Huaguang Women's College, where a group of young, rural female students performed parts of the play in March 2005, adding text based on their own experiences. Following these experiences, the Domestic Violence Network began planning to further develop this way of promoting participatory communication by collaborating with the Hebei Women's Federation to write and perform a play. Inspired by *The Vagina Monologues*, the idea was that the play would be based on the stories of rural women who would collect the stories and then write and act the play. Generally, definitions of alternative media stress the fact that their content is radical and is

aimed at the promotion of social change (Atton 2002). In his definition of alternative media, Atton (2002: 18) emphasises that alternative media should privilege 'the processes by which people are empowered through their direct involvement in alternative media production'. This has happened with activists' use of the play. Plans to include the rural population in participatory communication via alternative media are particularly significant given that the mainstream mass media is largely oriented to the urban elite. There are few publications for disenfranchised social groups, and those that do exist, including *China Women's News*, have limited editorial independence and their circulation and institutional power dwindled in the 1990s (Zhao 2005).

There is obvious continuity between the use of drama for consciousness raising and the educative function that characterises the new art and literature produced by the Communist Party (Holm 1984). As early as 1929 a sophisticated set of ideas for implementing propaganda was developed at the Gutian conference. The importance of basing drama on local quality (*difangxing*) was stressed as a prerequisite for making propaganda effective (Holm 1984). The creation of plays by local amateurs, and the focus on 'real people and real events', were seen as ways to increase the educational impact on the targeted audience (Holm 1984). This was further developed in the *yangge* movement, launched in 1943, the first of a series of Communist Party mass movements based on literary-artistic genres.[14] The use of 'real people and real events' in the adaptation of *The Vagina Monologues* for China did not follow any overall plan for communication strategies formulated by activists. On the contrary, when Guangzhou students included a piece on abandoned girl babies, this was in response to a suggestion by Professor Ai Xiaoming and the Domestic Violence Network that they should include a topic specifically related to China. And at the Guangxi performance the students themselves decided to include pieces based on their own lives.

Given the similarities between activists' modes of consciousness raising and CCP propaganda methods, are women's movement activists then simply implementing yet another CCP style movement? The answer will require broader and more in-depth studies than ours. Our tentative analysis focuses on the voluntarily participation of the targeted audiences. In the course of writing and performing dramatic productions based on their own experiences, these people generate new knowledge about and raise awareness of gender relations. This takes place at the interface between three agencies: activists, 'recipients' (who are themselves engaged in creating new knowledge) and the knowledge they produce together. This recalls Lusted's definition of pedagogy as involving the role of teacher, learner and the knowledge they produce together. The success of the further development of the use of docu-

mentary drama will depend on the degree to which activists are able to discard perceptions of the role of the 'teacher' as a neutral transmitter, the student as passive and knowledge as immutable material to be imparted (Lusted 1986, cited in Lather 1991: 15).

Conclusion

In this chapter we have been concerned with ways in which non-governmental feminist women's movement organisations in Beijing communicate alternative gender equality understandings to authorities and the Chinese population in general. We have looked at two cases of communication. First, a public meeting that used political theatre to address the party-state system, and, second, how the use of documentary drama has enabled the active engagement of a small segment of the general population. A significant strength of the urban, intellectual, elite activists who have established non-governmental feminist organisations is that they are well-connected transnationally. International interaction has been important in inspiring and influencing the creation of new knowledge. Activists also legitimise their activities by linking up to international UN events and global events, such as the V-Day Movement, the 16 Days of Activism Against Violence Against Women, and the Canadian-initiated White Ribbon Campaign, in which men also engage in opposing violence towards women.[15] Moreover, activists make good use of the formal communication channels established by the party-state, both by submitting proposals to authorities and by reaching out to the general population via party-state institutions. The example of the planned demonstration is, as noted, exceptional. Generally, in order to safeguard the long-term interests of organising from below, activists will impose restraints upon their actions to ensure that they are not too provocative. As we have shown in the case of the public meeting held in support of ethnic Chinese women in Indonesia, the format followed a well-known and uncontroversial political theatre standard.

In regard to the use of documentary drama, we found that quite an innovative process of engaging the target group and drawing them into active participation in the movement was taking place. Although our material on the use of documentary drama is limited, we contend that one may discern highly significant communication processes used by popular feminist organisations that are of importance to an understanding of the potential impact of the women's movement. We maintain that these alternative media approaches testify to the fact noted at the beginning of this chapter – that the current women's movement is, at least potentially, one of the most significant things happening in

contemporary China. It is indeed altering deeply entrenched cultural views that see the unequal gender relations of the dominant gender order as 'normal' and 'natural'. A strategic approach is needed to end violence towards women and to challenge the socio-economic and political context of power relations in hierarchical societies based on exploitative gender relations. One element of such an approach is the participation of the whole community (Cheung et. al. 1999). By using mainstream media, and also alternative media (in Atton's sense of alternative in content and form), urban, well-educated, elite activists in popular organising are both targeting and involving other groups in public consciousness-raising activities. The audiences targeted by the activities following on from *The Vagina Monologues* have become actively involved in generating knowledge in ways similar to those employed by activists themselves – activities that led them to come to view violence towards women as a question of gendered power relations and, for some, also as a human rights issue (Milwertz & Bu 2007). By facilitating this participation, activists are achieving the movement's transformative goals through a 'knock-on' effect. Those who were previously 'recipients of communication' become actors within the core of the movement's activities and to various degrees also come to challenge the dominant gender order.

This process is not spectacular, and it is unlikely to be noticed by the internationally marketed English language mass media. Public consciousness-raising in which poor girls at a school in Guangxi or rural women in Hebei create documentary drama based on their own lives are generally not viewed as sensational events. They are not covered by the Western media as was the 2004 banning of the staging of *The Vagina Monologues* in Shanghai and Beijing. However, in the long run the involvement of people in the documentary drama activities may turn out to have far-reaching implications for the development of the women's movement in China based on the establishment of a cross-class coalition that could result from activists finding solidarity through shared gender identity. Urban, middle-aged, intellectual activists are reaching out not only to young students, but also to peasant women to build strategic alliances based on common gender interests. These alliances acknowledge but also strategically transcend differences such as class, education, and rural-urban location. Like women in other parts of Asia (Stivens 2000), Chinese activists too are making claims in terms of a strategic universalism based on a shared humanity.

Increasingly, studies of popular organising and social movement activities in the People's Republic of China are recognising the importance of alliances and interaction between activists and the party-state. Rather than viewing the state-society relationship as dichotomous, it is being argued that the heterogeneous nature of both state and society

and their multifarious interactions must be acknowledged (Edwards 2008; Ho 2007; Lu 2007). Gilboy and Read (2008) argue that political and social reforms are thoroughly alive in China, and that they are based on the two elements of, on the one hand, an increasing number of active citizens who are voicing interests and demands and, on the other hand, a party-state that is open to change. If we accept the importance of an increasing number of active citizens in moving forward this trend, then it is time to focus more on how the intellectual core of the women's movement, as well as that of other social movements, interacts not only with the state, but also with the general public.

Notes

1 We thank Inga-Lill Blomqvist and Anja Møller Rasmussen at the Nordic Institute of Asian Studies Library and Information Centre for invaluable assistance in identifying and making available materials for this paper.

2 See Zhao 2005 on the current status of the mass media in China. In a study of environmental NGO activism, Yang and Calhoun (2008) argue that the development of a green public sphere involves both constraining and enabling aspects of interaction with the mass media, alternative media and the Internet.

3 Although violence was not initially addressed in popular organising, it has gradually become one of the focal points of activism (Milwertz 2003).

4 The *Almanac of Chinese Women's Studies* 2001-2005 (Quanguo fulian funü yanjiusuo 2007) provides an overview of recent studies in Chinese, while Hershatter 2004 provides a relatively recent review of English language studies.

5 We do, of course, recognise that men are also victims of rape.

6 This section of the paper is based on and further develops our joint research, including Milwertz and Bu 2003, as well as drawing on earlier work by Milwertz (2002).

7 Bu Wei has been involved as an activist in popular feminist organising since 1995, and has studied these organisations since 2000. Cecilia Milwertz conducted her first interviews with activists in 1994, and has since then been engaged in studying organising around gender issues.

8 See Milwertz 2002 on registration and affiliation of popular feminist organisations. Contrary to the practice in other parts of China, none of the popular women's organisations in Beijing are affiliated or registered with the Beijing Women's Federation, though one organisation has been a group member of the All China Women's Federation.

9 According to Hu & Wang 2006 quoted in Gilboy & Read (2008), mass protests in China have risen from 10,000 incidents involving 730,000 people in 1993 to 74,000 incidents involving 3.7 million people in 2004.

10 Cai, Feng & Guo 2001 provide an introduction to the setting up of the Media Watch Network and the early years of activities.

11 The Platform for Action is an international document resulting from the Fourth UN Women's Conference committing governments to work for gender equality – see United Nations 1996.

12 In Milwertz & Bu 2008 we discuss the use of the play by the Domestic Violence Network website to influence the mainstream mass media. Milwertz and Bu (forthcoming) is an interview with Bu Wei who is one of the main initiators and facilitators of

the use of the play by the Domestic Violence Network, about the role of the Network in introducing the play to China. This section draws on these publications.

13 For a vivid description of the dramatic Sun Zhigang case, see Pan 2008.

14 *Yangge* is the name of a form of North Chinese dances, songs and variety acts performed by amateur peasants during the New Year, see Holm 1984.

15 The V-Day Movement, started in 1998, administers the play *The Vagina Monologues* and distributes funds in support for activities to stop violence towards women and girls. The 16 Days of Activism against Gender Violence is an annual global campaign started in 1991 by the Centre for Women's Global Leadership at Rutgers University in the United States. The campaign begins on 25 November, the UN International Day for the Elimination of Violence against Women, and lasts until 10 December, the UN Human Rights Day.

12 The Hong Kong Catholic Church: A Framing Role in Social Movement

Beatrice Leung

Introduction

Relations between church and state have historically ranged from the relatively mild tensions in Western democracies (Dillon 1999; Robins & Robertson 1987; Moyer 1990; Hanson 1987) to the fundamental conflicts over authority found in authoritarian, especially communist states (Hanson 1980; Stehle 1987; Leung 1992; Weigel 1992; Goodstadt 1996). Ideological incompatibilities and cultural differences led to repeated clashes of authority in communist China between those who sought atheist communism and those who held religious beliefs (Ramet & Ramet 1993; Treadgold 1973). Problems involving the Catholic Church are more complex because its hierarchical structure posed extra challenges to the omniscience of the ruling Communist Party (Ramet & Ramet 1990; Michnik 1993; Szajkowski 1983).

In the whole period of British rule in Hong Kong (1841-1997), no religious group, including the Catholics, had ever offered a social frame to the mass to engage in a social movement to challenge the colonial rule. However, since the post-colonial period, within a few years of the Chinese rule in the Hong Kong Special Administrative Region (HKSAR), the Catholic leader Bishop Joseph Zen Ze-Kiun started. Later in 2006, Zen was elevated to Cardinal offering a frame for social movement on a couple of social issues challenging the HKSAR government as well as Beijing in the name of defending some basic Christian values such as religious freedom and human rights.

Social scientists argued that religious organisations, like any social organisation, could offer a frame either to stabilise the society by rendering social, medical and educational services to the needy and the poor or by collecting dissents to agitate social change (Snow, David & Benford 1992: 137). This chapter aims to discuss how the Catholic Church went from playing a role of the contractor to the Hong Kong British government to stabilise the society to becoming a frame for social movement to 'rock the boat' in the HKSAR. One of the key figures in promoting social movement in the Catholic Church is Cardinal Zen, whose politically active actions and influence were frowned upon by the Tung administration of HKSAR as well as Beijing leaders who also

wanted him to be removed for their own benefit. In participating in active social movements, the Catholic Church has become part of the emerging civil society in Hong Kong that championed the preservation of the fundamental and universal values of freedom and human rights.

Early Roles of the Hong Kong Catholic Church

Catholic missionaries were invited by the British to take care of the spiritual needs of the Irish soldiers in the Hong Kong barrack soon after the arrival of the first group of British in 1841. Since then, the Catholic missionaries have provided Catholic-based education in the colony for the past 150 years and established a large network of Catholic schools in Hong Kong, giving the impression that the Catholic Church had a very warm relationship with the British (Leung & Chan 2003: 23-46). At the same time, the Catholic Church also provided a large array of social services to the community at large. However, Christian churches were regarded as 'contractors' instead of 'partners' to British Hong Kong's education and social services, because the church only ran the schools and social services according to the government's education and social policy as well as received a government subvention of 80% of the running expenses (Leung & Chan 2003: 23-46).

In the late 1960s, under the leadership of Bishop Francis Hsu (1969-73), social issues and Christian teachings were integrated into daily life as suggested by the Second Vatican Council (1963-65) (Goodstadt 2003: xi-xvi). Bishop Hsu then responded to the widespread anger about social abuse, government corruption and official complacency (Goodstadt 2003: xi-xvi). Such actions angered the British colonial administration. As such, it is possible to argue as suggested by E. Goffman that cultures generate a 'primary framework' that renders particular social acts meaningful. Religion has been effectively and efficiently mobilised as a frame for a social movement as in Poland (Osa 1997: 339-366). Tarrow also noticed how the frame works in an authoritarian state and remarked that where power is centralised and conditions are homogenised, once opportunities are opened, framing and organising a social movement are facilitated (Tarrrow 1994: 93).

Prior to the handover of Hong Kong to China on 1 July 1997, the Christian churches, including Catholic Christians, became increasingly involved in politics and social actions to fight for religious freedom and lifestyle under the 'One Country, Two Systems'. The Catholic Church became involved in the fight for democracy and religious freedom because many of its members were Hong Kong's new middle and professional class who had become politically proactive as a result of fear of

the incoming authoritarian Communist rule and demanded that the Church support their cause (So & Ludmilla 1996: 364-398). Thus, in the 1991 and 1995 Hong Kong Legco elections, the Catholic actively supported the election campaign, so much so that the turnout rate of Catholic voters was much higher than that of the general public (86.6 per cent vs. 39.1 per cent in 1991; 81.5 per cent vs. 35.8 per cent in 1995). The majority of Catholic voters were pro-democracy (Leung 1992a: 151-186; Chan & Leung 1995: 275-314). As such, the Catholic Church adopted a political frame to champion the needs of their religious community.

The Catholic Church after the Handover

Since 1997, after the return of sovereignty to China, Hong Kong has become the first 'Special Administrative Region' (SAR) of PRC. This political change also affects the status and functioning of the Catholic Church. In reality, the Catholic Church has become even more vocal. One of the first social issues taken up by the Catholic Church after 1997 was the right of abode issue for mainland wives and children who were born of mainland women and Hong Kong men. Many of these wives and children came to live in Hong Kong under a two-way permit. As such, they were overstayers, and once they exceeded the legal duration of stay in Hong Kong, they became illegal immigrants. These children together with the mother applied for right of abode after the handover with the view that they would be granted permanent abode by the new SAR government.

The right of abode appeal was upheld by the Court of Final Appeal that under the Basic Law, all mainland children born of Hong Kong permanent residents are entitled to live in the HKSAR, but the Hong Kong government rejected the decision. The Government's rejection was based on the argument that these children and wives would put enormous pressure on housing, employment and public health.[1] Some scholars and human rights groups accused the Government of producing dubious statistics to instill fear in the public and give the impression that the only possible solution would be to have the judgment effectively overturned.[2] Cardinal Wu and Zen of the Catholic Church also criticized the Government's stance on the Right of Abode which gained the support of the public. Cardinal Wu stated:

> A large number of adult Hong Kong residents came from the Mainland to settle here in the 1950s and 1960s. Hong Kong at that time was not blessed with a strong economy or firm social structure. Nevertheless, when faced with a continuous flood of

> refugees, there was no hesitation, and doors were opened to welcome them ... Based on the belief that 'blood is thicker than water' and that 'all within the four seas are one family' ... how can we harden our hearts, look on with indifference and a lack of humanity, and use 'interpretation' to deny them hope ...?[3]

Here the Catholic leaders, in particular Cardinal Wu and Zen in their pastoral letter, offered a successfully framing which enables the social movement to 'mobilize potential adherents and constituents to garner bystander supporters and to demobilize antagonists as suggested by scholars like Snow et al. (Snow, Benford, Rochford, Jr., & Worden 1986: 465-66; Snow & Benford 1988).

The second issue that the Catholic Church engaged in was educational reform. Here the key issue was the implementation of the so-called 'mother-tongue' as the medium of instruction for schools. Under the Hong Kong educational system, all schools adopted a bilingual policy where students are taught in Cantonese and English, with some also offering Mandarin as a third language. Among the academically good schools (a large number of them are Catholic schools) the common language medium is English. These schools produced students who excelled not only in academic subjects but were also excellent English language speakers. Out of 512 secondary schools, there are 250 Protestant and Catholic run schools, forming 49 per cent of the total number of secondary schools. Among Christians, Catholics run the largest number of schools in Hong Kong, followed by Anglicans, then by the Church of Christ in China (Brown 2001: 19-61). Including kindergartens, primary, secondary, and other schools, the Catholic Church sponsored 297 schools which served 219,615 students (*Hong Kong Catholic Directory* 2008: 624-625). In a survey conducted in 1999, it was revealed that 76 per cent of high-ranking officials in the Hong Kong government had graduated from Christian (Protestant and Catholic) schools.[4]

The shift of language policy was criticised by some Catholic priests amidst the outcry by many parents who continued to see English as a key to a successful career for their children. The key arguments against the change of language policy was that it would affect Hong Kong's status as a metropolitan city and that it would not address the declining language standard among students. However, research showed that this policy would deprive Hong Kong students of an opportunity to learn English as compared to students of Taiwan and the mainland which have stepped up English learning in their educational policy (Leung 2000: 125-152). However, within the Church, there were diverging views.[5] In addition, the Church also disagreed with the Government's educational objective which aimed at enriching the moral, emo-

tional, spiritual and cultural life of their students to improve the materialist world and lead a healthy life (Brown 2004: 263-274) while the objective of the Catholic education was on the transcendental value of life and taking morality and spirituality as the key priority, and arguing that the materialist world and healthy life should be pursued to support the moral and spiritual endeavour, which are essential to leading a life of truth, goodness, and beauty in this world and the eternal life (Flannery 1975: 725-37).

Another area of contention between the Catholic Church and the HKSAR was the management of schools. The Government introduced the school-based management (SBM) system to advance openness, accountability and democracy in all of the schools. Catholic and Christian educators view the SBM system as a direct challenge from the Government and argued that this policy infringed their religious freedom. The composition of the new school-based management system comprised 60 per cent school administrators as well as 40 per cent representatives from teachers, parents, alumni and community leaders who might or might not be Christians or Catholics. Among the teachers, the majority were lay members, and around 73 per cent were non-Catholics. The Church viewed this change as a challenge and a dilution of the power of the Church that would impede their policies on Catholic education.

In addition, Bishop Zen, representing the Catholic Church, also expressed apprehension over the Government's policy to introduce compulsory teaching requirements and texts on issues such as the support of abortion that might contradict the Catholic teachings. Such policies forced the Catholic Church to distance itself from HKSAR's education (Brown 2004: 263-274). Bishop Zen's anxiety was not groundless, and it was confirmed by the former director of the Central Policy Unit, the pre-1997 Hong Kong Government's think tank, which perceived that there was a desire within the SAR Government to lessen the dependence on religious organisations for the provision of education (Goodstadt 2003: xi-xvi).

Bishop Joseph Zen thus publicly expressed his own concern to the Catholic educationalists that the Catholic educational vision and mission would suffer immensely if the Education (Amendment) Bill 2002 were passed (Zen 2004). Although the Bill was passed in 2004, Bishop Zen had asked the Catholic schools to reject the order of the Government and maintained the status quo of the school curriculum for a period of 4 years. When Zen filed a court case against the Government, political analysts realised that the educational conflict had not ended yet and that it would carry on. Zen lost the court case; but the framing role of the Catholic Church began to bear fruit when the other Christian churches followed in Zen's footsteps, and other educa-

tional sponsoring bodies asked the same question vis-à-vis the government. In this clash in educational reform, Zen offered a frame in interpreting that simplifies and condenses the complicated issue by selectively punctuating and encoding objects, situations, events and sequences of actions within his present environment (Snow, Rochford, Jr., Worden & Benford 1986: 465-66).

A third issue the Catholic Church became actively involved in was the issue pertaining to Article 23 of the Basic Law that requires the Hong Kong government to legislate the prohibition of acts of secession, subversion, treason, theft of state secrets, sedition, as well as foreign political organisations conducting political activities in Hong Kong, and local political organisations establishing ties with foreign political bodies. Bishop Zen led the Church and joined the legal professionals and the pro-democratic groups in voicing his objection to the proposed new laws that threatened the freedom that Hong Kong people used to enjoy. The opening part of his speech in a seminar on the legislation of Article 23 of the Basic Law fully revealed his attitude towards this issue:

> I am worried about the legislation of Article 23 of the Basic Law because the contents of the consultation document and the aggressive style of the document constitute a serious threat to the 'One Country, Two Systems'. Under the principle of the 'One Country, Two Systems', the Hong Kong Catholic Diocese operates smoothly like many other Catholic dioceses in the world. According to the guiding principles of the consultation document, if the Catholic Church in China in future were to be condemned as an organisation endangering the national safety, the Catholic Church in Hong Kong would follow the same fate (...). If we legislate Article 23 of the Basic Law according to the consultation document, the religious policy of the mainland can be easily transmitted to us. What is the religious policy of the mainland? It alludes to an 'absolute control' on religious matters. It levies a heavy punishment on those who refuse to render absolute obedience by arbitrary persecution[6].

His opposition to the legislation was clearly built on the fear that the repressive Chinese religious policy would be introduced into Hong Kong if the fire screen of the 'One country, Two Systems' were to be removed after legislation of the Article 23 of the Basic Law. As a result of his vocal actions, he was defined by the press as the most strident and high-profile supporter of the proposed new laws and became a focal point of political opposition to the unpopular, Beijing-backed government (Lague & Murphy 2003: 24-27). On 23 November 2002, 60,000

to 70,000 citizens rallied against the legislation of Article 23, and the anti-government rally on 1 July 2003 was the largest rally with half a million people participating since the turnout during the June 4th Incident of Tiananmen 1989. Catholics joined the rally after a prayer meeting led by Bishop Zen at the rally's starting point. Zen himself did not join these rallies but was engaged in private prayers of long hours in a chapel during the whole event.

Bishop Zen became the only outspoken dissenting voice at the time when local pro-democratic groups which were traditionally the strongest voices of protest had been marginalised. Zen became the new conscience of Hong Kong after the retirement of Anson Chan, the former Chief Secretary, and Martin Lee, the Democratic Party leader. The frame offered by Zen on this issue set up a social consensus when it 'resonates' with a population not only by mirroring the existing value (religious freedom) but also by clearing defining and assigning the blame for the particular problem (legislating Article 23 of the Basic Law) to the Government and offering the solution by suggesting the dropping of the legislature all together as suggested by theorist Gamson (Gamson 1992: 7).

