*Social Science History* (2024), **48**, 121–144
doi:10.1017/ssh.2023.30

CAMBRIDGE UNIVERSITY PRESS

RESEARCH ARTICLE

# The Interstitial Emergence of Labor NGO Activism in China and Its Contradicting Institutionalization, 1996–2020

Mujun Zhou

Zhejiang University, Hangzhou, China
Email: mujun_zhou@protonmail.com

(Received 22 January 2022; revised 2 May 2023; accepted 1 June 2023; first published online 27 September 2023)

**Abstract**
This article seeks to extend the theoretical discussion of interstitial emergence to an authoritarian context. An interstitial space is a space whose relations with the dominant power structure are not yet institutionalized. In analyzing interstitial emergence in an authoritarian context, it is necessary to examine the interaction between interstitial space and the state as an institutionalizing force and recognize that 1) institutionalization is an ongoing process that spans over a period and 2) a state's intervention may induce unintended consequences. The rise and fall of labor NGO activism in China between 1996 and 2020 are used as a case to illustrate the theoretical discussion. Labor NGOs emerged out of the interstices of state control since the 1990s. Although the state started to regulate these organizations since the late 2000s, its intervention lacked consistency. Before the state finally gained the capacity to enforce rules, which was around 2015, labor NGOs had already launched a series of advocacy activism and cultivated a group of activists who identified with the value of social movement. Hence, although the activism was eventually incorporated, it had successfully thematized labor issues and produced enduring impact on the culture of public discussion.

**Keywords:** China; institutionalization; interstitial emergence; NGO; social movement

Since the beginning of China's market economic reform, millions of peasants have moved to cities and become industrial workers. This process produced many social conflicts. In cities, labor protests and strikes have frequently occurred (Lee 2007; Elfstrom and Kuruvilla 2014). Because of the lack of legal protection, rural migrant workers' rights have often