Bishop Zen was elected as the most Outstanding Personality of 2002 by the mass media organised by the prestigious *South China Morning Post,* Radio Hong Kong Channel 3, and the popular newspaper *The Apple Daily*. From the 2558 votes, Zen won 50 per cent and so came first. Readers who chose Zen mentioned that he embodies the values of hope, justice, charity, love and wisdom and fights with outspokenness and bravery. He is also regarded as an inspiration to all (*The Apple Daily* 1 Jan. 2003; *Kung Kao Po* 12 Jan 2003). He was also chosen as one of the ten most influential public figures when Radio Hong Kong celebrated the 10th anniversary of Hong Kong's return to China in 2007. The *Wall Street Journal* echoed the local opinion to the international community that Bishop Zen was leading the Hong Kong Catholic opposition as democracy parties became marginal and that Bishop Joseph Zen was moving to fill a political void by playing the role of a 'frame' by collecting pro-democratic activists in the name of freedom and human rights (Lague 2003: 14). In addition, his action was also supported by Vatican. When he made his *ad limnia* visit to the Vatican in September 2004, he was received warmly by Cardinal Sordano, Secretary of State of the Vatican, and Sordano verbally supported Zen's endeavour of defending freedom (*South China Morning Post* 1 December 2004). The elevation of Bishop Joseph Zen to the cardinalate in April 2006 reflected the Vatican's high opinion of Zen, as it entrusted him with the duty of adviser and assistant to the Pope on China Affairs in addition to his duty as the prelate of the Hong Kong Diocese. From such recognition, it is not difficult to imagine his popularity and

public support of his fight against the government on the above issues. As such, Zen can be seen as providing an effective frame to pursue human rights, democracy and religious freedom and to mobilize the Hong Kong middle class and professionals to launch their demands.

The fourth issue concerns the role of the Hong Kong Catholic Church in the relationship between the Vatican and the mainland Chinese government. Sino-Vatican diplomatic relations were established in 1942 but were formally cut in 1951 with the expulsion of the papal nuncio Archbishop Riberi (Chen & Jiang 2003: 162-276). Under communism and Mao Zedong's emphasis on class struggle, religion became part of the bourgeoise and thus was not tolerated. It was only after the Reform Policy of 1978 that religion began to reappear in China. However, the Sino-Vatican relationship went on a roller-coaster ride.

In 1981, Cardinal Casaroli, then Secretary of State of the Vatican, made the first overture to China, aiming at normalising Sino-Vatican relations. However, the Vatican's unilateral appointment of Bishop Dominic Deng Yiming in 1982 led to a temporary suspension of the Sino-Vatican relationship (Leung 1992: 189-256; Tang 1991: 126-130).[7] However, informal contact between the Vatican and China was resumed shortly thereafter, and some progress was made. In November 1987, Zhao Ziyang, then Secretary General of the Chinese Communist Party (CCP), met Cardinal Sin of Manila in Beijing, and they agreed to hold talks to initiate a formal Sino-Vatican negotiation.[8] The meeting gave hope for heralding a new dawn in the Sino-Vatican rapprochement. However, there remain major differences such as the appointments of bishops and the relations between the official and underground Chinese Catholics. Added to these two existing issues are Beijing's demand for the transference of the ecclesiastical administration to the civil authority and the demand that the Vatican refrain from interfering with China's internal politics. Above all, the Catholic-HKSAR government relationship has brought international attention and impacted on the Sino-Vatican relationship.[9]

Throughout the years, Hong Kong has played a crucial role in the development of the Catholic faith and Catholic churches on the mainland. Hong Kong's efficient and effective communication attracted overseas bridge-builders for meetings on coordination and the exchange of views. The diocesan-sponsored Holy Spirit Study Centre provided excellent services to overseas bridge-builders as its research section had a good collection of data on religions in China for consultation. Its staff helped initial programmes in various ways, including accompanying new workers for an initial trip to China and providing up-to-date information through its quarterly publication *Tripod*. The Hong Kong dioceses' traditional role of a 'bridge-building Church' for

the revival of the Chinese church won the approval and appreciation of the Vatican.[10]

The bridging missions were aimed at the revival of the Chinese church and coincided with the beginning of 'openness' in socio-economic policies in the modernisation programme of Deng Xiaoping since 1979. The bridge-building mission mainly focused on supporting churches, the training of priests, sisters and Catholic laity, sending religious literature and teachers, and giving financial aids for church operation and church-related social service projects. This assistance, which was extended both to the official and unofficial sectors of the Church, has played a crucial role in the past two decades in the revival of Catholicism in China.

The actual extent of the revival and development of the Chinese Church is reflected in some basic statistics. Religious activities propagated very rapidly. In 1983 there were 300 Catholic churches in China, by 1987 the number had increased to 2,100; by 1992 to 3,900; by 1997, 5000; and 5,400 churches in 2004. The number of Catholic adherents was estimated to have risen from 3.3 million in 1986 to over 10 million in 1992, and 12 million in 2004 (including both the official and underground churches). In 1997 there were 1,500 Catholic priests. In 2004 there were 2,200 priests, three-quarters of whom were ordained in the past 12 years ('A Chronology of Catholic China' 1993: 19; China Catholic Communication 1993: 10-18; 1997: 10-18; 2000: 8-14, 18-20; 2004: 18-20).

In the same year of 2004, it was recorded that in the official sector there were one national seminary, 6 regional seminaries and 7 provincial seminaries and 10 diocesan seminaries with 1,000 major seminarians and 600 minor seminarians in training. There were 10 training centres for the underground sector with 800 seminarians (major and minor) in training. There were 40 novitiates for religious sisters, with 1,500 sisters in training in the official sector and 20 in the underground sector for the training of 1,000 sisters ('A Chronology of Catholic China' 1993: 19; China Catholic Communication 1993: 10-18; 1997: 10-18; 2000: 8-14, 18-20; 2004: 18-20). In 2004, there were 1,000 candidates in 19 seminaries and 5 pre-seminaries while there were 800 in the 10 underground seminaries (China Catholic Communication 2004: 18-20). In 2004, there were 3,300 sisters with 40 convents in the open sector and 1,600 in 20 convents in the underground sector of the Chinese church (most of them under the age of 35) (China Catholic Communication 2004: 18-20).

The great expansion of churches and chapels as well as the increase of priests and sisters reflect that this rapid expansion was the result of the bridge-builders who donated huge amounts of money to build and restore churches nationwide, both in rural and urban settings, respond-

ing to the needs of local Catholics who desperately needed pastoral care.

However, the revival of Catholic life did not go along with the state-Party's policy, which aimed at eliminating the religious influence in the socialist state (Ye 1996). One year before Hong Kong's handover to China, Ye Xiaowen, head of the Religious Affairs Bureau of the State Council of China, visited Hong Kong and indirectly warned Hong Kong Catholics that the bridge-building should come to a halt after 1997. He argued that since the mainland did devise the idea that Hong Kong should conform to the mainland's religious policy, the Hong Kong Catholics should not attempt to transplant its religious practice to the mainland. He frankly reminded the Hong Kong Catholics that after the transfer to Chinese rule in 1997, they should observe the principles of 'mutual non-subordination, mutual non-interference and mutual respect' as stipulated in Article 148 of the Basic Law of Hong Kong Special Administrative Region of PRC (*Sunday Examiner* 5 July 1996; *China Message* August 1996: 12-13). This was the first official indication from the PRC to the HKSAR to refrain from their bridge-building endeavour. Prior to that, many religious visitors to China informally got the same message that requested Hong Kong Catholics to refrain from engaging in the bridge-building mission.[11]

After Hong Kong's transfer to Chinese rule, Bishop Joseph Zen, the coadjutor Bishop of Hong Kong who had taught in mainland seminaries for the last ten years, was politely but firmly refused to visit Chinese seminaries in February 1998[12]. The clerics and laity leaders of the Hong Kong Catholic Church under Zen's leadership were not willing to yield to the demands of the Chinese officials who indicated that Hong Kong should stop building bridges with China after the handover on 1 July 1997.[13] In other words, the Hong Kong Catholic Church had a dual role to play: the bridge-building church for the revival of the Chinese Church, a mission given to them by the Vatican, and the role of a local church to deal with the HKSAR government. Hong Kong with its international vision tried to embrace the dual missions simultaneously under the leadership of Zen.

In the dispute between the Vatican and China on the canonisation of 120 saints in China (October 2000), Zen not only openly criticised China's grip on its Chinese bishops by forcing them to follow the Party on this religious issue, but also revealed that he was asked by an official from the Liaison Office in HKSAR to celebrate the canonisation modestly. Zen's message caused great alarm in Hong Kong society as the message from the Liaison Office was, *ipso facto*, an interference with religious freedom in Hong Kong.[14] Beijing's continuous attack on the Vatican during the whole week of celebrations for Canonisation Day through its propaganda mechanism that condemned several saints as

rapists and criminals was curtailed by Zen's open retort. With Zen's message, public attention was diverted from the controversy of canonisation to the infringement of religious freedom in Hong Kong.

The Vatican had one more reason for favouring Bishop Zen, and as a matter of fact, many Catholic experts who know China and its church affairs do as well. In February 2002, there were 51 experts of different nationalities invited by the Propaganda Department of the Vatican to brief its new leaders on China affairs.

Among these 51 experts none stood up at the critical moment to speak for the Vatican on the controversial canonisation of 120 saints in China, except Zen who was brave enough to defend the Vatican's position at his own expense. Above all, his defence was so successful that it put a halt to Beijing's continuous attack on the Vatican.

For the Vatican, the value of Bishop Zen of Hong Kong can be seen in Beijing's suggestion to remove him from Hong Kong in exchange for restarting the suspended Sino-Vatican negotiation of 2001. The suggestion was made in 2002, when the campaign of anti-legislation of Article 23 of the Basic Law was in full swing while Catholic opposition on education reform had not yet been resolved. Although the Vatican had been anxious to normalise the Sino-Vatican relations, it had to evaluate Beijing's offer in the political context of the triangular relations between Beijing, Hong Kong and the Vatican. Not only did Bishop Zen continue to head the Catholic community in Hong Kong to fight for religious freedom and human rights, but on 24 March 2006 he was also elevated to Cardinal of the Hong Kong Catholic Church and became a close adviser of the Pope. The Vatican also did not entertain Zen's removal from Hong Kong as requested by the Chinese government.[15]

The current head of the State of Council of the Vatican Cardinal Sordano's encouragement by asking him to continue his endeavour to fight for freedom signified that he was needed by the Vatican in Hong Kong and on mainland China. With Zen's elevation to Cardinal, he became one of the few Chinese advisers who really knew about China and who could influence the Vatican on its Chinese policy with his expertise in China affairs. On 22 September 2006, Zen met the Pope and suggested retiring from being the prelate of Hong Kong to concentrate on Chinese affairs *(South China Morning Post* 22 September 2006). The Vatican appointed Bishop John Tong to be his coadjutor to share his responsibility of the Hong Kong diocese, while Zen continued to take care of the Chinese Catholic Church. However, the contributions of Zen in defending the fundamental values of the Catholic Church gave the Vatican reason to entrust him with the duty to look after China affairs. The additional responsibility of being the chief adviser on the Vatican's Chinese Affairs allows Zen to fly between Hong

Kong and Rome more frequently than before. On Christmas Day 2008, Zen announced that he will be succeeded by Bishop John Tong, who propagates a milder approach.[16] Hong Kong's church-state relationship will turn a new page in the post-Zen era.

Discussion and Analysis

Having discussed the roles of the Catholic Church and to understand more fully the actions taken by the Church and Cardinal Zen, it is imperative that we explore how the Catholic Church framed its role.

The Catholic Church has its own teachings based on theology on the church and state relationship to guide the church in its relation with the government and politics. Although the church teachings do not directly refer to the 'framing' roles which is a technical term in social sciences, they explain why the church engages in this role to stabilise or unstabilise the society. These teachings are documented in the *Pastoral Constitution of the Church in the Modern World* of the Second Vatican Council (1963-65):

> The role and competence of the Church being what it is, she must in no way be confused with the political community, nor bound to any political system, for she is at once a sign and a safeguard of the transcendence of the human person.
> In their proper spheres, the political community and the Church are mutually independent and self-governing. Yet by different title, each serves the personal and social vocation of the same human beings.
> The church, founded on the Redeemer's love, contributes to the wider application of justice and charity within and between nations. By preaching the truth of the gospel and (...)she shows respect for political freedom and responsibility of citizens and fosters these values. (Abbott 1966: 287-288)

A Catholic scholar argued that under the principle of separation of the church and state, cooperation between the church and state is expected to serve the needs of the same people who live under the reign of a political system and belong to the Church. In real life, the Catholic Church should help human beings to live a life filled with morality and spirituality and prepare them for the eternal life, while the government is expected to help people live a decent life and to satisfy their basic needs to enable them to pursue a moral and spiritual life (Li 1992: 85-86). It explains why the Catholic Church was prepared to play a 'framing' role to work for social stability by cooperating with the Hong

Kong government by providing educational, social and medical services and responding to the people's needs before Hong Kong reverted to Chinese rule again. The Catholic role of framing for social stability became possible when a mutual interest was found between the British government and the Catholic Church.

Such a role continued as Hong Kong returned to the mainland and became a special administrative region. The HKSAR Catholic Church continued its role as a bridge to stimulate the revival and growth of the Chinese Catholic Church although its role was met with much obstruction by the Chinese government. However, despite this, churches have proliferated on the mainland. As a result of this increase in church membership, the Chinese government may have felt ill at ease. This explains why the Chinese government wanted to eliminate the bridging efforts of the Catholic Church in HKSAR as it could nourish a possible frame to challenge the Chinese rule as witnessed in the Falun Gong case.

Another framing role was created by Cardinal Zen when he appealed for support from his members and the public at the time of the discussion of Article 23 of the Basic Law. He framed the movement in the name of justice, charity, religious freedom and human rights. With this as a guiding frame, his message appeals to all sectors of the Hong Kong population. The Church, by giving the guiding principle as a moral leader, played a 'framing' role in the social movement to annul the legislation. Most of the commentators stated that without Zen's support, the legal professionals would not have persisted in the struggle.[17] A related issue is education reform where again Bishop Zen defended the interest of the Church, and religious freedom in education. In actively establishing a frame for social action and social movement, Cardinal Zen was careful not to become politically involved. Hence, he refused to become involved in political activities or join political parties. He argued that his framing role was not for political reasons but for religious reasons and thus for the protection of basic Christian values of human rights.

Notes

1 Frank Ching, "Scare Tactics", *Far Eastern Economic Review*, May 1999: 18.
2 *Ibid.*
3 Cardinal Wu, "God is Love". Pastoral letter issued on 30 May 1999, and reprinted in *Kung Kao Po* and *Sunday Examiner* (Hong Kong) 6 June, 1999.
4 The telephone survey was done by the author in 1999.
5 Mission schools run by international specialists in education like Jesuits, La Salle Brothers, Canossian sisters, St. Paul Sisters and Maryknoll Sisters who have been providing the best education in Hong Kong to date. The international horizon of

those foreign missionaries from the US and Europe as well as their global experience in education led them to view the mother tongue teaching policy negatively.

6 The speech was in Chinese and translated into English by the author.

7 Cardinal Casaroli, the Vatican's Secretary of State, went to Hong Kong to greet Bishop Deng Yiming who was released in 1981 after 22 years of imprisonment in China, as the first contact from the Vatican. The Pope during his Manila visit in February 1981 made a very conciliatory speech to China to reinforce his intention to make contact with China. See 'The Pope speaks to Chinese Christians', *Sunday Examiner*, 27 February 1981.

8 Revealed by Fr. Jose Calle, S.J., who accompanied Cardinal Sin in the latter's meeting with Zhao Ziyang in November 1987.

9 Since 2002 within the church circle a rumour prevailed that Beijing suggested to the Vatican that the removal of Bishop Joseph Zen of Hong Kong would be a sign of the Vatican toward China for resuming the Sino-Vatican negotiation which came to a sudden halt in August 1999. This rumour was confirmed by Bishop Zen himself when the author interviewed him in July 2004.

10 This was revealed by Cardinal Edward Cassidy, a retired Vatican official who was familiar with the church affairs in the Greater China Region. He was interviewed in May 2004, in Sydney, Australia, by the author.

11 I visited China with 12 religious sisters of the Sisters of the Precious Blood from 27 December 1996 to 3 January 1997, and was told the same message by the Vice-President of the Chinese Patriotic Association.

12 The details of the issue were reported by Bishop Zen when he met this author in November 1998.

13 Religious officials from the Catholic Patriotic Association opined to various religious visitors to Beijing prior to and after the Hong Kong handover that the Catholic Church of Hong Kong should stop 'interfering' in the Chinese Church.

14 I had a long discussion with Bishop Joseph Zen on this issue in November 2000 right after the canonisation.

15 I was informed by an informant who is close to the Vatican in September 2006.

16 *Sunday Examiner*, 15 February 2009.

17 Professor Sinn Elizabeth, the assistant director of the Centre of Asian Studies, University of Hong Kong, and other scholars expressed this view in an international symposium in September 2002.

13 Religiosity and Social Movements in China: Divisions and Multiplications[1]

David A. Palmer

To include religion in a discussion of emerging social movements in China would seem to be a natural thing to do: after all, one could argue that in China, the social movements with the greatest numbers of followers, the most efficient mobilising ability, and the greatest capacity for resistance to government repression are religious ones. From the underground churches to Tibetan and Muslim movements to Falun Gong, organised popular resistance in China has frequently taken religious form since the late twentieth century.

And yet, an uncritical application of the sociological concept of the 'social movement', with its emphasis on conflict and a state-society dichotomy, to China's religious sphere – and perhaps, by extension, to Chinese society in general – risks blinding us to the true location and dynamics of social agency in China. While it is not difficult to identify religious movements of resistance in China, such phenomena merely represent a small but attention-grabbing portion of a broader process of the redeployment of religious networks and communities in their relation to society and the state.

When we look closely at the theoretical literature on social movements, however, we come to the quick conclusion that, following the definitions given, strictly speaking, religion cannot constitute a social movement, even less so in China; in fact, it would appear that under China's traditional and contemporary social and political structure, there can simply be little social movement of any sort. Considering this question, we risk repeating the debate of the early 1990s about civil society in China, which did not reach a meaningful consensus (*Modern China* 1993, 19: 2; Vandermeersch 1994; Chevrier 1995; Brook & Frolic 1997; Weller 1999). If, as argued by Alain Touraine, civil society is the arena within which social movements occur and which social movements seek to expand (Cohen 1996: 185-186), the results of that debate are highly relevant to the present discussion of social movements.

One of the contributions concerning Chinese religion to that discussion, made by Kenneth Dean, underlined the growing social role of religion in rural Fujian, but critiqued the applicability of the concept of civil society to describe the public spaces opened up by the popular religious revival (Dean 1997). In another vein, Richard Madsen, in his

sympathetic study of China's Catholics as an incipient civil society, came to the sobering conclusion that although Chinese Catholic communities, particularly in the underground Church, engage in organised activity that is effectively outside of government control: 'this independently organised social activity does not necessarily lead toward social self-governance in a pluralistic society. It sometimes leads to fragmentation and, potentially, anarchy' (Madsen 1998: 127). Robert Weller, on the other hand, stressed both the resilience of informal social resources which could be mobilised by traditional religious communities, while stressing the split between amoral cults that accommodate themselves to the instrumental individualism of the market economy, and the voluntarist moralism of Taiwanese sectarian societies and new religious movements, which come closest to approximating civil society associations (Weller 1999: 83-84).

In this chapter, I will therefore begin with a critical discussion of the concept of 'social movements' as understood in the sociological literature, with an eye to its relevance to the Chinese case, and argue that any fruitful consideration of social agency in China will have to question some of the assumptions underlying Western paradigms of religion, resistance, and historicity. I will then examine the social dynamics of the resurgence of Chinese popular religiosity in two distinct forms in post-Mao China: the revival of temple cults in the rural areas and the *qigong* movement in the cities. Data for the former are derived from a review of ethnographic case studies and, for the latter, from participant observation and an analysis of documentary materials produced within the *qigong* milieu (Palmer 2007). I will then conclude by arguing that social agency in these movements has expressed two types of social logic: *lines of division* between distinct social actors in confrontation, approaching the classical social movement paradigm, and *zones of multiplication* of complex relationships between social actors, undermining the boundaries between them.

Questioning 'Social Movements'

A quick perusal of the sociological literature on social movements reveals a widespread amalgam between notions of 'movement' and 'protest', 'resistance', 'challenge' or 'conflict' with the state. Alain Touraine defines social movements 'as organised conflicts or as conflicts between organised actors over the social use of common cultural values' (Touraine 2002: 90). For Sidney Tarrow, a movement is defined as 'collective challenges by people with common purposes and solidarity in sustained interaction with elites, opponents, and authorities' (Tarrow 1994: 4).

Common to all these definitions is the focus on conflict as a defining characteristic of a social movement. Another underlying assumption is that social movements are expressions of agency, of the 'autonomy of social actors' (Touraine 2002: 92): they are the result of groups of people acting freely and collectively to achieve a common goal of social change or resistance to change. And yet, one wonders: is there no agency when there is no conflict? Is there no possibility of *movement* outside of protest? For Touraine, it would appear not. Looking at Latin America, he concludes that 'there are no social actors in this part of the world'. Turning his gaze to Eastern Europe, he finds, as well, 'no new actors' and that 'the capacity for social agency in the present situation is much lower than we expected' (Touraine 2002: 94). He would, no doubt, be even more disappointed if he considered China: classical social movements, in the sense of the labour movement, women's movement, environmental movement, and so on, are indeed very restricted in their capacity for 'challenging' action in China.

Should we then conclude that there is little or no space for social agency in China? I would like to argue that on the contrary, in a context of tight state control, religious groups and networks have demonstrated a high degree of resourcefulness in opening and creating a space for the attainment of their objectives. Elizabeth Perry, in her study of rural violence in socialist China, has stressed that the organisational base of popular rural protest has not followed the same evolutionary trajectory as in Europe, where reactive violence (food riots, tax revolts) of communal groups aiming to defend traditional prerogatives against an expanding state gradually gives way, when the state and market gain the upper hand, to 'associational' organisations such as trade unions which engage in 'proactive' collective action such as strikes (Perry 2002: 276, quoting Tilly 1975) – sectoral mobilisation that could be considered 'social movements' in the classical sense. Rather, she notes, rural China in the reform era has witnessed the reconstitution of traditional social units with a religious component. But her presentation of religious movements in terms of popular revolts against the state and inter-communal violence may obscure the complexities and ambiguities of popular religious groups in their relations with the people and the state. To adequately perceive their agency, it will be necessary to abandon two preconceptions commonly found in the literature on social movements: first, the assumption of a radical discontinuity between state and society; second, the assumption that conflict is essential to social agency. We will then be able to see religious groups deploying a wide range of creative strategies to protect their interests, expand, and effect or resist change, in rare cases exhibiting some characteristics of fully fledged social movements, but in most

cases consciously avoiding conflict with the state, rather sharing zones of multiplication with the local state and other social actors.

Beyond issues of conflict and resistance, it will be fruitful to consider the underlying utopianism and historicity of social movements. Be they class-based labour movements or culturally based environmental or feminist movements, the actors in social movements share a common explicit or implicit utopian horizon indissociable from the unfolding of Western modernity, a progressive evolution towards greater social progress through a historical dialectic in which societal change is triggered by underclass or subaltern groups challenging the centre or privileged classes, thereby forcing a re-ordering of social relations which moves society closer to the utopian ideal. It is through such a dialectic that a common social field comes into being, within which opposing protagonists interact and 'battle for the control of historicity' (Cohen 1996: 182; Touraine 1981: 31-32, quoted in Oommen 1996). In other words, the protagonists situate themselves on the same historical trajectory and clash over the control of its unfolding. Such historicity, however, is entirely foreign to Chinese religion. What happens, then, when Chinese religious sacralities and cycles intersect with the linear unfolding of rationalised 'society'? To what extent can the mutual interferences thus produced be compared to social movements?

Temple Revivals in the Chinese Countryside

Let us begin with the traditional Chinese religion, often called 'folk' or 'popular' religion, which, over the twentieth century, has largely disappeared from most mainland Chinese cities but has undergone a significant resurgence in several rural parts of the country. The focal point of Chinese religion is the temple, which is simultaneously a sacred spot, a public space, and a social organisation (Goossaert 2000). Two types of temple concern us here: temples for the cult of local gods and saints, which typically bring together all residents of a particular village or district; and temples for ancestors, called lineage halls, which are reserved for members of the same patrilineage. Communal worship at deity temples is held on regular festivals such as the god's birthday or cyclical rites of cosmic renewal (*jiao*). Temples and festivals – which require a complex logistical organisation – are managed by lay committees whose members and officers can be chosen through a variety of procedures including selection by consensus, drawing lots, divination, or rotation among households. Troupes of local priests, who typically claim a Taoist and/or Buddhist affiliation, are often hired to perform the required rituals. All village residents or lineage members are expected to contribute financially to the construction, restoration, or ex-

pansion of a temple, as well as to the organisation of ritual events and festivals. Temple and festival committees collect and manage these funds, as well as the funds collected in donation boxes and through the sale of incense for daily worship. As we will see, these funds may be spent for public or social services in addition to ritual activities.

It is important to bear in mind that in the Chinese religion, each temple represents an independent cult which has no institutionalised relationship with other temples or, for that matter, any other social organisation. Temples do, often in a most dynamic fashion, cultivate relationships and maintain ritual alliances with other temples and social organisations, but never as part of a nested, institutionalised hierarchy. Furthermore, belonging to none of China's five officially recognised religions[2], most popular temples have no natural link with the state religious affairs bureaucracy and are technically illegal. In some areas, there has been a trend to register such temples as Taoist or Buddhist, thereby integrating them in the state's system of religious management, through giving them membership in local state-sponsored religious associations. But, as I will discuss further below, the implications of such membership are far from representing simple subordination.

With Chinese temples, then, we are faced with a phenomenon of hundreds of thousands of associations, largely independent of the state and of each other, which, in many villages, have become one of the main forms of local social organisation. The extent of the phenomenon is hard to measure. Since it is not a unified, self-conscious, national, religious community – this type of religiosity does not have a self-recognised collective name and does not even traditionally refer to itself as 'religion', nor does it have any criterion for membership based on belief, it is impossible to compile statistics of 'numbers of believers' which could be compared to those of, say, Catholics, Muslims, or Communist Party members. It is possible, however, to quantify, at least in some better documented locales, numbers of temples and the frequency of their ritual activities, which are the main occasions on which temples play a significant role in social organisation, community gathering, cultural production, and circulation of resources. One quantitative indicator of popular participation in temple life is the percentage of households in a given village who have contributed money, labour or materials to temple reconstruction projects.

No national statistics are available, but one prefecture government report counted over 10,000 temples in Yulin district, Northern Shaanxi province, for a population of 3.1 million in the mid-1990s – an average of one temple per 315 persons (Chau 2005b: 21). In Southeast China, through a painstaking field survey of the Putian region of Fujian province, Ken Dean and Zheng Zhenman identified some 1,639 temples in the 600 villages of the region: 2.7 temples per village of 1,200 inha-

bitants on average – which amounts to one temple per 444 inhabitants. Furthermore, temple reconstruction ushered a renewal of community celebrations: in the area studied by Ken Dean, ritual events and festivals occurred within walking distance of the average village over 250 days per year (Dean & Lamarre 2003).

These figures are significant because they can be compared to a China-wide estimation of one temple per 400 inhabitants in 1900 (Goossaert 2000). To be sure, Fujian arguably had a higher than average temple density, while the number of temples was very low in other regions, where local state agents were much less amenable to temple reconstruction and a renewal of ritual activities. But the high number of temples in the impoverished, landlocked North Shaanxi belies the assumption that popular religion flourished only in the more prosperous and liberal coastal areas (Weller 1999: 85-86). Such figures can only give us a limited idea of the extent of temple religion, since they make no distinction between large monasteries and small shrines, nor do they give an indication of temple activity: some may be dormant and others flourishing. In other parts of China, superficial observation indicated a much lower incidence of temple life: there were significant variations, not only between regions, but even from one village to another. The overall data, however, point to the exceptional resilience and dynamism of temple religion in some parts of mainland China, where it would seem to have reached levels of activity comparable to those prior to the early twentieth-century anti-superstition campaigns.

This is all the more remarkable given that temple religion has been the object of repeated campaigns to destroy popular religion since the late nineteenth century, for both ideological reasons – the struggle against superstition – and practical ones – the expropriation and conversion of temples, which were usually the largest buildings in a town or village, into the infrastructure of an expanding modern state: schools, tax collection departments, police stations, army barracks, or government offices. The political significance of converting temples, as self-organising nodes of local society, into the specialised branches of a centralised bureaucracy was not lost on local residents and modernising activists alike who, throughout the first decades of the twentieth century, often clashed over the uses and appropriations of temples (Prazniak 1999; Duara 1991; Goossaert 2006).

After 1949, the new socialist regime, which was able to penetrate deep into every village, had the means to effectively carry out, for the same ideological and practical reasons, what had been the longstanding Guomindang policy of eradicating superstition, to which was now added the additional stigmatising label of 'feudal'. And yet, while the general trend and political atmosphere of the first decade of the Peoples' Republic made it increasingly difficult for temples to operate, and

encouraged their confiscation or destruction by local activists and authorities, CCP policy was to focus on struggles against 'landlords', 'class enemies', and 'counterrevolutionary elements' – who were often active in temple management – rather than on attacking the temples themselves (Gong 2003; Feuchtwang & Wang 2001: 36-37). The press on occasion criticised fanatical activists who desecrated temples and ancestral halls, upsetting the people and thus causing them to support the landlords (Aijmer & Ho 2000: 147). In parts of North China studied by Adam Chau, the social stability and economic recovery brought about by the new regime actually stimulated a new flourishing of popular religion and the reconstruction of temples destroyed by the Japanese or during the civil war, with the impetus now coming more from the peasants than from the overthrown landlords and rich merchants, who had been the traditional sponsors of temples (Chau 2003: 41-42; Perry 2002: 289). It was only in the mid-1960s, with the Socialist Education Campaign of 1964 and the 1966 'Smash the Four Olds' campaign of the Cultural Revolution, that rural popular religion and its temples were almost completely eradicated for more than a decade – although deity statues and sacred objects were often buried or hidden by temple activists, and low-key, secret ritual activity continued.

With the more open climate at the end of the 1970s, temples began to resurface. While the process involved the rebuilding and reopening of temples that had previously existed, the social context in which temple religion was reviving was completely different from that in which its traditional organisational forms had developed. The land endowments which had previously sustained temple operations had been appropriated by the state and redistributed to the farmers, and the gentry society and traditional political economy through which temples had played their social role at the centre of what Duara has called the 'cultural nexus of power' (Duara 1988) no longer existed. If, in the first half of the twentieth century, temples could be seen as organic emanations of the old, 'feudal' order against which social movements mobilised peasants, workers, and women, the tables were reversed in the post-Mao era: while the socialist order retreated from its revolutionary voluntarism, it was temple construction which mobilised people around new projects, often virtually from scratch and in an agonistic relationship with the state. It is in this limited sense that we can compare temples in the reform-era PRC with social movements.

Typically, the first sign of temple revival was the increase in the numbers of worshippers who, sensing the more open political atmosphere, came to burn incense at the spot where the temple had previously stood – whether the original buildings were completely destroyed, dilapidated, or taken over for other purposes. Gradually, people would, in an unorganised fashion, clear the premises, install deity sta-

tues, and do makeshift repairs. The turning point occurred, however, when one person took the initiative to launch a fully fledged rebuilding project – an undertaking requiring significant organisational capacity as well as the ability to mobilise networks of support among villagers, donors, and officials. Each situation is unique, and these individuals had a range of backgrounds and motivations. Specific examples mentioned in the literature range from a devout farmer and old soldier (DuBois 2005: 56) to an unpopular local Party secretary seeking to regain his lost legitimacy (Jing 1996: 89). A common case involved individuals who had been stigmatised with a bad class background during the Mao years, and for whom temple building represented a way of reclaiming and reasserting their identity and dignity, and regaining social status (Aijmer & Ho 2000: 207-209; Eng & Lin 2002: 1272). For example, a temple manager I interviewed in Lianshan, Northern Guangdong, was a retired primary school teacher whose landlord class background had caused him to be persecuted as a 'Rightist'; with no place to stay in the village, he had taken up residence in the ruins of the local temple. Feeling that the god had protected him during those terrible years, he had arisen to rebuild the temple in the 1990s. Another typical case of temple reconstruction occurred after cadres who had desecrated a temple or divinity statue were struck by sudden death or strange illnesses, prompting villagers to speculate that the god was exacting revenge, or when someone had a dream of the village god expressing resentment at not having a proper home (Feuchtwang & Wang 2001: 63). The group of people who helped the initiator of the temple project would evolve into the temple management board, in which the initiator may or may not have continued to play the dominant role. The people most commonly active on temple boards are typically senior villagers interested in local customs and history, retired local government leaders and Party members with good connections and organisational experience, and younger entrepreneurs who treat temple activity as spiritual, symbolic and social capital.

The most visible sign of a temple's activity and influence is its festivals. The size, length, and occasion of temple festivals vary greatly, always following local custom. Occasions include traditional yearly festivals such as the Lantern Festival (*yuanxiaojie*), the birthday of a major temple god, or cyclical rituals of cosmic renewal (*jiao*) which occur every one, three, ten, or sixty years. A festival may last between one and ten days, and includes continuous rituals conducted by troupes of religious specialists, traditional opera performances (sometimes replaced by action film screenings) (Aijmer & Ho 2000: 214 n.7), a deity procession around the territory of the temple's 'jurisdiction', competitive rites such as lion dances, dragon boat races, or rocket firing (*siupao*), and plenty of economic activity on the side. People participate in

festivals both as individuals – worshipping the gods and enjoying the festive atmosphere – and as representatives of sub-segments of the community such as lineages, villages, local businesses, or government departments. The atmosphere is one of 'hot and noisy' (*renao*) sensory overload, with total attendance, in some cases, reaching the hundreds of thousands over several days (Chau 2005a: 262). During and after the festival, gossip among villagers will evaluate the success in drawing and entertaining large crowds, and compare the festival with previous ones or those organised by neighbouring temples, putting the face and prestige of the organisers, and by extension of the whole village, at stake (Eng & Lin 2002: 1274). A temple festival is often the most significant and memorable event in the life of a rural community, becoming an important moment in the creation and enactment of local identities, and often the subject of intense rivalries between communities vying with each other to build the most resplendent temple and hold the most spectacular festivals. Indeed, the revival of a temple and its festivals often stimulates neighbouring villages to do the same, both to enhance their status and to build ties between villages through participation in each others' rituals and festivals (Dean 1993: 9).

All of this occurs in a political context in which most temples are technically illegal, and their customs and festivals stigmatised as 'feudal superstitions'. Negotiation and tension with agents of the state are thus an inescapable feature of temple life and have been described in detail by several scholars. A recurring picture emerges in several of these studies, of a constant 'tug-of-war' (Yang 2004b) over the uses and appropriations of public spaces. Ann Anagnost thus cites the example of hundreds of rebuilt temples which were expropriated in Fujian in the 1980s and converted into school dormitories, childcare centres, recreation centres, television-viewing centres, youth clubs, rest stops, and rain shelters (Anagnost 1994: 221), and the confiscation of festival funds to build a reservoir. At the same time, the *Fujian Daily* denounced the conversion into temples of a noodle factory, primary schools, food-processing plants, and cattle pens, showing that the dynamic of temple revival and that of temple conversion occur in parallel, with buildings and spaces becoming the sites of an ongoing struggle between the state and local populations – in some cases expressed through demonstrations and riots led by spirit mediums and festival organisers against local Party offices, and in other cases expressed as a more subtle popular reappropriation, such as when old ladies disrupt school discipline by burning incense and worshipping in the midst of classroom activities (Anagnost 1994: 241-245). Ken Dean has described police interference in the 1986 and 1987 procession of the Patriarch of the Clear Stream in Penglai township, Fujian, during which some Taoist priests were arrested and the procession disrupted. The authorities

were unable to bring the festivities to a halt, however, and triggered such strong popular resentment that they were hesitant to interfere again (Dean 1993: 104-117; Dean 1998: 269). One line of analysis has been to see this tension as an expression of popular resistance to state power. Anagnost thus states that labelling popular religion as 'feudal superstition' has invested it with a 'potent means of expressing counter hegemony, a subaltern conception of the world, or system of value (...)'. 'Ritual clearly becomes oppositional in that it reasserts local meanings and local identity against the more universal claims of the state' (Anagnost 1994: 42, 245).

Other studies, however, present a more nuanced analysis of the forces at play.[3] The theme of 'microstruggles over space' is further developed by Mayfair Yang, in her studies of popular religion in Zhejiang province. Yang stresses the overlapping uses of the same spaces by the state and religious cults, citing, for example, the case of a Wang lineage hall in rural Yongchang Township, which had been turned into an elementary school in the Republican era. In the early 1980s, faced with the imminent demolition of the building, still occupied by a school, to make way for road construction, lineage members organised themselves as an archaeological relic preservation team, and successfully petitioned higher levels of government to have the site protected as a Cultural Relic. Both the state and the lineage then simultaneously invested the buildings with competing significations which coexisted side by side: at one time, ancestral portraits vied with political banners for the attention of the schoolchildren still studying in the building. Later, the school moved out when the local government turned the structure into a museum, dedicated to the building as an example of ancient architecture, but *not* as a hall for ancestor worship – in which, nonetheless, lineage members continued to hold their annual sacrificial rites. In 1998, the museum's theme was extended to become a 'Base Area for National Defence Education', charging entrance fees for exhibits on military history and displays of tanks, fighter planes, and warships placed on either side of the main altar for the ancestor tablets. A giant white statue was erected in the hall's courtyard, depicting two Wang brothers who led the anti-Japanese defence in the Ming dynasty. Thus, while at one level, the building appears as the site of a 'tug-of-war', 'a place for the competitive display of national sacrifice versus adherence to local kin and community', at another level, the competing uses 'perfectly encapsulate the convenient conflation of honouring lineage ancestors with paying homage to patriotic heroes who resisted foreign invasions of national space': the state-employed managing committee of the museum is dominated by members of the Wang lineage, who are proud to have so much official recognition for their lineage hall, which is even designated as a provincial-level tourist attraction, with govern-

ment funding to build an amusement centre for playing billiards and video games (Yang 2004b: 720, 734-738). Transforming temples into museums becomes a way for the state to appropriate local culture while freezing it (Dean 1998: 270). The state appropriates the space for its ideological uses, while the lineage hall obtains state legitimisation and protection: these will 'coexist in an uneasy state of cooperation, tension, and interpenetration' (Yang 2004b: 738).

In their study of a stretch of road in Sichuan along the route towards Tibet, anthropologists John Flowers and Pamela Leonard explore the place of temples in the negotiation of local peoples' memories and moral worlds in the face of successive civilising projects (Flower & Leonard 1998; Flower 2004). Rejecting the discourse on 'everyday forms of resistance', they see a relationship of 'mutual cooptation' which they contrast to cases of peasant riots and angry confrontations which were recurrent in the same region in the 1990s (Flower & Leonard 1998: 274-277, 280-287). They describe the reopening in 1992 of a temple to Chuanzhu – the Lord of Rivers, who protects the community from flooding – whose statue was destroyed by township government officials a few days before the god's annual festival was to be celebrated. Just afterwards, a flood swept through the area, destroying many houses, the main road, and the township high school, a disaster which was interpreted by the people as divine retribution for the desecration, proving the efficacy of the god, increasing popular support for rebuilding the temple, and undermining the legitimacy of the local government. The anger of the god, a divinised figure of the 'upright official' Er Lang of the early Han dynasty, focalised popular resentment against the corruption of the current local officials. Later, when the local leadership team was changed, new Party Secretary Gao supported the temple in order to restore the government's legitimacy, and had the government finance the renovation of the temple, on the condition that it be promoted as a tourist attraction and be integrated into state bureaucratic structures by being designated as Buddhist, with nuns from the state-sponsored Buddhist Association appointed to manage the temple. The temple enthusiasts were happy to participate in this cooptation, to a point: they accepted the categorisation of the temple as a resource for economic development, while simultaneously holding to the legend of Er Lang as a moral criticism of the commercialisation and commodification of society; and they accepted the Buddhist nuns, but had them accommodated in a new hall dedicated to the Buddhist Goddess of Mercy (Guanyin), preserving the original cult to Chuanzhu. A few years later, Party Secretary Gao was recalled, and the local government once again attempted to restrict the temple; Gao's name, however, was inscribed on a new stone tablet in front of the temple, from then on to be forever associated with the upright virtues of the god Chuanzhu.

From this account, the temple appears as a site where real conflicts between the state and local society are enacted and negotiated, and where universal civilising discourses are intertwined with local memories and appropriated by the residents: 'The temple gave [the farmer] hope not because it was "traditional", but precisely because it was a place where the subject of civilising discourse could be engaged, instead of written out of the narrative' (Flower 2004: 681). Feuchtwang and Wang have likewise noted how the image of temple gods and managers as righteous servants of the people has come to combine village history and tradition with the collective values of public duty previously inculcated by the CCP (Feuchtwang & Wang 2001: 77).

Turning to northwest China, we can consider the case of the Kong lineage of Dachuan village, Gansu, studied in detail by Jing Jun (1996). This village had doubly suffered during the Mao years, first on account of the 'feudal' and 'reactionary' background of its dominant lineage, descendant of Confucius, and second since much of the village, as well as most of its graves, had been permanently flooded and forcibly resettled for the building of a reservoir. For the members of the Kong lineage, rebuilding their lineage hall and reviving its ancestral cult was a way of reclaiming their memory and rebuilding their shattered identity. While the temple rebuilding project was initiated in the 1980s by an unpopular Party secretary hoping to regain legitimacy, he was driven out of office by younger Party members who were active in an (unsuccessful) campaign for compensation for the land lost to the reservoir, and who became, together with some old men who had received classical Confucian training in their youth, the core of the group of temple activists. In order to ensure legitimacy for the temple, its original purpose as an ancestral temple restricted to Kong lineage members was doubled with one as a hall to commemorate Confucius as a sage of the Chinese people, and therefore a public site for the promotion of Chinese culture and national pride. However, the installation of a statue of Confucius, crafted in the manner customary of popular divinity statues, caused the temple to be viewed by most villagers as a popular god, able to answer prayers and cure illnesses, making the Confucius temple one of the major centres of folk religion in the area. Here, the temple was clearly a site for the expression of local tensions and political conflicts, but these were diffused by juxtaposing Kong clan identity, the state's civilising project, and popular religious culture.

In his study of the Black Dragon King temple in Yulin district, Northern Shaanxi, Adam Chau paints a picture of the emergence of a new type of local elite which draws its power from moral authority and access to tradition, in constant negotiation with two other types of local elite: business entrepreneurs and agents of the local state. His study focuses primarily on the latter, showing how temple boss Wang success-

fully ensured the legitimisation and protection of the temple by having its old stone gate designated a cultural relic, by providing cash payments to police patrolling the huge annual temple festivals, as well as tax and income streams for the local commercial and electricity bureaus, and spending temple revenues on environmental and educational projects recognised and praised by the forestry and education bureaus. He finally succeeded in having the temple officially registered as a Taoist place of worship, at a ceremony scheduled to coincide with the high point of the Dragon King's birthday festival, with the best opera performances in all of Northern Shaanxi and thousands of local festival-goers present. The ceremony brought into each others' presence, mutually recognising and acknowledging each other, the personal charisma of the temple boss, the divine power of the god, the political authority of the state representatives, and the communal energy of the crowds (Chau 2005a: 269).[4] An illegal temple and an unpopular local state leadership thus used each other in order to obtain the legitimacy they respectively lacked: legal and political for the temple, popular and divine for the local state agents.

Using the surplus funds raised through incense donation boxes, the Dragon King temple launched a reforestation project which won international acclaim as the only non-governmental arboretum in China, and built a primary school which, with generous funding from the temple and excellent facilities, quickly became the best primary school in the entire district (Chau 2005a: 258-259). Indeed, in a context in which, throughout the 1980s and 1990s, the state increasingly disengaged itself from the village level, providing few resources to cash-strapped village governments and Party branches whose main function often came to be limited to the unpopular activities of tax collection and enforcing birth control policies, temples have frequently emerged as alternative centres of resource collection and allocation, to which villagers willingly contribute funds, which in many cases are spent by the temple board on local infrastructure such as the construction and repair of roads, bridges, schools, and even basketball courts (Yang 2000: 486-489). In her comparative study of four villages in Jiangxi and Fujian, Lily Lee Tsai concludes that single-lineage villages which practise village-wide rituals or with an active temple association 'provide broad community networks that village officials can draw on for public services' (Tsai 2002: 9). She notes that the committees formed to rebuild temples and lineage halls often evolved into 'community councils' that organised religious, social, and philanthropic activities. While villagers would not contribute to appeals for funds by village cadres, they 'willingly and universally' contributed to public projects when solicited by temple boards. In one village, the temple committee's revenue was four times higher than that of the village government and had taken over

all of the road building in the community (Tsai 2002: 10, 11). Local cadres often sought the support of temple boards for their projects, and downloaded responsibility for social services to them, although they continued to take credit for their achievements when reporting to higher levels of the administration (Tsai 2002: 21-23). Thus, Ken Dean claimed that popular religion has become a 'second tier of local government' in many parts of rural China (Dean 2001; 2003). In a township I visited in Northern Guangdong, temple board members were said to be 'more powerful than the Party' and, by circulating a petition signed by over 20,000 residents, had successfully campaigned against the local government's plan to change the name of the township. And yet, relations between the temple board and the local state were cordial and cooperative, cemented by a father-son relationship: the son was the Office Director in charge of the day-to-day management of the township government, while his father, a retired primary school teacher, was the leading member of the temple board. In a case described by Feuchtwang and Wang, a lineage hall committee, which had been provided with an office in the village government building, ended up occupying its entire ground floor (Feuchtwang & Wang 2001: 64).

Many studies have stressed the support given to temples and lineage halls by local and regional governments eager to promote tourism and to attract investment by overseas Chinese. In her research on the role of Singaporeans in the revival of religious activities in their ancestral villages in southeast China, K.E. Kuah-Pearce has noted that while village cadres tended to support the revival of ancestor worship for sentimental reasons, officials at the county level also encouraged such activities for instrumental reasons, hoping that the ties thus created with Singaporeans would lead them to contribute funds to schools and hospitals and invest in infrastructures benefiting the entire county. Large-scale religious festivals for the Patriarch of the Clear Stream, who was worshipped by most Singaporeans on trips to their hometowns, and whose temple was renovated with local government support as a designated tourist attraction, were staged with the active cooperation of the local authorities, which declared the festival a public holiday and had the schools closed, while pupils performed dances and musicals and were provided with dress, drinks, and pocket money by the festival organisers (Kuah-Pearce 2000: 167, 185, 190).[5] In other cases described by Göran Aijmer and Virgil C.Y. Ho, temple activists and enthusiastic local cadres successfully 'used' Hong Kong connections to press for recognition by higher levels of government, asking their Hong Kong kin to intervene with the authorities and even to threaten – successfully – that they would destroy the roads they had funded if a Provincial Work Team, sent down to supervise an anti-superstition campaign in 1993,

insisted on confiscating two modest village temples (Aijmer & Ho 2000: 224).

Some local cults have also been used by state agents to promote China's political reunification: most notable has been the use of the cult of Mazu, billed in the Chinese press as the 'Sea Goddess of Peace in the Taiwan Strait' (*Peoples' Daily Overseas Edition* 22 April 1987, quoted in Liu 2005: 3). Taiwanese temples contributed financially and organised large-scale pilgrimages to the ancestral temple in Meizhou, Fujian. State agencies legitimised these activities and encouraged the organisation of academic conferences on local gods to which local scholars, temple activists, and overseas donors were invited (Dean 1993: 92) – although, as noted by Yang, rather than leading to political unification, 'cross-strait Mazu pilgrimages are creating a regional ritual space and religious community of Chinese coastal peoples that do not conform to existing political borders' (Yang 2004a: 216). Attempting to replicate the Mazu model and hoping to build ties with Hong Kong and Macau residents, the Shenzhen Cultural Bureau rebuilt the Chiwan Tianhou temple in 1992 as an uneasy hybrid of secular museum and place of worship (Liu 2005). This case of a temple built by the government itself is also increasingly common, as local authorities attempt to appropriate the popularity of religious activity and profit from its revenue streams, either by building new temples or taking over existing ones.[6] The temple of the Patriarch of the Clear Stream, mentioned above, was even the object of a struggle for control between local and provincial levels of government (Dean 1993: 126).

From the cases studied above, it is obvious that rural temple revivals do express conflicts over what Touraine calls the 'appropriation of historicity' (Touraine 1988: 68) or the respective roles and powers of social groups in the collective development of society. While social movements are struggles over conflicting interpretations of shared universal norms and utopian values and are thus contests taking place between actors within the same linearity of history, temple revivals disrupt the centralised, developmental historicity of the nation-state, rewinding local communities into overlapping cyclical time-frames of festivals and ritual events. And yet, in their relations with the nation-state and its civilising projects, by participating in the local elaboration and appropriation of developmental discourses and practices on patriotism, the economy, tourism, cultural preservation, and education, they do open up a peculiar type of 'public sphere' which is highly charged by the tension between incommensurable spatialities and temporalities. Thus, while they clearly express the assertion of local identities, they fit into neither of the extreme models of identity identified by Touraine as disqualifying a group as a social movement: their behaviour is not one of seeking 'pure identity' through withdrawing from active engagement

with social change; nor do they display the 'purely strategic' model of groups competing for power and privilege within a social structure which is not contested (Cohen 1996: 183). A temple is not an interest group but a type of social, spatial, and temporal organisation which can be invested by different groups, networks, and even the state itself in the pursuit of their respective interests. While temples do not explicitly challenge the political order, rather, when necessary, try to inscribe themselves into it through the legitimacy provided by the labels of 'cultural relic', 'tourist site', 'designated site for religious activities', 'patriotic education', or 'economic development', the interpenetration of the temple and the modern state as mutually alien forms of social organisation can only lead to changes in the local political order.

It is an interaction in which several logics may operate at the same time. From the perspective of the totalistic ideological discourse of the state, which operates on binary dichotomies between the developed and the backward, the modern and the superstitious – what I term *lines of division* – the reality in the field can only appear incongruous, and only three options are conceivable: to rename the phenomenon, as mentioned above, by inscribing it into legitimate categories; to ignore it; or to eliminate it. It cannot be surprising, then, that whenever popular religion is not ignored or renamed by the official media or policy, it is always denigrated and attacked with anti-superstition discourses and campaigns – and that the earlier studies which have relied primarily on Chinese official newspaper reports (notably Perry's and Anagnost's) have thus focused on dimensions of repression, conflict, and resistance.

But later research in the field has uncovered a more subtle dynamic[7], which could be termed as one of the *zones of multiplication*. Multiplication can be understood in terms of increasing numbers of new autonomous units often connecting with each other in 'rhizomatic networks' (Deleuze & Guattari 1980: 20, 31), which is how the spread of temple religion can be described, as opposed to the growth of a single social body. It can also be understood as the multiplication of relationships between beings of a different nature: gods, humans, state agencies, producing an entirely new reality each time a term of the equation is modified. As shown by Adam Chau, the temple blasts open the state's monolithic discourse about itself, revealing a profusion of 'linking and articulating channels' between the temple and different local state agencies, while the latter likewise establish channels with multiple individuals and popular organisations, through which circulate healings, money, gifts, status, protection, tributes, deference, and legitimacy (Chau 2005a: 268-69). Ken Dean has suggested thinking of a 'floating signifier' released into the socio-political system by Taoist ritual, which provides 'lines of flight' from the 'despotic signifier' of imperial power

(Dean 1993: 184, 185). The multiplying logic of the temple also operates in the relationships between divinity statues, temple managers, local worshippers, state officials, overseas pilgrims, geomancers, business entrepreneurs, and priests – each of which enters the sacred space with differing sets of motivations, cosmologies, and pantheons, producing an infinite range of intersecting connections and dissolving all attempts to impose fixed lines of division.

The *Qigong* Movement[8]

Turning to *qigong*, we can see a similar interplay between lines of division and zones of multiplication, but in which there was a conscious attempt to invest the unfolding historicity of modernity, producing a phenomenon which came much closer to resembling a social movement. The modern category of *qigong* was devised at the end of the 1940s in the nascent health bureaucracy of the 'Liberated Zone' of South Hebei, and established as a sub-discipline of Chinese medicine within the medical institutions of the new Peoples' Republic during the 1950s. Defined as 'breath training' and including body, breathing, and mental exercise regimens, the category aimed to integrate, standardise, and secularise the vast array of traditional body cultivation and meditation techniques, which had typically been practised in religious settings and transmitted through 'feudal' master-disciple relationships, but which were seen as having positive benefits for health. Following the logic of lines of division, the project of *qigong* was to separate the physical body techniques from the dross of feudal and superstitious symbols, customs, and social relations, turning them into a scientific clinical practice that could be harnessed at low cost to train the healthy bodies of New China's people. In practice, during the 1950s and early 1960s, *qigong* clinics provided relief for the mentally stressed Party elite at hospitals and sanatoria such as the Beidaihe beach resort (Palmer 2007: 29-45).

During its first phase, *qigong* was entirely instrumentalised by the state and could hardly be considered a movement. But, after more than a decade during which the *qigong* institutions had been closed due to the Cultural Revolution, *qigong* reappeared in the late 1970s and increasingly took the form of a popular movement. Operating outside of the medical institutions, some *qigong* activists created their own standardised sets of exercises, which were practised by groups of people in parks. Thousands of charismatic '*qigong* masters' emerged from obscurity, claiming to have secretly nurtured their powers during the Cultural Revolution, and now 'came out of the mountains' to heal the sick and save humanity from suffering. Laboratory experiments, which appeared

to prove the material existence of the vital force or 'external *qi*' emitted by masters towards patients from a distance, gave a scientific basis to the mysterious powers of the masters, and pointed to *qigong* exercises as the key to unlocking the paranormal abilities which lay latent in every human being. This tantalising possibility was enthusiastically taken up by key members of China's scientific elite, especially within the military and nuclear technology establishments, who enlisted leading figures in the CCP to support the dream of a new 'somatic science' which would trigger a new worldwide scientific revolution under Chinese leadership (Palmer 2007: 46-85).

The standardised sets of *qigong* exercises, called *gongfa* in Chinese, each had a name, such as 'Xianggong' ('aromatic *qigong*') or 'Zhinenggong' ('intelligent *qigong*') and were associated with a *qigong* master, who was the author or inheritor of the method. Although a *gongfa* technically referred to a set of exercises, in practice each *gongfa* was the basis of a training network linking the master to hundreds, thousands, or even millions of practitioners. Each *gongfa* was transmitted to the mass of practitioners by networks of trainers in local practice points throughout a region, the country, and often even abroad. As networks, they involved both vertical communication between the master, his disciples and trainers, and the practitioners, as well as horizontal communications between network members. Most *gongfa* networks registered as 'research societies' under the umbrella of state-sponsored national, provincial, and municipal federations which were typically led by well-connected, retired government and party leaders who practised *qigong* themselves, and which operated under the patronage of government ministries (health and sports) and official Science and Technology associations (Palmer 2007: 183-218). Newspapers reported the healing miracles of the masters as phenomena at the frontiers of cutting-edge science, while best-selling books on the 'grandmasters' such as Yan Xin and Zhang Hongbao spawned a publishing industry.

By the second half of the 1980s, *qigong* had become a mass phenomenon, promoted and carried forward by several distinct groups of people: the *qigong* masters, the paranormal scientists, the retired Party leaders, the health and sports officials, and the multitudes of ordinary practitioners. It is hard to estimate the number of persons who practised *qigong*. While the figure of over 100 million is often mentioned, it would be more realistic to consider that regular practitioners at the peak of the *qigong* craze numbered around 10 million, while several times as many people practised occasionally, attended healing sessions, or had other direct experiences of *qigong*. Given that *qigong* was largely an urban phenomenon, and that the majority of practitioners were women and seniors, this figure still represents a significant proportion of those categories of the population.[9]

The leading figures among those who practised, studied, and promoted traditional Chinese body technologies under the name *qigong* described themselves as the '*qigong* sector' (*qigong jie*). They were active in a social space I call the '*qigong* milieu': a nebula of networks and associations which expanded massively in the 1980s. The *qigong* milieu was a space of relative freedom in which, between 1979 and 1999, many types of popular activities and networks flourished: the group practice sessions in public parks, the therapeutic encounters and healing sessions, the training workshops, the academic conferences, and the ritualised meetings of state-supervised associations; the interconnected networks of *qigong* associations, organisations, and institutions; and the popular *qigong* magazines and books through which *qigong* discourse was elaborated, debated, and diffused. Within the *qigong* milieu, people exercised their bodies and minds, practised divination and laboratory experiments, and discussed subjects as varied as Buddhism, Daoism, the scientific method, health maintenance, and the progress of Chinese culture. Thousands of masters competed in an emerging market for *qigong* health, healing, and spiritual arts, each proposing his own package of exercises and theories. Debates raged on the effects and powers attributed to *qigong*. The training and practice networks founded by hundreds of masters may well have formed China's greatest collection of popular associations during the period and, in the words of Zhu and Penny, 'probably the greatest mass movement in modern China that was not under direct government control' (1994:3). The groups within the *qigong* milieu were characterised by extreme diversity and fragmentation, but this centrifugal tendency was countered by, first, a mystical and syncretistic outlook that encouraged tolerance and mutual receptivity, and second, a sense of cultural marginality bordering on the heterodox, leading to a common consciousness of the need to justify themselves in relation to the ridicule that could be directed at them from the perspective of conventional Western scientism and orthodox Marxism.[10] These counter-centrifugal tendencies facilitated the circulation of people and ideas between diverse groups.

When we look at the relationship of the *qigong* milieu with the larger society, *qigong* can in some ways be seen as a social movement. *Qigong* was characterised by social mobilisation, in which there was increased communication and common action between people from different backgrounds, social spheres, and regions, on a national and even global scale, as they promoted their common goals. What started with decentralised, non-coordinated initiatives in the mid- to late 1970s quickly took a life of its own and acquired organisational capacity within a few years, with a core network of influential political leaders, scientists, and masters who were able to assume leading roles within the movement and to articulate and promote a common vision and discourse.

The social goals upheld by the movement included improving the health of the masses, bringing about a renaissance of traditional Chinese culture, and triggering a Chinese-led scientific revolution which would lead to a paranormal utopia. These goals were formulated as fitting within, and even as potentially spearheading, the unfolding of the Marxist teleology of national progress: *qigong*, which had been the source of Chinese civilisation in its Golden Age, had been restricted, exploited, and driven underground by feudal powers and religious dogmas for over 2000 years, but it was now reviving, flourishing, and triggering scientific breakthroughs and a cultural renaissance in the new era opened by the Chinese Communist Party (Palmer 2007: 86-101).

From the beginning of the movement in 1979, this utopian vision of *qigong* and its scientific premises was attacked by a number of scientists and ideologues, and polemics on both sides of the issue were often aired in the press (Palmer 2007: 158-182), producing what we might call a conflict over the interpretation and control of historicity; and yet, until the second half of the 1990s, this conflict was largely restricted to the press and was hardly expressed as a struggle between opposing social groups. On the contrary, certain state agencies and political networks were actively supporting the movement, making it as much a top-down as a bottom-up phenomenon. The *qigong* movement was termed by commentators as a *re*, a 'fever' – one of the countless cultural crazes which swept post-Mao China in the 1980s and 1990s, ranging from 'culture fever' to 'Mao fever' to 'stock market fever'. The 'fever' can be situated somewhere between the political campaigns or 'movements' (*yundong*) of the Mao era and the fully commoditised consumer fads of capitalist societies: a 'fever' is a form of collective effervescence which occurs when official policies and informal signals sent from above correspond with, open the space for, and amplify popular desire, which appropriates these spaces in unexpected ways, simultaneously complying with, appropriating, disrupting, and mirroring the projects of state hegemony. Thus, in *qigong*, the official campaign to promote science and technology as the foundation of Deng's Four Modernisations was enthusiastically taken up by the *qigong* milieu and recast as a call to encourage the mass propagation of breathing exercises as a stage in China's cultural and scientific renaissance. As 'moments when an entire cultural area (often all of urban China, sometimes the nation as a whole) is unified by a common activity', as described by Ellen Hertz (1998: 82)[11], fevers create a social sphere in which, unlike temple revivals, all the actors operate within the roughly corresponding spatial and temporal frames of the nation and its historicity.

The *qigong* episode thus forces us to abandon a conflictual model that places state authority in opposition to the autonomy of individuals

and popular groups. It shows a movement that developed through the interpenetration of networks, groups, institutions, practices and conceptual systems, in which it is impossible to fully separate the state and popular groups as distinct entities. An image of the state as a monolithic entity makes way for a landscape of interconnected persons, networks and institutions that advance, retreat, cross each other and turn around, link up, pass each other, collide, expand and influence each other, reaching to the edges of society, without ever completely covering it. It is difficult to draw a clear line between what is within the state and outside of it. 'The extra-institutional is co-extensive with the state, (...) it is structuring, not only deforming' (Chevrier 1995: 171). It is within such a system, and not outside of it, that *qigong* groups were formed and expanded.

The case of *qigong* thus reveals a dynamic that is often contrary to the processes of individualisation and institutional differentiation characteristic of Western paradigms of modernity. This begins with the dispositions and orientations nurtured by the body practices themselves. Western sports and physical training produce power at the point of friction between discrete material bodies. Muscles are trained against the resistance of external objects. The body's power is measured against disembodied targets. Physical, mental, emotional, and moral abilities are the subject of separate training regimens. Chinese body technologies, on the other hand, reveal an opposite tendency: the concentration of all forms of power into the cosmic centre of the body, usually named *dantian*, the elixir field beneath the navel, evoking metaphors of the alchemical furnace in which heterogeneous elements are forged into a single elixir, itself a sign of the primal unity of the Dao. Collecting, cultivating, and concentrating energies leads to an inner connection with the ultimate cosmic Power. The energies to be collected are not only inside the body but outside as well, including the powers of the sun, of the moon, of trees, of animals, of other people, and of symbols: hence the attempts to draw on and fuse the different traditions of Daoism, Buddhism, Confucianism, martial arts, medicine, and science. Power is generated, not through friction, but through fusion, through entering into a mutually transforming resonance with the object: absorbing the energy of a tree, for instance, does not involve pushing against it: rather, relating to the tree in such a manner that the flow of energies within it passes to the body of the practitioner. In *qigong*, the body becomes the ultimate multiplicator, enabling the practitioner to combine, through direct practice and visceral experience, domains as varied as physics, physical exercise, mysticism, calligraphy, illness narratives, science fiction, the refinement of saliva, martial arts heroism, medicine, archaeology, the comparative study of civilisations, enhancing and/or controlling sexual potency, biology, physiognomy, workplace

stress management, scientific methodology, national essence, and regulation of the digestive system, among other things. Each line of division applied to *qigong* by modern discourses, each of which had its corresponding institutions, such as those which separate the categories of science, tradition, religion, sports, medicine, and national defence, only served to open new zones of multiplication between them, producing dense networks, not only of signification, but also of social relationships between people from different social spheres.

The intermediate space of *qigong* was not autonomous. It was simultaneously co-opted by the state and popular groups: each tried to use *qigong* for its own ends. If the state encouraged the development of *qigong* circles and gave them institutional support, it was as an instrument of its objectives in health, science, and national identity. Its support for the construction of a unified national *qigong* community aimed to co-opt and control it. In exchange, popular *qigong* groups obtained an institutional legality and legitimacy that permitted their massive expansion. *Qigong* could thus prosper by combining the institutional support of the state and the dynamism of popular groups.

But the multiplying logic of the *qigong* movement is perhaps what led to its own dissolution and to its polarisation through the Falun Gong episode. By the mid-1990s, the trend towards wholesale Westernisation and capitalism had become so overwhelming in China that *qigong* dreams of reconciling science, tradition, and utopian ideals fell by the wayside. Interest in creating a distinctive Chinese science faded, as power in the Chinese scientific community shifted from the more nationalist military establishment to civilian institutions increasingly engaged in international exchanges and interested in applying universally recognised standards and methods (Wang 1993: 115-141). The idealised body was now that of the hedonistic consumer of fashion, beauty products, plastic surgery, and sexual pleasure (Brownell 1998; Johansson 1998). Traditional culture became a commodity, a resource to extract and package for the booming markets of tourism, leisure, and health (Cingcade 1998).

In the new context, the *qigong* movement was led to a point of bifurcation, reflecting what Weller has called a 'split-market culture' in which religious groups, in the transition to a capitalist market economy, either accept or reject its amoral individualism (Weller 1999: 83-105). Much of the movement followed the trend of the times, towards increased commodification and commercialisation within a framework of bureaucratic regulation. The market for *qigong* was considerable, but the entrepreneurial business practices of many *qigong* masters triggered controversies over 'fakes', 'forgeries', and 'swindling'. Such issues were concerns of public discourse about most types of market commodities in China, at a time when consumer rights and principles of

business accountability and integrity were still new to the emerging Chinese economic culture. Such practices dissolved the utopian élan of the *qigong* movement, making *qigong* masters appear no different from other profit-hungry businessmen. Tainted by controversy and under renewed attack by the scientific community, political backing for commercialised *qigong* dwindled.

In this context, Li Hongzhi, who had founded Falun Gong as a *qigong* method in 1992, attacked the overall direction of the *qigong* movement, calling instead for a rejection of hedonism and for a morality that invoked both the asceticism of ancient spiritual masters and the altruism of the Maoist era. The primary goal of practice became spiritual accomplishment and entering the 'Falun world', while this world became the stage of an apocalyptic moral battle between demonic forces and the Great *Fa*. Where *qigong* allowed the multiplication of practices and fantasies of health, prosperity, and spirituality, and involved opening the body to the diffused energies of the cosmos – 'collecting *qi*' from nature, sending and receiving *qi* between practitioners, dabbling in all types of techniques, symbols, and concepts – Falun Gong drew lines of division between sensual pleasures and the spiritual rewards, through suffering, of exclusive cultivation. Falun Gong appealed to widespread concerns about morality and corruption and proposed a radical alternative to mainstream hedonism and materialism.

In Falun Gong practice, the moral line of division became the *dominant* theme, structuring the body discipline itself and tying it to an apocalyptic eschatology which resonates with medieval texts describing the imminent destruction of the world before the appearance of the True Lord Li Hong, who will inaugurate a new era of joy and longevity.[12] To the body exercises and spiritual concepts of *qigong*, Li Hongzhi added a social critique based on moral fundamentalism. Where the simple, honest and virtuous person was often ridiculed and abused by his co-workers, Falun Gong raised his suffering to the level of a heroic spiritual struggle in which he was to resign himself and bear the blows, each insult and each wound being a gift of 'white matter' which would help him to move a step higher toward celestial perfection. All the more so if a Falun Gong practitioner was verbally or physically abused while defending the *Fa*. Morality was now the central issue, displacing the typical *qigong* concerns with science, paranormal abilities, and tradition. The evolution toward moral predication reinforced the tendency to politicisation. Falun Gong discourses of morality extended beyond body discipline to social criticism, social problems being perceived in China as the result of a decline in the morality of the people in general and of government leaders in particular.

While the *qigong* movement promoted ideas that were deviant or even heterodox by the standards of Marxist orthodoxy, the public beha-

viour of most *qigong* advocates, masters, and practitioners had followed the norms of orthopraxy[13], multiplying webs of reciprocal relations with officials, and publicly displaying deference to the social and political order. Falun Gong, on the other hand, broke this logic of interpenetration. By the mid-1990s Falun Gong began to cease participating in the ritual organisation of the post-Mao state system. After coasting on the *qigong* boom and benefiting from the political legitimacy and networks of the state-sponsored China *Qigong* Research Society, which had played an instrumental role in launching him as a national celebrity in *qigong* circles, Li Hongzhi, having attained a sufficiently large following and reputation, withdrew from the association in 1996. By putting an end to his collaboration with state-sponsored *qigong* associations, he placed himself outside the circuit of personal relations and financial exchanges through which masters and their organisations could find a place within the state system. Instead, he sought to establish an autonomous social body, the great body of the Dharma or *Fa*, in which each disciple becomes a *Fa*-particle; in which the practitioners' bodies were the theatres of both personal spiritual struggle and of the apocalyptic battle between the demonic old world and the righteous *Fa*.

While refusing to engage with the state according to its rules, Falun Gong endeavoured to remain at centre stage, offering the power of its *Fa* to society and even to the state, organising spectacular public 'experience-sharing' gatherings and, through its protests against critical media, opposing any attempt to diminish its social influence. Falun Gong sought to replace the interpenetrating flows of power of the multiplication paradigm with a unidirectional flow, from the cosmic power of the *Fa*, through Li Hongzhi and outward to society.

Where the multiplying logic of *qigong* scrambled the lines of division within the state, revealing and reinforcing its own multiplying tendencies, the state's response to Falun Gong mirrored the latter's logic of division, the one reinforcing the other. This polarising dynamic confirmed the vision of a world divided between the 'saved' disciples of Li Hongzhi and the world possessed by demons. And the repeated protests by followers, both before and after the official crackdown beginning in July 1999, at newspaper offices, around Zhongnanhai, on Tiananmen Square – which led to a hardening of the CCP's lines of division – drew official power into a moral battle pitting the demonic oppressor against suffering martyrs. And in return, in the years following the repression, Falun Gong became further radicalised, launching a movement to haemorrhage the CCP to death by encouraging mass defections of its members. This campaign was spearheaded by the media outlets managed and staffed by Falun Gong activists, notably the overseas Chinese newspaper *Epoch Times*, which widely distributed a series of anti-CCP tracts (Epoch Group 2005).

Although one emerged from the other, *qigong* and Falun Gong are thus two distinct movements with their own logic within distinct sets of historical and political circumstances. While *qigong* and Falun Gong are clearly both social movements, they offer fascinating cases for questioning assumptions about dichotomies between 'state' and 'society', illustrating the dynamic interplay between zones of multiplication and lines of division.

Conclusion

This chapter was written with the hope that applying the concept of social movements might help us to better understand the relationship between religiosity and society in contemporary China. The two cases I have examined, of temple revivals and the *qigong* movement, though very different from each other, represent two ends of the wide spectrum of Chinese popular religiosity. Neither clearly fits conventional definitions of 'religion', and both have, more often than not, found their continued existence and legitimacy by adopting the labels of cultural heritage, tourism, economic development, medicine, sports, or science. Nor do they fit conventional definitions of social movements. But applying the concept of social movements has been useful, not merely to conclude, as is inevitable when categories derived from Western history are applied to other parts of the world, that the category itself should be questioned, but to help us to derive models of social agency that would better describe the dynamics at play when Chinese religious groups find themselves in agonistic relationships with the state. This chapter has suggested that two types of dynamics can be observed around Chinese religious practices of the body and the temple: 'division' and 'multiplication', showing that the two often coexist asymmetrically, with ever-extending arborescent lines of division ironically opening ever more zones of multiplication. On the other hand, the symmetrical mirroring of lines of division by the Chinese state and popular movements collapses the possibility of a *social* resolution and polarises into an apocalyptic struggle in which each side tries to exterminate the other.

Notes

1 I am grateful to Gilles Guiheux and K.E. Kuah-Pearce, and the participants at the conference on emerging social movements in China, for encouraging me to look more deeply into the relations between Chinese religion and social movement theory. I am also indebted to Kristofer Schipper, Ken Dean, Vincent Goossaert, Mayfair Yang,

and Adam Chau for many insights and stimulating discussions which have helped to shape the ideas discussed in this paper.

2 Buddhism, Taoism, Protestantism, Catholicism, and Islam.

3 For a critique of the notion of peasant resistance as applied to China, see Weller 1994.

4 A similar encounter is described in Dean 1998: 266. See Feuchtwang & Wang 2001 for an in-depth study of the charisma of temple managers.

5 On government sponsorship of festivals, see also Siu 1990a, 1990b.

6 See Lang, Chan & Lagvald 2005 for several examples of state-sponsored construction of Wong Tai Sin temples in mainland China.

7 Constraints on field research in China may be a factor accounting for the fact that most field studies have focused on relatively successful cases of temple-state relations, rather than on cases of overt conflict.

8 Parts of this section are reproduced from portions of Palmer 2007: 13-22, 291-295, 301-305.

9 For a detailed discussion on the difficulties in estimating numbers of practitioners, see Palmer 2007: 258-261.

10 This understanding of the *qigong* milieu is taken in analogy to the Western 'cultic milieu' categorised in Campbell 1972: 122.

11 See Hertz 1998: 71-93 for a discussion of the notion of 'fever' in relation to the stock trading craze of the early 1990s.

12 Falun Gong's apocalyptic doctrine can be traced back to the Buddhist eschatology of the *kalpas* or universal cycles, which, in Chinese heterodox sects, have pointed to social chaos and corruption as foreboding the end of the present kalpa inaugurated by the Sakyamuni Buddha, and have preached paths to salvation and preparation for ushering in the new kalpa. On the Li Hong prophecies, see Seiwert 2003: 82-84, 86-89; Seidel 1969-70; and Zürcher 1983: 3.

13 Anthropologist Erika Evasdottir, in her study of Chinese intellectuals (Evasdottir 2004), defines orthopraxy as 'the express formulation of *action* to conform to commonly held standards'. Based on Evasdottir's conceptualisation, I take orthopraxy to mean the collective performance of political order – an order which is not the product of an outside or transcendent law, but the fruit of the harmonised *performance* of the actors themselves, including both the rulers and the ruled. In orthopraxy, order ceases to exist when the actors themselves cease to perform it.

Contributors

Wei Bu, Professor, Institute of Journalism and Communication, Chinese Academy of Social Sciences, People's Republic of China
buwei2002@hotmail.com

Ming K. Chan, Visiting Fellow and Course Co-ordinator, Centre for East Asian Studies, Stanford University, United States
chan@hoover.stanford.edu

Albert H.Y. Chen, Chan Professor of Constitutional Law, Faculty of Law, University of Hong Kong, Hong Kong
albert.chen@hku.hk

Chloé Froissart, Postgraduate student, Centre d'études sur la Chine moderne et contemporaine, Ecole des Hautes Etudes en Sciences Sociales (EHESS), France
chloefroissart@hotmail.com

Gilles Guiheux, Professor, Université Paris Diderot, Département des Langues et Civilisations de l'Asie Orientale/SEDET, France
gilles.guiheux@univ-paris-diderot.fr

Baogang He, Chair of International Studies, School of International and Political Studies, Deakin University, Australia
baogang.he@deakin.edu.au

Olivia Ip, Associate Professor, Department of Management, The City University of Hong Kong, Hong Kong
mgolivia@cityu.edu.hk

Khun Eng Kuah-Pearce, Associate Professor, Department of Sociology; Honorary Academic Director, Centre for Anthropological Research, University of Hong Kong, Hong Kong
kekuah@hkucc.hku.hk

Beatrice Leung, Honorary Professor, Centre for Civil Society and Governance, Department of Politics and Public Administration, University of Hong Kong, Hong Kong
leungbea@hku.hk

Ngok Ma, Associate Professor, Department of Government and Public Administration, The Chinese University of Hong Kong, Hong Kong
mangok@cuhk.edu.hk

Cecilia Milwertz, Senior Researcher, Nordic Institute of Asian Studies, Denmark
Milwertz@nias.ku.dk

Sek Hong Ng, Professor, School of Business, University of Hong Kong, Hong Kong
hrnmnsh@hkucc.hku.hk

David A. Palmer, Assistant Professor, Department of Sociology, University of Hong Kong, Hong Kong
palmer19@hku.hk

Jean-Louis Rocca, Research Fellow at the Centre d'études et de recherches internationales (CERI-Sciences-po), France, and Professor of Sociology (Tsinghua University), Beijing, People's Republic of China
roccabeijing@gmail.com

Bibliography

Abbott, W. (1966) (ed.), *Pastoral Constitution on the Church in the Modern World in the Documents of Vatican II*. London: Geoffrey Chapman.

Agence France Presse, Paris.

Ai, X. & J. Hu (2005) *Garden in Heaven*. Guangzhou: Zhongshan daxue xingbie jiaoyu luntan (Guangzhou: The Sex/Gender Education Forum, Sun Yat-Sen (Zhongshan) University).

Aijmer, G. & K.Y. Ho (2000) *Cantonese Society in a Time of Change*. Hong Kong: The Chinese University Press.

All Federation of Trade Unions (ACFTU) (2003) *Zhonghua quanguo zonggonghui guanyu qieshi zuohao weihu jincheng wugong renyuan hefa quanyi gongzuo de tongzhi* (Announcement for Truly Protecting the Legal Rights of Rural Workers in the Cities). www.bjzgh.gov.cn

All Federation of Trade Unions (2004) *Guanyu zuzhi gezhong suoyouzhi qiye, shiye ji jiguan de laowugong jiaru gonghui de tongzhi* (Notice Regarding Organising Workers from All Types of Companies, Enterprises and Organisations to Join Unions). www.cdzgh.com

All Federation of Trade Unions (2006) *Zhonghua quanguo zonggonghui jiang wei mingong ban shijian shishi* (The ACFTU takes ten concrete steps for migrant workers). www.sjzzx.heagri.gov

Anagnost, A. (1987) 'Politics and magic in contemporary China', *Modern China* 13 (1): 40-61.

— (1994) 'The politics of ritual displacement', in C.F. Keyes, L. Kendall & H. Hardacre (eds.), *Asian Visions of Authority*, 221-254. Honolulu: University of Hawaii Press.

Apple Daily. Hong Kong.

Assiter, A. (1996) *Enlightened Women*. London: Routledge.

Atton, C. (2002) *Alternative Media*. London, Thousand Oaks, New Delhi: Sage Publications.

Bai, G. & S.X. Zhao (2001) *Elections and Governance*. Beijing: China's Social Sciences Press.

Baird, D. (1970a) 'They will be done', *Far Eastern Economic Review* (FEER). 29 Jan.

— (1970b) 'Hong Kong: Christian in revolt', *Far Eastern Economic Review* (FEER). 21 May.

Basu, A. (ed.) (1995) *The Challenge of Local Feminisms: Women's Movements in Global Perspective*. Boulder, San Francisco, Oxford: Westview Press.

Bauhinia Magazine. Hong Kong.

Baum, R. (2000) 'Democracy deformed: Hong Kong's 1998 legislative elections – and beyond', *The China Quarterly* 162: 439-464.

— (2007) 'The Limits of Authoritarian Resilience', paper presented at the CERI, Paris, 17 January 2007. www.ceri-sciencespo.com

Bergère, M.C. (1989) *The Golden Age of the Chinese Bourgeoisie, 1911-1937*. Cambridge, Mass.: Cambridge University Press.

— (1994) 'Après Mao, le retour du vieil homme', *Vingtième Siècle: Revue d'histoire* 1: 31-45.

Boltanski, L. & E. Chiapello (2005) *The New Spirit of Capitalism*. London: Verso.

Borchorst, A. (1999) 'Feminist thinking about the welfare state', in M.M. Ferree, J. Lorber & B. Hess (eds.), *Revisioning Gender*, 99-127. Thousand Oaks, CA: Sage.

Bourdieu, P. (1976) *La distinction: critique sociale du judgement*. Paris: Editions de Minuit.

Brabyn, J. (2002) 'The fundamental freedom of assembly and part III of the public order ordinance', *Hong Kong Law Journal* 32: 271-312.

Brook, T. & B. Frolic (eds.) (1997) *Civil Society in China*. Armonk, N.Y.: M. E. Sharpe.

Brown, D. (2001) 'The Roman Catholic church in Hong Kong: Freedom's advocate struggles with the SAR government in electoral politics and education', *American Asian Review* 19.4 (Winter):19-61.

— (2004) 'The Roman Catholic church and Hong Kong's long march toward democracy', *Orbis* 48 (20) (Spring):263-274.

Brownell, S. (1998) 'The body and the beautiful in Chinese nationalism: Sportswomen and fashion models in the reform era', *China Information* 13 (2/3): 36-57.

Bu, W. & X. Mi, C. Milwertz (2006) 'Tantao minjian funü zuzhi fandui jiating baoli de xingdong zhuyi jiqi chuanbo zhanlüe' (Popular organising to combat domestic violence: activism and media interaction), *Shehui Xingbie* (*Gender Studies*) 3: 37-59.

Butenhoff, L. (1999) *Social Movements and Political Reform in Hong Kong*. Westport, Connecticut: Praeger.

Byrd, W.A. & Q. Lin (eds.) (1990) *China's Rural Industry: Structure, Development and Reform*. Oxford: Oxford University Press.

Byrne, P. (1997) *Social Movements in Britain*. London: Routledge.

Byrnes, A. (2000) 'And some have bills of rights thrust upon them: The experience of Hong Kong's bill of rights', in P. Alston (ed.), *Promoting Human Rights Through Bills of Rights: Comparative Perspectives*, 318-391. Oxford: Oxford University Press.

Cai, Y., Y. Feng & Y. Guo (2001) 'The women's media watch network', in P. Hsiung, M. Jaschok, C. Milwertz & R. Chan (eds.). *Chinese Women Organising: Cadres, Feminists, Muslims, Queers*, 209-226. Oxford: Berg.

Calhoun, C. (1995) '"New social movements" of the early nineteenth century', in M. Traugott (ed.), *Repertoires and Cycles of Collective Action*, 173-215. Durham: Duke University Press.

Campbell, C. (1972) 'The cult, the cultic milieu and secularisation', in M. Hill (ed.), *A Sociological Yearbook of Religion in Britain*, 119-136. London: SCM Press.

CCP Committee and Township Government of Laofangqiao, Yuyiao (June 1999) 'Renzheng guanche cunminweiyunhui zuzhifa, yi fa gaohao cunweihui huanji xuanju' (Implementing the Organic Law of village committee and doing a good job in the elections of village committee).

Chan, C.P. & B. Leung (1996) 'The voting behaviour of Hong Kong Catholics in the 1995 legislative council election', in H.C. Kuan et al. (ed.), *The 1995 Legislative Council Elections in Hong Kong*, 275-314. Hong Kong: Hong Kong Institute of Asia-Pacific Studies (Chinese University of Hong Kong).

Chan, J. & R. Chung (2003) 'Shui neng fadong wushi wan ren shangjie?' (Who can mobilise 500,000 people onto the Streets?), *Hong Kong Economic Journal* (15 July 2003): 9.

Chan, J.M.M. (1990) *Human Rights in Hong Kong* (Renquan zai Xianggang). Hong Kong: Wide Angle Press (in Chinese).

Chan, J.M.M. (1998) 'Hong Kong's bill of rights: its reception of and contribution to international and comparative jurisprudence', *International and Comparative Law Quarterly* 47: 306-336.

— (2004) 'Some thoughts on constitutional reform in Hong Kong', *Hong Kong Law Journal* 34: 1-12.

Chan, J.M.M., H.L. Fu & Y. Ghai (eds.) (2000) *Hong Kong's Constitutional Debate: Conflict Over Interpretation*. Hong Kong: Hong Kong University Press.

Chan, M.H.Y., S.H. Ng & E.Y.Y. Ho (2000) 'Labour and employment', in S.H. Ng & D.G. Lethbridge (eds.), *The Business Environment in Hong Kong*, 74-96. Hong Kong: Oxford University Press.

Chan, M.K. & S.H. Lo (2006) *Historical Dictionary of the Hong Kong SAR and the Macao SAR*. Lanham, MD: Scarecrow Press.

Chan, M.K. (1988) 'Contemporary Hong Kong labour unionism and its historical origins', in K.Y. Chen (ed.), *Labour Movement in a Changing Society: The Experience of Hong Kong*, 119-132. Hong Kong: Centre of Asian Studies, University of Hong Kong.

— (1991) 'Democracy derailed: realpolitik in the making of the Hong Kong Basic Law', in M. Chan & D. Clark (eds.), *The Hong Kong Basic Law: Blueprint for 'Stability and Prosperity' under Chinese Sovereignty?*, 3-35. Armonk, N.Y.: M.E. Sharpe.

— (1992) 'Under China's shadow: realpolitik of Hong Kong labour unionism toward 1997', in C. Burton (ed.), *Politics and Society in Hong Kong toward 1997*, 15-36. Toronto: Joint Centre for Asia Pacific Studies, University of Toronto-York University.

— (1993) 'The 1991 elections in Hong Kong: democratisation in the shadow of Tiananmen', in G. Yu (ed.), *China in Transition: Economic, Political and Social Developments*, 229-250. Lanham: University Press of America.

— (2001) 'Hong Kong workers toward 1997: unionisation, labour activism and political participation under the China factor', *Australian Journal of Politics and History* 47 (1): 61-85.

— (2002) 'Realpolitik realignment of the democratic camp in the Hong Kong (SAR)', in M. Chan & A. So (eds.), *Crisis and Transformation in China's Hong Kong*, 67-110. Armonk, N.Y: M.E. Sharpe.

— (2003) 'The dynamics of compensatory politics', in R. Ash, P. Ferdinand, B. Hook & R. Porter (eds.), *Hong Kong in Transition: One Country, Two Systems*, 97-110. London: Routledge.

— (2008) 'Transforming China's Hong Kong: toward 2047 merger-convergence', in M. Chan (ed.), *China's Hong Kong Transformed*, 1-40. Hong Kong, City University of Hong Kong Press.

Chan, M.K. (ed.) (1986) *Dimensions of the Chinese and Hong Kong Labour Movement*. Hong Kong: Christian Industrial Committee.

Chan, S. (1998) 'Research notes on villagers' committee election: Chinese-style democracy', *Journal of Contemporary China* 7 (19): 507-522.

Chau, A.Y. (2003) 'Popular religion in Shaanbei, North-Central China', *Journal of Chinese Religion* 31: 39-79.

— (2005a) 'The politics of legitimisation and the revival of popular religion in Shaanbei, North-Central China', *Modern China* 31 (2): 236-278.

— (2005b) *Miraculous Response: Doing Popular Religion in Contemporary China*. Stanford: Stanford University Press.

Chen, A.H.Y. & J.M.M. Chan (1987) *Human Rights and the Rule of Law: The Challenges of Hong Kong's Transition* (Renquan yu fazhi: Xianggang guoduqi de tiaozhan). Hong Kong: Wide Angle Press (in Chinese).

Chen, A.H.Y. & S.Y. Cheung (2004) 'The search for the rule of law in the Hong Kong Special Administrative Region, 1997-2003', in Y.C. Wong (ed.), *'One Country, Two Systems' in Crisis: Hong Kong's Transformation Since the Handover*, 61-93. Lanham: Lexington Books.

Chen, A.H.Y. (1988a) 'The development of immigration law and policy: the Hong Kong experience', *McGill Law Journal* 33: 631-675.

— (1988b) 'Civil liberties in Hong Kong: Recent controversies, evolving consciousness and future legal protection', *Journal of Chinese Law* 2: 137-151.

— (1989a) 'Civil liberties in Hong Kong: Freedoms of expression and association', *Hong Kong Law Journal* 19: 4-9.

— (1989b) 'Law in a foreign language: The case of Hong Kong', in K. Cheek-Milby & M. Mushkat (eds.), *Hong Kong: The Challenge of Transformation*, 212-238. Hong Kong: Centre of Asian Studies, University of Hong Kong.

— (1989c) 'From colony to special administrative region: Hong Kong's constitutional journey', in R. Wacks (ed.), *The Future of the Law in Hong Kong*, 76-126. Hong Kong: Oxford University Press.
— (1990a) 'The legal system', in Y.C. Wong & Y.S. Cheng (eds.), *The Other Hong Kong Report 1990*, 65-86. Hong Kong: Chinese University Press.
— (1990b) *Law and Politics in Hong Kong* (Xianggang falü yu Xianggang zhengzhi). Hong Kong: Wide Angle Press (in Chinese).
— (2000) 'The interpretation of the Basic Law – Common Law and Mainland Chinese perspectives', *Hong Kong Law Journal* 30: 380-431.
— (2002) 'Hong Kong's legal system in the new constitutional order: the experience of 1997-2000', in J.F. Chen, Y.W. Li & J.M. Otto (eds.), *Implementation of Law in the People's Republic of China*, 213-245. The Hague: Kluwer Law International.
— (2003a) 'A defining moment in Hong Kong's history', *South China Morning Post*, 4 July 2003.
— (2003b) 'How the liberals stopped a constitutional crisis', *South China Morning Post*, 8 July 2003.
— (2005) 'The fate of the constitutional reform proposal of October 2005', *Hong Kong Law Journal* 35: 537-543.
— (2008) 'A new era in Hong Kong's constitutional history', *Hong Kong Law Journal* 38: 1-13.
Chen, F.Z. & G.X. Jiang (2003) *Zhongfan waijiao guanxi shi* (The history of the Sino-Vatican diplomatic relations), 162-276. Taipei: Taiwan Commercial Press.
Chen, F. (2000) 'Subsistence crises, managerial corruption and labour protests in China', *The China Journal* 44: 41-63.
Chen, Y. & X. Xu (2003) *Jiazu liliang* (the force of the family). Hangzhou: Zhejiang renmin chubanshe.
Cheung, A. & K.S. Louie (2000) 'Social conflicts: 1975-86', in S.K. Lau (ed.), *Social Development and Political Change in Hong Kong*, 63-114. Hong Kong: Chinese University Press.
Cheung, F.M., A. De Dios, M. Karlekar & J. Vichit-Vadakan (1999) 'Introduction: violence against women as a global concern', in F.M. Cheung, M. Karlekar, A. De Dios, J. Vichit-Vadakan & L.R. Quisumbing (eds.), *Breaking the Silence: Violence Against Women in Asia*, 2-12. Hong Kong: Equal Opportunities Commission.
Chevrier, Y. (1995) 'La question de la société civile, la Chine et le chat du Cheshire', *Etudes chinoises* 14 (2): 154-251.
Chiang, S.J. (1999). 'Aiomen weigui zhichen feng Lin Jiajin jujiao' (Interview with Bishop Lin Jiajin before Macau Return to China), *Religion in China* 18: 25-26.
China Association of Study of Grassroots Institutions & Research Team for Project of Chinese Village Autonomy (1994) *The Chinese Electoral System of Village Committee*, vol. 1993. Beijing: China Social Press.
China Catholic Communication (1993) *Guide to the Catholic Church in China 1993*, 12-13. Singapore: China Catholic Communication.
— (1997) *Guide to the Catholic Church in China 1997*, 14-15. Singapore: China Catholic Communication.
— (2000) *Guide to the Catholic Church in China 2000*, 14-15. Singapore: China Catholic Communication.
— (2004) *Guide to the Catholic Church in China 2004*, 12-13. Singapore: China Catholic Communication.
China Daily, Beijing.
China Labour Bulletin, Hong Kong.
China Labour Bulletin (2005) *Zhongguo gongren yundong guancha baogao 2000-2004* (Report on Observation of Chinese Workers Movements 2000-2004). http://www.clb.org.hk.

China Labour Bulletin (2007) *Speaking Out. The Workers' Movement in China (2005-2006)*. http://www.clb.org.hk

Chinaworker.info (2008) 'July Strikes in Hong Kong'. [Released 8 August 2008]

Chinese Labour and the WTO, Hong Kong Federation of Trade Unions, June 2004.

Chiu, S.W.K. & H.F. Hung (1999) 'State building and rural stability', in T.W. Ngo (ed.), *Hong Kong's History: State and Society under Colonial Rule*, 74-100. London & New York: Routledge.

Chiu, S.W.K. & D. Levin (2000) 'Contestatory unionism: trade unions in the private sector', in S. See below

Chiu, S.W.K. & T.L. Lui (eds.) (2000) *The Dynamics of Social Movement in Hong Kong*. Hong Kong: Hong Kong University Press.

Chow, W. & P. Fosh (1999) 'Political and legal parameters for the representation of labour in Hong Kong', in P. Fosh et al. (eds.), *Hong Kong Management and Labour: Change and Continuity*, 25-42. London: Routledge.

Choy, C.K., Y.Y. Wong, Y.C. Tsoi & Y.K. Chong (1998) *From Identity to Indifference: Hong Kong Student Movements since 1981*. Hong Kong: Hong Kong Humanities Press.

Chui, E.W.T. (1993) 'The 1991 elections: An exploration into the elite-mass relationship in Hong Kong', in S.K. Lai & K.S. Louie (eds.), *Hong Kong Tried Democracy: The 1991 Elections in Hong Kong*, 369-396. Hong Kong: Hong Kong Institute of Asia-Pacific Studies, Chinese University of Hong Kong.

Cingcade, M.L. (1998) 'Tourism and the many Tibets: The manufacture of Tibetan "tradition"', *China Information* 13 (1): 1-24.

Cixi shi difangzhi bianzuan weiyuanhui bangongshi (1992) *Cixi xianzhi* (Annals of Cixi). Hangzhou: Zhejiang renmin chubanshe.

Cixishi gonganju bian (1998) *Cixishi gongan zhi* (Annals of the Public Security of Cixi City). Beijing: Fangzhi chubanshe.

Cockburn, A., J.S. Clair & A. Sekula (2000) *5 Days That Shook the World*. London: Verso.

Cohen, J. (1996) 'Mobilisation, politics and civil society: Alain Touraine and social movements', in J. Clark & M. Diani (eds.), *Alain Touraine*, 173-204. London: Falmer Press.

Constitution of China 1982 Art. 36

Dahlerup, D. (1986) 'Is the new women's movement dead? Decline or change of the Danish movement', in D. Dahlerup (ed.). *The New Women's Movement: Feminism and Political Power in Europe and the USA*, 217-244. London: Sage Publications.

— (2000) 'Continuity and waves in the feminist movement: A challenge to social movement theory', in A. Saarinen, H.R. Christensen & B. Halsaa (eds.), *Women's Movements and Internationalisation: The 'third wave'?*, 8-38. Oulu: Oulu University.

Dangdai, 38, 15 May 1994, p. 21

Dean, K. & T. Lamarre (2003) 'Ritual matters', in T. Lamarre & N.H. Kang (eds.), *Impacts of Modernities*, 255-292. Hong Kong: Hong Kong University Press.

Dean, K. (1993) *Taoist Ritual and Popular Cults of Southeast China*. Princeton, N.J.: Princeton University Press.

— (1997) 'Ritual and space: Civil society or popular religion?', in T. Brook & B.M. Frolic (eds.), *Civil Society in China*, 172-192. N.Y. & London, Armonk: M.E. Sharpe.

— (1998) *Lord of the Three in One: The Spread of a Cult in Southeast China*. Princeton, N.J.: Princeton University Press.

— (2001) 'China's second government: Regional ritual systems in Southeast China', in C.K. Wang, Y.C. Chuang & C.M. Chen (eds.), *Shehui, minzu yu wenhua zhanyan guoji yantaohui lunwenji*, 77-107. Taipei: Hanxue Yanjiu Zhongxin.

— (2003) 'Local communal religion in contemporary Southeast China', in D. Overmyer (ed.), *Religion in China Today*, 338-358. Cambridge: Cambridge University Press.

DeGoyler, M. (2008) 'The business city revolts against business', *Hong Kong Journal* 12 (October). http://www.hkjournal.org/archive/2008_winter/1.htm. [Retrieved 20 November 2008]

Deleuze, G. & F. Guattari (1980) *Mille plateaux: capitalisme et schizophrenie 2*. Paris: Editions de Minuit.

Della Porta, D. & M. Dini (1999) *Social Movements: An Introduction*. Oxford: Blackwell Publishers.

Department of Organisation of Yuyao Committee of CCP (1999) 'Yuyaoshi nongcun jichen zuzhi qingkuang zongji' (Summary on the conditions of grass-root units in rural Yuyao).

Desai, M. (2002) 'Multiple mediations: the state and the women's movements in India', in D.S. Meyer, N. Whittier & B. Robnett (eds.), *Social movements: identity, culture, and the state*, 66-84. Oxford: Oxford University Press.

Di Leonardo, M. & R.N. Lancaster (1997) 'Introduction: embodied meanings, carnal practices', in R.N. Lancaster & M. di Leonardo (eds.), *The gender/sexuality reader*. New York and London: Routledge.

Dillon, M. (1999) *Catholic Identity: Balancing Reason, Faith and Power*. Cambridge: Cambridge University Press.

Ding, D.K. (1999) 'I still want to run elections after being released from jail', *Democracy and the Rule of Law* 5: 32-34.

Du, J. (2004) 'Gender and governance: the rise of new women's organisations', in J. Howell (ed.), *Governance in China*, 172-192. Lanham, Boulder, New York, Toronto, Oxford: Rowman & Littlefield.

Duara, P. (1988) *Culture, power, and the state: rural North China, 1900-1942*. Stanford: Stanford University Press.

— (1991) 'Knowledge and power in the discourse of modernity: the campaigns against popular religion in early twentieth century China', *Journal of Asian Studies* 50 (1): 67-83.

DuBois, T. (2005) *The sacred village: social change and religious life in rural China*. Honolulu: University of Hawaii Press.

Edwards, L. (2008) 'International influences on the state-in-society: combating violence against women' in L. Li (ed.), *The Chinese state in transition* (to be published in 2009). London: Routlegde.

Eng, I. & Y.M. Lin (2002) 'Religious festivities, communal rivalry, and restructuring of authority relations in rural Chaozhou, Southeast China', *Journal of Asian Studies* 61 (4): 1259-1285.

England, J. & J. Rear (1975) *Chinese labour under British rule*. Hong Kong: Oxford University Press.

Ensler, E. (1998) *The Vagina Monologues*. New York: Villard.

Epoch Group (2005) *Nine commentaries on the Communist Party*. Broad Press Inc. http://www.ninecommentaries.com. [Retrieved 20 November 2008]

Esherick, J.W. & J.N. Wasserstrom (1990) 'Acting out democracy: political theatre in modern China', *The Journal of Asian Studies* 49 (4): 835-865.

Eskridge, W.N., Jr (2002) 'Some effects of identity-based social movements on constitutional law in the twentieth century', *Michigan Law Review* 100: 2062-2412.

Evasdottir, E. (2004) *Obedient autonomy: Chinese intellectuals and the achievement of orderly life*. Vancouver: UBC Press.

Eyerman, R. & A. Jamison (1991) *Social Movements: a Cognitive Approach*. Cambridge: Polity Press.

— (1998) *Music and Social Movements*. Cambridge: Cambridge University Press.

Fang, L.Z. (1987) *Democracy Is Not Bestowed As a Gift: A Collection of Fang Lizhi's Political Speeches*. Hong Kong: Earth Press.

Far Eastern Economic Review (FEER). Hong Kong.
Feuchtwang, S. & M.M. Wang (2001) *Grassroots Charisma: Four Local Leaders in China*. London & New York: Routledge.
Flanders, A. (1969) 'The nature of collective bargaining', in A. Flanders (ed.), *Collective Bargaining*, 11-41. Harmondsworth: Penguin.
Flannery, A.(ed.) (1975) 'Declaration on Christian education' in *Vatican Council II: The Concillar and Post Concillar Documents*. Minnesota: Liturgical Press.
Florini, A.M. (ed.) (2000) *The Third Force: The Rise of Transnational Civil Society*. Tokyo: Japan Center for International Exchange and Washington D.C: Carnegie Endowment for International Peace.
Flower, J.M. & L. Pamela (1998) 'Defining cultural life in the Chinese countryside: the case of the Chuan Zhu Temple', in E.B. Vermeer, F. Pieke & W.L. Chong (eds.), *Cooperative and Collective in China's Rural Development: Between State and Private Interests*. Armonk, N.Y. & London: M.E. Sharpe, 273-290.
Flower, J.M. (2004) 'A road is made: roads, temples, and historical memory in Ya'an County, Sichuan', *Journal of Asian Studies* 63 (3): 649-685.
Fu, H.L., C.J. Petersen & S.N.M. Young (eds.) (2005) *National Security and Fundamental Freedoms: Hong Kong's Article 23 Under Scrutiny*. Hong Kong: Hong Kong University Press.
Fung, H.L. (1990) 'Shehui xingdong de huigu' (A review on social action), in Hong Kong Council of Social Services (ed.), *Community Development Resource Book 1991 & 1992*, 20-24. Hong Kong: Hong Kong Council of Social Services.
— (2004) 'The "right of abode" issue: a test case of "one country, two systems"', in Y.C. Wong (ed.), *'One Country, Two Systems' in Crisis: Hong Kong's Transformation Since the Handover*, 97-112. Lanham: Lexington Books.

Gadrey, J. (2001) 'Nouvel esprit du capitalisme et idéologie néo-libérale', *Sociologie du Travail* 43: 389-402.
Galbraith, J.K. (1972) *The New Industrial State*. Harmondsworth: Penguin.
Gallagher, Mary E. (2005)'Use the Law as your Weapon! Institutional Change and Legal Mobilization in China', in Neil J. Diamant, Stanley B. Lubman & Kevin J. O'Brien (eds.), *Engaging the Law in China. State, Society and the Possibility for Justice*, 54-83. Stanford: Stanford University Press.
Gamson, A. (1992) *Talking Politics*. Cambridge, Mass.: Cambridge University Press.
Gamson, W. & D. Meyer (1996) 'Framing political opportunity' in D. McAdam, J.D. McCarthy & M.N. Zald, *Comparative Perspective on Social Movements: Political Opportunities, Mobilising Structures, and Cultural Framings*, 275-290. Cambridge, Mass.: Cambridge University Press.
Gardella, R., J.K. Leonard & A. McElderry (eds.) (1998) *Chinese Business History: Interpretative Trends and Priorities for the Future*. Armonk, N.Y.: M.E. Sharpe.
Garner, R. (1996) *Contemporary Movements and Ideologies*. New York: McGraw-Hill.
Ghai, Y. (1997) 'The continuity of laws and legal rights and obligations in the SAR', *Hong Kong Law Journal* 27: 136-151.
Ghai, Y. (1999) *Hong Kong's New Constitutional Order: The Resumption of Chinese Sovereignty and the Basic Law*. Hong Kong: Hong Kong University Press.
Giddens, A. (1991) *Modernity and Self-Identity*. Cambridge: Polity Press.
— (1998) *The Third Way: The Renewal of Social Democracy*. Cambridge: Polity Press.
— (2000) *The Third Way and Its Critics*. Cambridge: Polity Press.
Gilboy, G.J. & B.L. Read (2008) 'Political and social reform in China: alive and walking', *The Washington Quarterly* 31 (3): 143-164.
Gindin, S. (1998) 'Notes on labour at the end of the century: starting over?', in E.M. Wood, P. Meiksins & M. Yates (eds.), *Rising From the Ashes? Labour in the Age of 'Global' Capitalism*, 198-202. New York: Monthly Review Press.

Glosser, S.L. (2003) *Chinese Visions of Family and State, 1915-1953*. Berkeley, Ca.: University of California Press.
Goldman, M. (2002) 'The reassertion of political citizenship in the post-Mao era: the democracy wall movement', in M. Goldman & E.J. Perry (eds.), *Changing Meanings of Citizenship in Modern China*, 159-186. Cambridge: Harvard University Press.
Goldstein, M.C. (1982) 'Lhasa street songs: political and social satire in traditional Tibet', *The Tibet Journal* 7(1 &2): 56-66.
Gong, X.Z. (2003) *Shehui zhuyi yu zongjiao*. Beijing: Zongjiao wenhna chubanshe.
Goodstadt, L. (1996) 'Religion, politics and economic modernisation in 21st century Asia: potential conflicts in their management', in B. Elung (ed.), *Church and State Relations in 21st Century Asia*, 7-24. Hong Kong: Centre of Asian Studies (University of Hong Kong).
— (2003) 'Introduction: faith, citizenship and colonialism in Hong Kong'', in B. Leung & S.H. Chan, *Changing Church and State Relations in Hong Kong 1950-2000*, ix-xviii. Hong Kong: Hong Kong University Press.
Goossaert, V. (2000) *Dans les temples de la Chine. Histoire des cultes, vie des communautés*. Paris: Albin Michel.
— (2006) '1898: the beginning of the end for Chinese religion?', *Journal of Asian Studies* 65 (2): 307-336.
Government Information Services (GIS) (1996) *Hong Kong 1995*. Hong Kong: Government Printer. Also previous editions from 1984 to 1995.
Guiheux, G. (2002) 'The incomplete crystallisation of the private sector', *China Perspectives* 42: 24-36.
— (2006) 'Political "participation" of entrepreneurs: challenge or opportunity for the Chinese Communist Party?', *Social Research* 73 (1): 219-244.
Guowuyuan Bangongting (General Office of the State Council) (1998). *Minban feiqiye danwei dengji guanli zanxing tiaoli* (Provisional regulations for the registration and management of popular non-enterprise work units). www.gov.cn
— (2003) *Zuohao nongmin jincheng wugong jiuye guanli fuwu gongzuo tongzhi* (Notice on Successfully Managing the Employment of Rural Workers in the Cities and their Access to Public Services). www.gov.cn
— (2004a) *Guanyu cujin nongmin zengjia shouru ruogan zhengce de yijiian* (Opinions on a few policies to help peasants to increase their revenues). www.china.org.cn
— (2004b) *Guanyu jinyibu zuohao gaishan nonmin jincheng jieye huanjing gongzuo de tongzhi* (Notice Regarding Furthering the Work of Employment Management and Services for Rural Residents Entering Cities to Work). www.gov.cn
Guowuyuan yanjiushi ketizu (General Office of the State Council's Research Group) (2006) *Zhongguo nongmingong diaoyan baogao* (Chinese Migrant Workers Survey Report). Beijing: Zhongguo yanshi chubanshe.
— (1987) *Catholic Church and World Politics*. New Jersey: Princeton University Press.

Hanson, E. (1980), *Catholic Politics in China and Korea*. N.Y.: Orbis Books.
— (1987), *The Catholic in World Politics*. Princeton, New Jersey: Princeton University Press.
He, B.G. (2003) 'Are village elections competitive?', in Y.S. Cheng (ed.), *China's Challenges in the Twenty-First Century*, 71-92. Hong Kong: The City University of Hong Kong Press.
— (2005) 'Village citizenship in China: a case study of Zhejiang', *Citizenship Studies* 9 (2): 205-219.
Heberer, T. (2003) 'Strategic groups and state capacity: the case of the private entrepreneurs', *China Perspectives* 46: 4-15.
Hershatter, G. (2004) 'State of the field: women in China's long twentieth century', *The Journal of Asian Studies* 63 (4): 991-1065.
Hertz, E. (1998) *The Trading Crowd: An Ethnography of the Shanghai Stock Market*. Cambridge: Cambridge University Press.

Hickey, S. & G. Mohan (2004) *Participation: From Tyranny to Transformation? Exploring New Approaches to Participation in Development*. London/New York: Zed Books.

Ho, K.L. (2000) 'The rise and fall of community mobilisation: the housing movement in Hong Kong', in Chiu, W.K. & T.L. Lui (eds.), *The Dynamics of Social Movement in Hong Kong*, 185-208. Hong Kong: Hong Kong University Press.

Ho, P. (2007) 'Embedded activism and political change in a semiauthoritarian context', *China Information* 21 (2): 187-209.

Holm, D. (1984) 'Folk art as propaganda: the yangge movement in Yan'an', in B.S. McDougall (ed.), *Popular Chinese Literature and Performing Arts*, 3-35. Berkeley, Los Angeles, London: University of California Press.

Hong Kong Catholic Church Directory 2008. Hong Kong: Catholic Truth Society.

Hong Kong Confederation of Trade Unions (2004) *Union Action* (A quarterly publication, also see www.hkctu.org.hk).

— (2000) *HKCTU Tenth Anniversary Commemorative Volume*. Hong Kong: Government Printer.

Hong Kong Economic Daily. Hong Kong.

Hong Kong Economic Journal (*HKEJ*). Hong Kong.

Hong Kong Economic Times. Hong Kong.

Hong Kong Federation of Trade Unions (1999) *Hong Kong Federation of Trade Unions Golden Anniversary Commemorative Volume*. Hong Kong: Government Printer.

— (2005-08) *FTU Bulletin* (See www.ftu.org.hk).

— (1999) *Federation of Trade Unions Press*. Hong Kong: Government Printer.

Hong Kong TV cited in *AFP*, December 1997.

Howell, J. (1998) 'Prospects for village self-governance in China', *The Journal of Peasant Studies* 25 (3): 86-111.

— (2003) 'Women's organisations and civil society in China', *International Feminist Journal of Politics* 5 (2): 191-215.

— (2004) 'New directions in civil society: organising around marginalised interests', in J. Howel (ed.), *Governance in China*, 143-171. Lanham, Boulder, New York, Toronto, Oxford: Rowman & Littlefield.

Hu, A. & L. Wang (2006) 'Yinxiang shehui wending de shehui maodun bianhua taishi de shizheng fenxi' (The changing situation of social contradictions affecting social stability: analysis of empirical evidence), *Shehui Kexue Zhanxian* (*Social Science Front Line*) April: 175-185.

Hu, J. (2004a) *Yindao dubai: Zhongwen yanchu* (*The Vagina Monologues*: Chinese performance). Guangzhou: Zhongshan daxue xingbie jiaoyu luntan yanchuzu (Guangzhou: The Sex/Gender Education Forum Performance Group, Sun-Yat-Sen (Zhongshan) University).

— (2004b) *Yindao dubai: Muhou gushi* (*The Vagina Monologues*: Backstage Stories). Guangzhou: Zhongshan daxue xingbie jiaoyu luntan (Guangzhou: The Sex/Gender Education Forum, Sun Yat-Sen (Zhongshan) University).

Human Rights Watch (2002) *Paying the Price: Worker Unrest in Northeast China*, 14 (6). www.hrw.org

Hyman, R. (1971) *Marxism and Sociology of Trade Unionism*. London: Plato Press.

Information Bureau, Hong Kong SAR Government, 'Conversation between the Minister of Education and the mass media' (press release). 8 July 2008.

Information Services Department (1998) *Hong Kong: A New Era*. Hong Kong: Government Printer.

— (1999) *Hong Kong 1998*. Hong Kong: Government Printer. Subsequent annual editions to 2008.

International Social Movement Research: Volume 1. London: JAI Press, 1988, p. 198.

Jae, H.C. (2004) 'Societal challenges to governance in China: mapping the major trends'. Paper presented at an International conference on grassroots democracy and local government in China, organised by Chinese Association of Political Science, Centre for China Studies, National Chengchi University, and Mainland Affairs Council, R.O.C., Taipei, 2-3 November 2004.

Jaschok, M., C. Milwertz & P. Hsiung (2001) 'Introduction', in P. Hsiung, M. Jaschok, C. Milwertz & R.Chan (2001) *Chinese Women Organising: Cadres, Feminists, Muslims, Queers*, 3-24. Oxford: Berg.

Jennings, K. (1997) 'Political participation in Chinese countryside', *American Political Science Review* 91 (2): 361-373.

Jiaoyubu, Gonganbu, Sifabu (Ministry of Education, Ministry of Public Security and Administration of Justice) (2003) *Guanyu Liaoning dengdi xiangji fasheng jiaoshi qiangjian weixie xuesheng shijian de qingkuang tongbao* (Circular concerning teachers' rape of and obscene behaviour towards students in Liaoning and other places). 28 July.

Jing, J. (1996) *The Temple of Memories: History, Power, and Morality in a Chinese Village*. Stanford: Stanford University Press.

Jing, Y.J. (1999) 'Haixuan shi zhenyang cansheng de' (The origin of Haixuan), *Kaifang Shidai (The Era of Opening Up)* 3.

Johansson, P. (1998) 'White skin, large breasts: Chinese beauty product advertising as cultural discourse', *China Information* 13 (2/3): 59-84.

Katzenstein, M.F. (1998) *Faithful and Fearless: Moving Feminist Protest Inside the Church and Military*. Princeton: Princeton University Press.

Kennedy, J.J. (2002) 'The face of "grassroots democracy" in rural China: real versus cosmetic elections', *Asian Survey* 42 (3): 456-482.

Kennedy, S. (2005) *The Business of Lobbying in China*. Cambridge, Mass.: Harvard University Press.

Kernen, A. (2002) 'Des ouvriers chinois réapprennent la manif', *Critique Internationale* 16: 14-22.

King, Y.C.A. (1975) 'Administrative absorption of politics in Hong Kong: emphasis on the grassroots level', *Asian Survey* 15 (5): 422-439.

— (1981) 'Administrative absorption of politics in Hong Kong: emphasis on the grass roots level', in Y.C.A. King & P.L. Lee (eds.), *Social Life and Development in Hong Kong*, 127-146. Hong Kong: Chinese University Press.

Klein, N. (2001) *No logo*. London: Flaming

Krug, B. & L. Polos (2004) 'Emerging markets, entrepreneurship and uncertainty: the emergence of a private sector in China', in B. Krug (ed.), *China's Rational Entrepreneurs: The Development of the New Private Business Sector*, 72-96. London: Routledge Curzon.

Ku, S. & N. Pun (eds.) (2004) *Remaking Citizenship in Hong Kong: Community, Nation, and the Global City*. London & New York: Routledge.

Kuah, K.E. (2000) *Rebuilding the Ancestral Village: Singaporeans in China*. London: Ashgate.

Kuan, H.C. (1979) 'Political stability and change in Hong Kong', in T.B. Lin, R.P. Lee & U. Simonis (eds.), *Hong Kong: Economic, Social and Political Studies in Development*, 145-166. New York: M.E. Sharpe.

Kuan, H.C. & S.K. Lau (1995) 'The partial vision of democracy in Hong Kong: a survey of public opinion', *The China Journal* 34: 239-264.

Kuan, H.C. et al. (eds.) (1996) *The 1995 Legislative Council Election in Hong Kong*. Hong Kong: Hong Kong Institute of Asia Pacific Studies, Chinese University of Hong Kong.

Kung Kao Po, 12 January 2003.

Labour Department (1998) *Report of the Commissioner for Labour 1997*. Hong Kong: Government Printer. Subsequent annual editions to 2008.

Labour Movement Monthly. Hong Kong: Hong Kong Labour Education Centre.
Lague, D. & D. Murphy (2003) 'Wielding the cross', *Far Economic Review* 166 (6) (13 February 2003): 24-27.
Lague, D. (2003) 'The Catholic voice leading Hong Kong's Opposition: as democracy parties grow marginal, Bishop Joseph moves to fill a political void', *Wall Street Journal*. New York. 12 February 2003, A. 14.
Lai, O.K. (2000) 'Greening of Hong Kong? Forms of manifestation of environmental movements', in S. Chiu & T.L. Lui (eds.), *The Dynamics of Social Movement in Hong Kong*, 259-295. Hong Kong: City University Press.
Lam, W.M. (2004) *Understanding the Political Culture of Hong Kong: The Paradox of Activism and Depoliticisation*. Armonk, N.Y.: M.E. Sharpe.
Lang, G., S.C. Chan & L. Ragvald (2005) 'Temples and the religious economy', *Interdisciplinary Journal of Research on Religion* 1:1: Article 4. http://www.bepress.com/ijrr/vol1/iss1/art4 [Retrieved 20 November 2008].
Lather, P. (1991) *Getting Smart: Feminist Research and Pedagogy with/in the Postmodern*. New York and London: Routledge.
Lau, S.K. (1982) *Society and politics in Hong Kong*. Hong Kong: Chinese University Press.
— (1997) 'China: labour reform and the challenge facing the working class', *Capital and Class* 61 (Spring): 45-80.
Lau, S.K. & H.C. Kuan (1995) 'The attentive spectators: political participation of the Hong Kong Chinese', *Journal of Northeast Asia Studies* 14 (1): 3-24.
Lave, J. (1993) 'The practice of learning', in S. Chaiklin & J. Lave (eds.), *Understanding Practice: Perspectives on Activity and Context*, 3-34. Cambridge: Cambridge University Press.
Lave, J. & E. Wenger (1991) *Situated Learning: Legitimate Peripheral Participation*. Cambridge: Cambridge University Press.
Lawrence, S. (1994) 'Democracy, Chinese style', *The Australian Journal of Chinese Affairs* 32 (July): 61-68.
Lee, C.K. (2000) 'Public discourses and collective identities: emergence of women as a collective actor in the women's movement in Hong Kong', in Chiu, W.K. & T.L. Lui (eds.), *The Dynamics of Social Movement in Hong Kong*, 227-257. Hong Kong: Hong Kong University Press.
— (2002) 'From the spectre of Mao to the spirit of the law: labour insurgency in China', *Theory and Society* 31: 189-228.
Lee, M.K. (1993) 'Issue-positions in the 1991 legislative council election', in S.K. Lau & K.S. Louie (eds.), *Hong Kong Tried Democracy: The 1991 Elections in Hong Kong*, 237-248. Hong Kong: Hong Kong Institute of Asia-Pacific Studies, Chinese University of Hong Kong.
Lee, S. (2001) 'Anti-global activists shun Hong Kong forum', *South China Morning Post*, 5 May 2001.
Lefort, Claude (1994) *L'invention démocratique*, Paris : Fayard.
Lethbridge, D. & S.H. Ng (1995) 'Labour and employment', in D. Lethbridge & S.H. Ng (eds.), *The Business Environment in Hong Kong*, 64-88. Hong Kong: Oxford University Press.
Leung, B. (1992a) 'The Catholic voters', in R. Kwok et al. (eds.), *Votes Without Power*, 151-184. Hong Kong: Hong Kong University Press.
— (1992b) *Sino-Vatican Relations Problems of Conflicting Authority, 1976-1986*. Cambridge: Cambridge University Press.
— (2000) 'Strategic development of the Hong Kong SAR: social policy, EIB model, and implications', in J. Hsiung (ed.), *Hong Kong the Super Paradox: Life After Return to China*, 125-152. New York: St. Martin's Press.
— (2004) 'The Catholic relations with HKSAR government: the paradigm shift', in Y.C. Wong (ed.), *One Country Two Systems in Crisis: Hong Kong's Transformation Since the Handover*, 113-136. Lanham: The Lexington Books.

— (2006) 'China's religious freedom policy: an art of managing religious activity', *The China Quarterly* 184 (December): 894-913.
Leung, B. (ed.) (1996) *Church and State Relations in 21st Century Asia*. Hong Kong: Centre of Asian Studies (University of Hong Kong).
Leung, B. & S.H. Chan (2003) *Changing church and state relations in Hong Kong 1950-2000*. Hong Kong: Hong Kong University Press.
Leung, B. & S. Chiu (1991) *A Social History of Industrial Strikes and the Labour Movement in Hong Kong, 1946-1989*. Hong Kong: Social Sciences Research Centre and Department of Sociology, University of Hong Kong, Occasional Paper 3.
Leung, K.P. (1992) *Social Movement as Cognitive Praxis: The Case of the Student and Labour Movements in Hong Kong*. Hong Kong: Social Sciences Research Centre and Department of Sociology, University of Hong Kong, Occasional Paper 9.
— (1996) *Perspectives on Hong Kong Society*. Hong Kong: Oxford University Press.
— (2000) 'The student movement in Hong Kong: transition to a democratising society', in Chiu, S.W.K. & T.L. Lui (eds.), *The Dynamics of Social Movement in Hong Kong*, 209-225. Hong Kong: Hong Kong University Press.
Levin, D.A. & S.W.K. Chiu (2000) 'Bureaucratic insurgency: the public sector labour movement', in S.W.K. Chiu & T.L. Lui (eds.), *The Dynamics of Social Movement in Hong Kong*, 139 - 184. Hong Kong: Hong Kong University Press.
Li Qiang (2003) 'Policy Issues Concerning the Informal Employment of Rural-Urban Migrants in China', *Social Science in China*, 24 (3-4): 126-137.
Li, L.J. (2001) 'Elections and popular resistance in rural China', *China Information* 15 (2): 1-19.
Li, Z. (1992) *Lianan jiaoliu* (Interaction between the strait). Taipei: Fu Jen University Press.
Liao, M. (2002) *Fangtai lunjian: Mao Zhongqun yu Liao Min duihualu* (The Fangtai sword: dialogue between Mao Zhongqun and Liao Min). Beijing: Qiye guanli chubanshe.
— (2006) *Fangtai fangfa* (The Fangtai method). Beijing: Qiye guanli chubanshe.
Liu Kaiming (2004) 'Mingong yu gaige jingcheng' (Migrant Labour: The Internal Power of China's Reform), paper presented at the conference 'Nongmingong gongong zhengce gaige yu fuwu chuangxin' (Public Policy Reform and Service Innovation for Migrant Workers), organised by the NGO Beijing Facilitator, Beijing, November 2004.
Liu, B. (2004) 'Funü zuzhi yanjiu zongshu' (Review of research on women's organisations), in Quanguo fulian funü yanjiusuo (The All China Women's Federation Women's Studies Institute) (ed.), *Zhongguo funü yanjiu nianjian 1996-2000* (Almanac of Chinese Women's Studies 1996-2000). Beijing: Zhongguo funü chubanshe.
Liu, T.S. (2005) 'Associating local traditions with state apparatus: a way of revitalising popular religion in South China', paper presented at the conference on *'Religion' in China: Rethinking Indigenous and Imported Categories of Thought*. Fairbank Center for East Asian Research, Harvard University, 21-22 May 2005.
Lo, S.H. (1999) 'An analysis of the election results', in T.H. Yang & S.H. Lo (eds.), *Chinese Law and Government, Special Issues on The 1st Hong Kong Special Administrative Region Legislative Council Elections* 32: 2.
— (1999a) 'The democratic party in the Hong Kong Special Administrative Region', *The Round Table* 352: 635-658.
Lo, S.H., W.Y. Yu, K.K. Kwong & W.K. Wong (eds.) (2005) *Chinese Law & Government: The 2004 Legislative Council Elections in the Hong Kong Special Administrative Region* 28: 1.
Locher, D.A. (2002) *Collective Behavior*. Upper Saddle River, New Jersey: Prentice Hall.
Louie, K.S. (1993) 'Who voted in the 1991 elections? A socio-demographic profile of the Hong Kong electorate', in S.K. Lau & K.S. Louie (eds.), *Hong Kong Tried Democracy: The 1991 Elections in Hong Kong*, 1-40. Hong Kong: Hong Kong Institute of Asia-Pacific Studies, Chinese University of Hong Kong.

— (1996) 'Election politics', in M.K. Nyaw & S.M. Li (eds.), *The Other Hong Kong Report 1996*. Hong Kong: Chinese University Press.
Lu, X. dir. (2002) *Dangdai zhongguo shehui jieceng yanjiu baogao* (Research Report on Social Stratification in Contemporary China). Beijing: Shehui kexue wenxian chubanshe.
Lu, Y. (2007) 'The autonomy of Chinese NGOs: a new perspective', *China: An International Journal* 5 (2): 173-203.
Luehrmann, L.M. (2003) 'Facing citizen complaints in China, 1951-1996', *Asian Survey* 43 (5): 845-866.
Lui, T.L. (1997) 'The development of social movements in contemporary Hong Kong', in S. Woodman (ed.), *Hong Kong's Social Movements: Forces From the Margins*, 133-141. Hong Kong: July 1 Link and Hong Kong Women Christian Council.
— (1994) 'The path of development of Hong Kong's popular movements', *Hong Kong Journal of Social Sciences* (Xianggang shehuikexue xuebao) 4: 67-78 (in Chinese).
— (1997) 'Xianggang gu shi: xianggang yi shi de li shi fa zhan' (Hong Kong story: historical development of 'Hong Kong ideology'), in C.S. Gao & J.X. Chen (eds.), *Xianggang: wen ming de yan xu yu duan lie* (Hong Kong: continuation and rupture of civilisation), 1-16. Taipei: Linking Books.
Lui, T.L. & S.W.K. Chiu (2000) 'Changing political opportunities and the shaping of collective action: social movement in Hong Kong', in Chiu, S.W.K. & T.L. Lui (eds.), *The Dynamics of Social Movement in Hong Kong*, 1-19. Hong Kong: Hong Kong University Press.
Lui, T.L. & J.K.S. Kung (1985) *City Unlimited: Housing Protests and Urban Politics in Hong Kong* (Chengshi zongheng: Xianggang jumin yundong ji chengshi zhengzhi yanjiu). Hong Kong: Wide Angle Press (in Chinese).
Luk, K.L. (1994) 'Buyiyang de tiankong: xunqiu qunzhong liliang de xin shehui yundong' (New social action appealing for the force of the masses), *Community Development Resource Handbook 1993 & 1994*, 41-44. Hong Kong: Hong Kong Council of Social Services.
Luo, S.G. (1996) 'Zhongjiao gongzhu fangmian di yexie redian wenti', *Neibo Wengiao* 5: 11-13.
Lusted, D. (1986) 'Why pedagogy?', *Screen* 27 (5): 2-14.

Ma, N. (1999) 'The daya bay opinion war: an analysis of a multi-level conflict', in C. So & J. Chan (eds.), *Press and Politics in Hong Kong: Case Studies From 1967 to 1997*, 335-371. Hong Kong: Institute of Asia-Pacific Studies, Chinese University of Hong Kong.
— (2000a) 'Changing political cleavages in post-1997 Hong Kong: a study of the changes through the electoral arena'. Paper presented at the Symposium on China's Hong Kong Into the 21st Century: Crisis and Transformation in the SAR, Hong Kong, 15 December 2000-16 December 2000.
— (2000b) 'Factionalism in the democratic party and the 2000 election'. Paper presented at the Conference on the 2000 Legislative Council Elections, Hong Kong, 11 December 2000.
— (2001) 'The decline of the democratic party in Hong Kong: the second legislative council election in HKSAR', *Asian Survey* 41 (4): 564-583.
— (2001) 'The first HKSAR election: changed system, changed results and changing electioneering techniques', in J. Cheng (ed.), *Political Development in the HKSAR*, 139-164. Hong Kong: Contemporary China Research Project, City University of Hong Kong.
— (2002a) 'Changing political cleavages in post-1997 Hong Kon : a study of the changes through the electoral arena', in M. Chan & A. So (eds.), *Crisis and Transformation in China's Hong Kong*, 111-138. Armonk & London: M.E. Sharpe.
— (2002b) 'Factionalism in the democratic party and the 2000 election', in H.C. Kuan, S.K. Lau & K.Y. Wong (eds.), *Out of the Shadow of 1997? The Legislative Council Election in the Hong Kong Special Administrative Region*, 125-159. Hong Kong: Chinese University Press.

— (2005a) 'Civil society in self-defense: the struggle against national security legislation in Hong Kong', *Journal of Contemporary China* 14 (44): 465-482.
— (2005b) 'Democracy at a stalemate: the September 2004 legco elections in Hong Kong', *China Perspectives* 57.
Ma, Y. (ed.) (1999) *Xiangcun zhengzhi* (Rural Politics). Jiangxi: Jiangxi Renmin Chubanshe.
Mackenzie, W.J.M. (1958) *Free Elections: An Elementary Textbook*. New York: Rinehart and Company.
Madsen, R. (1998) *China's Catholics: Tragedy and Hope in an Emerging Civil Society*. Berkeley: University of California Press.
Mao, L. (2002) *Guanli qianqian jie* (Management principles). Beijing: Zhongguo shangye chubanshe.
McAdam, D. (1999) *Political Process and the Development of Black Insurgency 1930-1970*. Chicago: University of Chicago Press.
McAdam, D., J.D. McCarthy & M.N. Zald (1996) *Comparative Perspective on Social Movements: Political Opportunities, Mobilising Structures, and Cultural Framings*. Cambridge, Mass.: Cambridge University Press.
McCann, M.W. (1998a) 'How does law matter for social movements?', in B.G. Garth & A. Sarat (eds.), *How Does Law Matter?*, 76-108. Evanston, Illinois: Northwestern University Press and American Bar Foundation.
— (1998b) 'Social movements and the mobilisation of law', in A.N. Costain & A.S. McFarland (eds.), *Social Movements and American Political Institutions*, 201-215. Lanham, Maryland: Rowman and Littlefield.
— (2004) 'Law and social movements', in A. Sarat (ed.), *The Blackwell Companion to Law and Society*, 506-522. Oxford: Blackwell.
McCarthy, J.D. & M.N. Zald (1987) 'Resource mobilisation and social movements: a partial theory', in M.N. Zald & J.D. McCarthy (eds.), *Social Movements in an Organisational Society*, 15-42. New Brunswick: Transaction Publishers.
Meiksins, P. (1998) 'Same as it ever was? The structure of the working class', in E.M. Wood, P. Meiksins & M. Yates (eds.), *Rising From the Ashes? Labour in the Age of 'Global' Capitalism*, 28-40. New York: Monthly Review Press.
Melucci, A. (1989) *Nomads of the Present*. Philadelphia: Temple University Press.
— (1988) 'Social movements and the democratisation of everyday life', in J. Keane (ed.), *Civil Society and the State*, 245-260. London: Verso.
Michnik, A. (ed.) (1993) *The Church and the Left*. Chicago: Chicago University Press.
Milwertz, C. & W. Bu (2007) 'Non-governmental organising for gender equality in China: joining a global emancipatory epistemic community', *International Journal of Human Rights* 11 (1&2): 131-149.
Milwertz, C. (2002) *Beijing Women Organising for Change: A New Wave of the Chinese Women's Movement*. Copenhagen: The Nordic Institute of Asian Studies.
— (2003) 'Activism against domestic violence in the People's Republic of China', *Violence Against Women* 9 (6): 630-655.
— (2008) 'Consciousness-raising among and beyond women's movement activists in China', in W. Burghoorn, K. Iwanaga, C. Milwertz & Q. Wang (eds.), *Gender Politics in Asia*, 121-144. Copenhagen: NIAS Press.
— (forthcoming) 'Speaking bitterness and pleasure: the *Vagina Monologues* in the People's Republic of China', in A. McCormick & R. Marcez (eds.), *Theorising the Vagina Monologues: Local and Global Activisms*.
Miners, N. (1986) *The Government and Politics of Hong Kong*. Hong Kong: Oxford University Press.
Ming Pao Editorial Department (eds.) (2004) *The Debate on Patriotism* (Aiguo lunzheng). Hong Kong: Ming Pao Press (in Chinese).
Ming Pao. Hong Kong.

Mok, H.L. & W.K. Yu (1996) 'Fansi xin shehui xingdong de chongji, kongjian ji jiazhi' (Rethinking new social action in Hong Kong), in Hong Kong Council of Social Services (eds.), *Community Development Resource Book 1995 & 1996: Community Development– Challenges and Change*, 81-96. Hong Kong: Hong Kong Council of Social Services.
Moody, K. (1997) *Workers in a Lean World: Unions in the International Economy*. London: Verso.
— (1998) 'American labour: a movement again?', in E.M. Wood, P. Meiksins & M. Yates (eds.), *Rising From the Ashes? Labour in the Age of 'Global' Capitalism*, 63-64. New York: Monthly Review Press.
Moyer, G (ed.) (1990) *Politics and Religion in the Modern World*. London: Routledge.
Mushkat, M. (1990) *Basic Law Therapy*. Hong Kong: Baring Securities.

News of Commercial Radio Hong Kong. 31 December 2004.
Ng, S.H. (1985) 'A revisit to the Chinese (Canton-Hong Kong) labour movement & Perlman's model', *The Australian Journal of Politics and History* 31 (3): 418-434.
— (1986) 'Labour', in J.Y.S. Cheng (ed.), *Hong Kong in Transition*, 268-299. Hong Kong: Oxford University.
— (1995) 'Labour and employment', in J.Y.S. Cheng & S.S.H. Lo (eds.), *From Colony to SAR: Hong Kong's Challenges Ahead*, 197-225. Hong Kong: The Chinese University Press.
— (1997a) *Hong Kong, a Monograph in the Series R. Blanpain (ed.), International Encyclopaedia of Laws*. The Hague: Kluwer Law International, ELL, Supplement 190.
— (1997b) 'Reversion to China: implications of labour in Hong Kong', *International Journal of Human Resource Management* 8 (5): 660-672.
— (1998) 'Postscript: Hong Kong at the dawn of a new era', in S.H. Ng & D.G. Lethbridge (eds.), *The Business Environment in Hong Kong*, 213-216. Hong Kong: Oxford University Press.
— (1999) 'Labour group's political participation', in J. Cheng (ed.), *Political Participation in Hong Kong: Theoretical Issues and Historical Legacy*, 207-274. Hong Kong: City University of Hong Kong Press.
— (2007) 'Hong Kong working class and union organisation: a historical glimpse', *China Perspective* 2 (2007): 68-77.
Ng, S.H. & O. Ip (2000) 'Across the 1997 "divide": a look at contemporary trade union centres in Hong Kong, their changing structure, industrial roles and functions in society'. Paper presented at the 3rd International Conference on Chinese Business History, Hong Kong, 6-8 July 2000.
Ng, S.H. & C.Y.W. Poon (2004) *Business Restructuring in Hong Kong: Strengths and Limits of Post-Industrial Capitalism*. Hong Kong: Oxford University Press.
Ngo, H.Y. & C.M. Lau (1996) 'Labour and employment', in M.K. Nyaw & S.M. Li (eds.), *The Other Hong Kong Report 1996*. Hong Kong: Chinese University Press.

O'Brien, K. (1994), 'Village Committees: Implementing Political Reform in China's Villages', *Australian Journal of Chinese Affairs* 32 (July): 33-59,
O'Brien, K. (1996), 'Rightful Resistance', *World Politics* 49 (1): 31-55.
O'Brien, K. & L.J. Li (1996) 'Villagers and popular resistance in contemporary China', *Modern China* 22 (January): 28-61.
— (2006) *Rightful Resistance in Rural China*. Cambridge: Cambridge University Press.
O'Brien, R, A.M. Goetz, J.A. Scholte & M. Williams (2000) *Contesting Global Governance: Multilateral Economic Institutions and Global Social Movements*. Cambridge: Cambridge University Press.
Offe, C. (1985) 'New social movements: challenging the boundaries of institutional politics', *Social Research* 52 (4): 817-868.

Ogden, S. (2002) *Inklings of Democracy in China*. Cambridge, Massachusetts: Harvard University Press.
Oi, J.C. & S. Rozelle (2000) 'Elections and power: the locus of decision-making in Chinese villages', *The China Quarterly* 162 (June): 513-539.
Oommen (1996) 'Social movements in a comparative perspective: situating Alain Touraine, in J. Clark & M. Diani (eds.), *Alain Touraine,* 111-125. London: Falmer Press.
Oriental Daily. Hong Kong.
Osa, M. (1997) 'Creating solidarity: the religious foundations of the Polish social movement', *East European Politics and Societies* Spring 11 (2): 339-366.

Palmer, D.A. (2007) *Qigong Fever: Body, Science and Utopia in China*. New York: Columbia University Press.
Pan, P. (2008) *Out of Mao's Shadow: The Struggle for the Soul of a New China*. London: Picador.
Passeron, J.C. & J. Revel (eds.) (2005) *Penser par cas*. Paris: Editions de l'Ehess.
People's Daily. Beijing.
Peoples' Global Action Manifesto. http://www.nadir.org/nadir/initiativ/agp/en/ pgainfos/ manifest.htm [Retrieved 1 February 2005].
Pepper, S. (1996) *Radicalism and Education Reform in 20th Century China: The Search for an Ideal Development Model*. Cambridge: Cambridge University Press.
— (2000) 'Elections, political changes, and the Basic Law government: the Hong Kong system in search of a political form', *The China Quarterly* 162: 429-435.
Perris, A. (1983) 'Music and propaganda: art at the command of doctrine in the People's Republic of China', *Ethnomusicology* XXVII (1): 1-28.
Perry, E. (2002) *Challenging the Mandate of Heaven: Social Protest and State Power in China*. Armonk, NY: M. E. Sharpe.
Polanyi, K. (2001 [1944]) *The Great Transformation. The Political and Economic Origins of Our Time*, Boston: Beacon Press.
Polletta, F. (1999) '"Free spaces" in collective actions', *Theory and Society* 28 (1): 1-38.
Polleta, F. & J.M. Jasper (2001) 'Collective identity and social movements', *Annual Review of Sociology* 27: 283-305.
Prazniak, R. (1999) *Of Camel Kings and Other Things: Rural Rebels Against Modernity in Late Imperial China*. Lanham: Rowman & Littlefield.
Putnam, R.D. (2000) *Bowling Alone: The Collapse and Revival of American Community*. New York: Simon & Schuster.

Qiu, Z.J. (1999) *Direct Village Elections: Rejoice or Worry? A field report and reflections on village elections in Shengzhou City*. Zhejiang: Department of Political Science, Zhejiang University.

Ramet, P. & S. Ramet (1990) *Catholicism and Politics in Communist Societies*. Durham, NC: Duke University Press.
Ramet, P & S. Ramet (eds.) (1993) *Religious Policy in the Soviet Union*. Cambridge: Cambridge University Press.
Redden, G. (2001) 'Networking dissent: the Internet and the anti-globalisation movement', *Mots Pluriels* 18: 1-8. http://www.arts.uwa.edu.au/MotsPluriels/ MP1801gr.html [Retrieved 27 January 2005].
Registrar of Trade Unions (1995) *Annual Statistical Report 1994*. Hong Kong: Labour Department. Also other annual editions.
— (1998) *Annual Department Report 1997*. Hong Kong: Government Printer. Also subsequent annual editions to 2006.

Robins & Robertson (1987) *Church-State Relations: Tension and Transition*. Oxford & New Brunswick: Transaction Books.

Rocca, J.L. (2002) 'Des chinois contre la modernisation: livres et sites internet', *Critique internationale* 15 (April): 35-37.

— (2006a) *La condition chinoise: la mise au travail capitaliste à l'âge des réformes*. Paris: Karthala.

— (2006b) 'Through the social jungle', in D. Solinger (ed.), *Narratives of the Chinese Economic Reforms: Individual Pathways From Plan to Market*, 87-96. New York: Mellen Press.

— (2008) 'Power of knowledge: the imaginary formation of the Chinese middle class stratum in an era of growth and stability', in C. Jaffrelot & P. der Veer, *Patterns of Middle Class Consumption in India and China*, 127-139. Los Angeles, London, New Delhi & Singapore: Sage.

Scott, I. (1989) *Political Change and the Crisis of Legitimacy in Hong Kong*. Hong Kong: Oxford University Press.

Scott, J. (1976) *The Moral Economy of the Peasant: Rebellion and Subsistence in Southeast Asia*. New Haven, London: Yale University Press.

Seidel, A.K. (1969-70) 'The image of the perfect ruler in early Taoist messianism: Lao-tzu and Li Hung', *History of Religions* 9 (2 & 3): 216-247.

Seiwert, H.M. (2003) *Popular Religious Movements and Heterodox Sects in Chinese History*. Leiden; Boston: Brill.

Selznick, P. (1960) *The Organisational Weapon: A Study of Bolshevik Strategy and Tactics*. Illinois: Free Press.

Shen, Y. (2007) 'Shehui de shengchan' (Producing Society), *Shehui Society* 27 (2).

Shi, T.J. (1999) 'Village committee elections in China: institutional tactics for democracy', *World Politics* 51 (3): 385-412.

Shue, V. (2004) 'Legitimacy Crisis in China?', in Peter Hays Gries & Stanley Rosen (eds.), *State and Society in 21st Century China. Crisis, Contention, and Legitimation*, 24-49. New York: Routledge Curzon.

Sing Tao Daily. Hong Kong.

Sing, M. (2000) 'Mobilisation for political change: the pro-democracy movement in Hong Kong (1980s-1994)', in Chiu, S.W.K. & T.L. Lui (eds.), *The Dynamics of Social Movement in Hong Kong*, 21-53. Hong Kong: Hong Kong University Press.

Sisson, K. & J. Storey (2000) *The Realities of Human Resource Management: Managing the Employment Relationship*. Buckingham: Open University Press.

Siu, H.F. (1990a) 'Recycling ritual', in P. Link, R. Madsen & P. Pickowicz (eds.), *Unofficial China: Popular Culture and Thought in the People's Republic*, 121-137. Boulder: Westview.

— (1990b) 'Recycling tradition: culture, history, and political economy in the Chrysanthemum festival of South China', *Comparative Studies in Society and History* 1990: 765-794.

Sjakowski, B. (1983). *Next to God: Poland, Politics and Religion in Contemporary Poland*. New York: St. Martin's.

Snape, E. & A. Chan (1999) 'Hong Kong trade unions: in search of a role', in P. Fosh, A. Chan, W. Choy, E. Snape & R. Westwood (eds.), *Hong Kong Management and Labour: Change and Continuity*, 255-270. London: Routledge.

Snow, D.A. & R.D. Benford (1988) 'Ideology, frame resonance, and participant mobilisation', in B. Klandermans, H. Kriesi & S. Tarrow (eds.), *From Structure to Action: Comparing Social Movement Research Across Cultures (International Social Movement Research: Volume 1)*, 197-217. London: JAI Press.

— (1992) 'Master frames and cycles of protest', in A.D. Morris & C.M. Mueller, *Frontiers in Social Movement Theory*, 133-155. New Haven: Yale University Press.

Snow, D.A., R.D. Benford, E.B. Rochford, Jr. & S.K. Worden (1986) 'Frame alignment processes, micro-mobilisation and movement participation', *American Sociological Review* 5 (4): 465-466.

So, A. & L. Kwitko (1990) 'The new middle class and the democratic movement in Hong Kong', *Journal of Contemporary Asia* 20 (1): 364-398.

So, A.Y. (1997) 'The Tiananmen incident, Patten's electoral reforms, and the roots of contested democracy in Hong Kong', in M.K. Chan (ed.), *The Challenge of Hong Kong's Reintegration with China*, 49-84. Hong Kong: Hong Kong University Press.

— (1999) *Hong Kong's embattled democracy*. Baltimore: Johns Hopkins University Press.

— (2000) 'Hong Kong's problematic democratic transition: power dependency or business hegemony?' *Journal of Asian Studies* 59 (2): 359-381.

— (2002) 'Social protests, legitimacy crisis, and the impetus toward soft authoritarianism in the Hong Kong SAR', in S.K. Lau (ed.), *The First Tung Chee-hwa Administration*, 399-418. Hong Kong: Chinese University Press.

Solinger, D. J. (1999) *Contesting Citizenship in Urban China, Peasant Migrants, the State, and the Logic of the Market*. Berkeley: University of California Press.

South China Morning Post (SCMP). Hong Kong.

Staggenborg, S. (1995) 'Can feminist organisations be effective?', in M.M. Ferree & P.Y. Martin (eds.), *Feminist Organisations*, 339-355. Philadelphia: Temple University Press.

Starr, A. (2000) *Naming the Enemy: Anti-Corporate Movements Confront Globalisation*. Australia: Pluto Press and London: Zed Books.

Sternhell, Z. (1978) *La droite révolutionnaire 1885-1914*. Paris: Le Seuil.

Stiglitz, J. (2002) *Globalisation and Its Discontents*. London: Penguin Books.

Stivens, M. (2000) 'Introduction: gender politics and the reimagining of human rights in the Asia-Pacific', in A. Hilsdon, M. Macintyre, V. Mackie & M. Stivens (eds.), *Human Rights and Gender Politics: Asia-Pacific Perspectives*, 1-36. London and New York: Routledge.

Sun, T.W. & K.Y. Wong (1996) 'Priming and election', in H.C. Kuan et al. (eds.), *The 1995 Legislative Council Elections in Hong Kong*, 165-200. Hong Kong: Hong Kong Institute of Asia-Pacific Studies, Chinese University of Hong Kong.

Sunday Examiner, Hong Kong

Sweeting, A. (1993) *A Phoenix Transformed: The Reconstruction of Education in Post-War Hong Kong*. Hong Kong: Oxford University Press.

Ta Kung Pao. Hong Kong.

Tang J. (2004) 'Dépossession des ressources subsistantes et dépendance du système traditionnel: la logique d'action collective des ouvriers chinois d'aujourd'hui, une étude de cas: l'annexion de l'usine Z. à Zhengzhou, province du Henan', paper presented at the conference on 'Emploi, cohésion sociale, mondialisation', 5-7. NTIC: Bruxelles.

Tang, D. (1991) *How Inscrutable His ways! Memoirs 1951-1981*, 126-130. (No publisher). Printed in Hong Kong.

Tarrow, S. (1994) *Power in movement: social movements, collective action and politics*. Cambridge: Cambridge University Press.

— (1996) 'States and opportunities: the political structuring of social movements' in D. McAdam, J.D. McCarthy & M.N. Zald (1996), *Comparative Perspective on Social Movements: Political Opportunities, Mobilising Structures, and Cultural Framings*, 41-61. Cambridge, Mass.: Cambridge University Press.

Taylor, V. (1989) 'Social movement continuity: the women's movement in abeyance', *American Sociological Review* 54 (5): 761-775.

The Division of Local Governments, The Ministry of Civic Affairs (ed.), *Documentary Collection of Laws and Regulations on Village Committee Elections in the People's Republic of China*. Beijing: The Ministry of Civic Affairs.

Thomas, J. (2000) *The Battle in Seattle*. Colorado: Fulcrum.

Thompson, E.P. (1971) 'The moral economy of the English crowd in the eighteenth century', *Past and Present* 51 (May): 76-136.
Thorton, P. (2002) 'Framing dissent in contemporary China: irony, ambiguity and metonymy', *The China Quarterly*. September (171): 661-682.
Tilly, C. (1975) 'Rural collective action in modern Europe', in J. Spielberg & S. Whiteford (eds.), *Forging Nations: A Comparative View of Rural Ferment and Revolt*, 9-40. East Lansing: Michigan State University Press.
— (1978) *From Mobilisation to Revolution*. Reading, Mass.: Addison-Wesley.
— (1986) *The Contentious French*. Cambridge, Mass.: Harvard University Press.
— (1995) *Popular Contention in Great Britain 1758-1834*. Cambridge, Mass.: Harvard University Press.
— (2003) 'When do (and don't) social movements promote democratisation?', in P. Ibarra (ed.), *Social Movements and Democracy*, 21-45. New York: Palgrave.
— (2004) *Social Movements 1768-2004*. Boulder: Paradigm Publishers.
Tocqueville, A. (1955) *The Old Regime and French Revolution*. New York: Doubleday and Company.
Touraine, A. (1981) *The Voice and the Eye: An Analysis of Social Movements*, trans. by A. Duff. Cambridge: Cambridge University Press.
— (1985) 'An introduction to the study of social-movements', *Social Research* 52 (4): 749-787.
— (1988) *The Return of the Actor*. Minneapolis: University of Minnesota Press.
— (1995) *Critique of Modernity*. Cambridge: Polity Press.
— (1997) *What Is Democracy?* Boulder: Westview Press.
— (2002) 'The importance of social movements', *Social Movement Studies* 1 (1): 89-95.
Treadgold, D. (1973) *The West in Russia and China: Religious and Secular Thought in Modern Times*. Cambridge: Cambridge University Press.
Tsai, L. (2002) 'Cadres, temple and lineage institutions, and governance in rural China', *The China Journal* 48: 1-27.
Tsang, D. (2006) *The 2006/0/08 Policy Address*. HKSAR Government. [Released 8 July 2006].
Tsang, S. (ed.) (2001) *Judicial Independence and the Rule of Law in Hong Kong*. Hong Kong: Hong Kong University Press.
Tung, C.H. (2000) 'Serving the community, sharing common goals', *Annual Policy Address by the Chief Executive at the Legislative Council*, Hong Kong Special Administrative Region. Hong Kong: Printing Department, Hong Kong SAR Government.
Tung, C.W. (1997-2005) *Policy Address by the Chief Executive*. HKSAR Government, annual versions.
Turk, A.T. (1976) 'Law as a weapon in social conflict', *Social Problems* 23: 276-291.
Turner, H. (et al.) (1980) *The Last Colony: But Whose? A study of the labour movement, labour market and labour relations in Hong Kong*. Cambridge: Cambridge University Press.
Turner, H.A., P. Fosh & S.H. Ng (1991) *Between Two Societies: Hong Kong Labour in Transition*. Hong Kong: Centre of Asian Studies, University of Hong Kong.

United Nations (1996) *The Beijing Declaration and Platform for Action*. New York: Department of Public Information.

Vandermeersch, L. (ed.) (1994) *La société civile face à l'Etat dans les traditions chinoise, japonaise, coréenne et vietnamienne*. Paris: EFEO.

Wacks, R. (ed.) (1988) *Civil Liberties in Hong Kong*. Hong Kong: Oxford University Press.
Wah Kiu Yat Po. Hong Kong.

Wang, X. (2000) 'Yige funü caogen zuzhi de shengzhang' (The growth of a women's grass-roots organisation), in X. Li (ed.), *Shen lin'qi' jing* (Participating in the Extraordinary), 237-273. Jiangsu: Jiangsu renmin chubanshe.
Wang, X. (2002) 'The post Communist personality: the spectre of China's capitalist market reform', *China Journal* 47: 1-17.
Wang, Y.F. (1993) *China's Science and Technology Policy, 1949-1989*. Aldershot Avebury.
Wang, Z. (1998) 'Research on women in contemporary China', in G. Hershatter, E. Honig, S. Mann & L. Rofel (eds.), *Guide to Women's Studies in China*, 1-43. Berkeley: University of California Press.
Wei, R.H. (2001) *Fengfeng yuyu xuan cunguan* (Electing village leaders in the teeth of wind and rain). Taiyuan: Beiyue Wenyi Chubanshe.
Weigel, G. (1992) *The final revolution: the resistance church and collapse of communism*. New York: Oxford University Press.
Weller, R. (1994) *Resistance, Chaos and Control in China*. Seattle: University of Washington Press.
— (1999) *Alternate Civilities: Democracy and Culture in China and Taiwan*. Boulder, Colorado: Westview Press.
Wesley-Smith, P. (1995) *Constitutional and Administrative Law in Hong Kong*. Hong Kong: Longman Asia.
Wesoky, S. (2002) *Chinese Feminism Faces Globalisation*. New York, London: Routledge.
Winston, L.Y. & M.L. Wagner (eds.) (1990) *Tiananmen: China's Struggle for Democracy: Its Prelude, Development, Aftermath, and Impact*. Baltimore, Md.: School of Law, University of Maryland.
Wong, P.W. (2000) 'The pro-Chinese democracy movement in Hong Kong', in Chiu, S.W.K. & T.L. Lui (eds.), *The Dynamics of Social Movement in Hong Kong*, 55-90. Hong Kong: Hong Kong University Press.
Wong, R.B. (1997) *China Transformed: Historical Change and the Limits of the European Experience*. Ithaca: Cornell University Press.
Wong, T. (1999) 'Issue voting', in H. Kuan & S. Lau (eds.), *Power Transfer & Electoral Politics: The First Legislative Election in the Hong Kong SAR*, 105-130. Hong Kong: Chinese University Press.
Wood, E.M. (1998) 'Labour, class and state in global capitalism', in E.M. Wood, P. Meiksins & M. Yates (eds.), *Rising From the Ashes? Labour in the Age of 'Global' Capitalism*, 3-14. New York: Monthly Review Press.

Yang, G. & C. Calhoun (2008) 'Media, civil society, and the rise of a green public sphere in China', in I.P.Ho & L. Edmonds (eds.), *China's Embedded Activism*, 69-88. London: Routledge.
Yang, M. (2000) 'Participatory consciousness and behaviour of Chinese peasants', *Studies of Sociology* 2: 67-75.
Yang, M.M.H. (1994), *Gifts, Favours, and Banquets: The Art of Social Relationships in China*. Ithaca: Cornell University Press.
— (2000) 'Putting global capitalism in its place: economic hybridity, bataille, and ritual expenditure', *Current Anthropology* 41(4): 477-509.
— (2004a) 'Goddess across the Taiwan strait: matrifocal ritual space, nation-state, and satellite television footprints', *Public Culture* 16 (2): 209-238.
— (2004b), 'Spatial struggles: state disenchantment and popular re-appropriation of space in rural southeast China', *Journal of Asian Studies* 63 (3): 719-755.
Yazhou Zhoukan. Hong Kong.
Ye, X.W. (1996) 'Danqian de zongjiao wenti' (The contemporary religious questions of the motherland), *Zhonggong zhongyang dangxiao baogao xuan* (Selected reports of the Party Central School) 101 (5): 9-23 (internally circulated document).

Yu, S.S. (2002) *Tales From No. 9 Ice House Street*. Hong Kong: Hong Kong University Press.
Yuval-Davis, N. (1997) *Gender and Nation*. London, Thousand Oaks, New Delhi: Sage Publications.

Zen, J. (2004) 'To principals, teachers and parents from the Bishop', *Sunday Examiner(Hong Kong)*. 15 February 2004.
Zhan Yanhui (2005) 'Dalian riqi yuandong bagong shijian diaocha' (An investigation of the strike against Japanese enterprises in Dalian), *Fenghuang Zhoukan* (Phoenix Weekly), 203 (34).
Zhang, B. (1998) 'Guanyu taoyuan cunminweiyuanhui xuanju de diaocha baogao' (Report on village elections in Taoyuan), in *Summer Investigation Report*. Zhejiang: Department of Political Science of Zhejiang University.
Zhang, H., L. Ming & C. Liang (eds.) (2002) *Zhongguo siying qiye fazhan baogao* (Blue book of private enterprises), *vol. 4*. Bejing: Shehui kexue wenxian chubanshe.
Zhao, Y. (2005) 'Who want democracy and does it deliver food? Communication and power in globally integrated China', in R.A. Hackett & Y. Zhao (eds.), *Democratising Global Media: One world, Many Struggles*. Lanham, MD: Rowman & Littlefield Publishers.
Zhejiang Daily. Hangzhou, China.
Zhengming, Hong Kong.
Zhou X. (2005) (ed.) *Zhongguo zhongchan jieceng diaocha* (Survey of the Chinese middle classes), Beijing: Social Sciences Academic Press.
Zhou, L.F. (1999) 'Bailiancun de chuntian' (The Spring of Bailian village), *Nanfang Zhoumo* (Southern Weekly) (30 April): 2.
Zhu, X.Y. & B. Penny (eds.) (1994) 'The qigong boom', Thematic issue of *Chinese Sociology and Anthropology*, 27 (1).
Zürcher, E. (1983) ' "Prince moonlight": messianism and eschatology in early medieval Chinese Buddhism', *T'oung Pao* 68(1-3): 1-75.
Zweig, D. (2002a) 'Democratic values, political structures, and alternative politics in greater China', *United States Institute of Peaceworks* 44 (July): 44.
— (2002b) *Internationalising China: Domestic Interests and Global Linkages*. Ithaca: Cornell University Press.

Index

ACFTU 157, 159-160, 170-172
ad hoc united fronts 54-56
alternative media 229, 239, 241
apocalyptic 281-283
April 5th Group 97
Article 23 56-59, 61, 189-190, 192, 196, 250
Article 45 Concern Group 192, 201
Asian People's Solidarity Form 101
autonomous 155, 163, 166-167, 169, 173, 175
autonomy 165, 168-169, 173, 176
Barcelona protest, 2002 104
Basic Law 74, 79-81, 83-85, 87, 97, 109, 182-183, 190-191, 302
Bhopal chemical explosion 94
Bill of Rights 74-75, 79
Buddhist 262-263, 269
campaign platform 194, 197
Catholic Church 245-251, 253-257
Catholics 260, 263
Chan Yuen-han 184-185, 187
Cheng Yiu-tong 183, 185, 202
Cheung Man-kwong 184, 187, 189, 199
Chief Executive 186, 189, 191-194
Chow, Selina 195-196, 198
Civic Party 194-198, 201
Civil Human Rights Front 45, 56
civil liberties 69, 73
civil rights movement 71
civil servants 81, 86
civil society 45-47, 49, 51-52, 54, 56, 58, 60-61
civil society organisations 45
colonial 65-68, 73-75, 79, 83, 87
common law 73
communication channels 241
communication process 229, 234, 238-239, 241
communication technology 234
community unionism 218, 224-225
Confucian 144, 151
consciousness raising 238-240, 242
constitutional review 74-75, 85
consultative Leninism 169-171, 174-175
courts 70, 74, 79, 86
decolonisation 67
Democratic Alliance for Betterment of Hong Kong 185
democratic camp 184-192, 194, 201-202
democratic communication 239
Democratic Party 185
democratisation 182, 191, 194
demonstration 66-68, 71, 76, 78-80, 83-84, 86
direct poll 184-185, 187-189, 192, 194-198
directly elected seats 186-187, 191, 195, 199
East Asian Summit of the World Economic Forum 100
emancipatory knowledge 230
empowerment 169, 171, 173
environmental destruction 91, 97
epistemic community 228
Falun Gong 259, 280-283

family 136-138, 140, 143, 146, 148-152
Federation of Hong Kong and Kowloon Labour Unions (FLU) 180, 213
feminism 227
fighting for village citizenship 28, 30
Fortune Global Forum 98
framing role 257
freedom of assembly 77, 86
functional seats 185, 187, 191-192, 194, 197, 199
Fung, Frederick 186, 189, 195, 199
gender equality 227-229, 236, 241
gender identity 242
gender inequity 238
gender knowledge 228, 233
gender order 227-228, 230, 242
gender relations 227-228, 231-232, 239-240, 242
gender studies 227, 235, 239
Geneva anti-globalisation movement 94
Genoa anti-globalisation protests 92
geographical constituency 179, 185, 196
global corporations 93-94, 96-97
Globalisation Monitor 102-103
gods 262, 267, 270, 273-274
grassroots 179, 183-186, 188-190, 192-193, 195-199, 201-203
harmonious society 170, 175
Hong Kong 45-61, 63, 245-251, 253-255, 257
Hong Kong and Kowloon Trades Union Congress 179
Hong Kong and Kowloon Trades Union Council (TUC) 207
Hong Kong Christian Industrial Committee 101
Hong Kong Confederation of Trade Unions (CTU) 180, 212
Hong Kong Federation of Trade Unions (FTU) 179, 207
Hong Kong labour movement 207, 214
human rights 73-75, 80, 245-246, 251, 255, 257
ideological order 135
judiciary 70, 73, 86-87
July 1 protest march 98
knowledge creation 229, 239
Labour Advisory Board 180, 194, 210, 215
labour disputes 182, 193, 200
labour functional seat 185, 187, 189
labour party 188
labour unionism 180
Lau Chin-shek 181, 183-185, 187-192, 199, 203
Law 65, 67-69, 71, 73-75, 77, 79-81, 83-87, 89
Lee Cheuk-yan 181, 183, 187, 189, 192, 195, 198-199, 203
legal culture 73
legal discourse 69-71, 86-87
legal system 65, 69-70, 73, 83, 87
Legco elections 179, 182, 184, 187-188, 191
Legislative Council 179, 186
Leung Yiu-chung 187, 192, 195, 198-199
Liberal Party 190
lineage 262, 267-268, 270-272
litigation 69-72, 75, 78-79, 82-83, 86
mainstream media 242
market economy 137, 141-142, 144-147
mass media 72, 86
maximum work hour 198
middle class 191-193, 200-201
migrants 130
minimum wage 188, 193, 196-199
modes of communication 228-229, 234

National People's Congress Standing Committee 191
national security 67, 77, 83-84, 86
new social movement 50-51
NGO 155, 157, 162, 164-169, 175
oppositional knowledge 239
Peng Chun-hoi 182, 184-185
Penna indigenous people 96
People's Action against Globalisation of Poverty 101
Peoples' Global Action 94
police 121-122, 125, 127
political process 68-70, 72
political theatre 228-229, 234, 237, 241
politicisation 180, 182, 188, 201-202
popular vote 184-185, 188-189, 192
private entrepreneur 135-137, 152
private firm 139-140
pro-Beijing 179, 183, 185-187, 189, 191-193, 195, 197-198, 202
Professional Teachers' Union 182, 184
protest 66-68, 71, 75-76, 78, 84, 86
public housing 66, 74, 79, 82, 86
public order 75, 77
Public Order Ordinance 74-78, 86
qigong 260, 275-283
Ragtag Alliance 96
Religion 246, 252, 259-260, 262-265, 268, 270, 272, 274, 280, 283
representation 155, 164, 169, 171
representative government 67
right of abode 76, 79-81, 85-87
rightful resistance 160-161, 176
rights 68-69, 71-74, 80, 86
riots 122
ritual 262-266, 268, 271, 273-274, 277, 281-282
rule by law 155-156, 158
Rule of Law 73, 80, 156
rural protests 27
Social Movements 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65-73, 75, 77, 79, 81, 83, 85-87, 89, 245-246, 256-257
social protest 68
social stability 129
socialism 137
state-society relations 45-46, 61-62
strike 183, 193, 200
Szeto Wah 182-184, 187, 189, 203
Tam Yiu-chung 182-185, 187, 192, 197-198, 202-203
temples 262-265, 267, 269, 271-274
The Frontier 195
third sector organisation 206
Third World debts 95, 104
Tien, James 195-196
Touraine, Alain 259-260
trade union system 205
tradition 136, 143-144, 147, 151
transnational civil society 95, 113
Tsang, Donald 192, 194, 199
Tung, C.H. 189, 193
unemployment 181, 193, 200-202
unionists 179, 181-185, 187, 194, 199, 201-202
United Democrats of Hong Kong 184
universal franchise 191, 197, 202
universal suffrage 67, 83, 85
unrest 117, 125-126, 128-129
utopianism 262
values 137-138, 144, 151
village democracy 26, 28, 31, 40-42
village elections 25-26, 32-33, 36-37, 41-42
village representative assembly 26-27, 30-32, 38-40
violence against women 229, 241
vote share 192, 195
Wage Protection Movement 194, 199
women's movement 227-229, 231-233, 235-236, 238, 240-243

working class 117, 120, 123, 130-132, 182, 185, 187, 189, 193, 197, 200, 202
World Trade Organisation – 2nd Ministerial Conference 94
xiagang zhigong 120, 125, 131

PUBLICATIONS SERIES

Monographs

Marleen Dieleman
The Rhythm of Strategy. A Corporate Biography of the Salim Group of Indonesia
Monographs 1
2007 (ISBN 978 90 5356 033 4)

Sam Wong
Exploring 'Unseen' Social Capital in Community Participation. Everyday Lives of Poor Mainland Chinese Migrants in Hong Kong
Monographs 2
2007 (ISBN 978 90 5356 034 1)

Diah Ariani Arimbi
Reading Contemporary Indonesian Muslim Women Writers. Representation, Identity and Religion of Muslim Women in Indonesian Fiction
Monographs 3
2009 (ISBN 978 90 8964 089 5)

Euis Nurlaelawati
Modernization Tradition and Identity. The Kompilasi Hukum Islam and Legal Practice in the Indonesian Religious Courts
Monographs 4
2009 (ISBN 978 90 8964 088 8)

Edited Volumes

Sebastian Bersick, Wim Stokhof and Paul van der Velde (eds.)
Multiregionalism and Multilateralism. Asian-European Relations in a Global Context
Edited Volumes 1
2006 (ISBN 978 90 5356 929 0)

Khun Eng Kuah-Pearce (ed.)
Chinese Women and the Cyberspace
Edited Volumes 2
2008 (ISBN 978 90 5356 751 7)

Milan J. Titus and Paul P.M. Burgers (eds.)
Rural Livelihoods, Resources and Coping with Crisis in Indonesia. A Comparative Study
Edited Volumes 3
2008 (ISBN 978 90 8964 055 0)

Marianne Hulsbosch, Elizabeth Bedford and Martha Chaiklin (eds.)
Asian Material Culture
Edited Volumes 4
2009 (ISBN 978 90 8964 090 1)

Hans Hägerdal (ed.)
Responding to the West. Essays on Colonial Domination and Asian Agency
Edited Volumes 5
2009 (ISBN 978 90 8964 093 2)

Derek Heng and Syed Muhd Khairudin Aljunied (eds.)
Reframing Singapore. Memory – Identity – Trans-Regionalism
Edited Volumes 6
2009 (ISBN 978 90 8964 094 9)

Friederike Assandri and Dora Martins (eds.)
From Early Tang Court Debates to China's Peaceful Rise
Edited Volumes 7
2009 (ISBN 978 90 5356 795 1)

Erich Kolig, Vivienne SM. Angeles and Sam Wong (eds.)
Identity in Crossroad Civilisations. Ethnicity, Nationalism and Globalism in Asia
Edited Volumes 8
2009 (ISBN 978 90 8964 127 4)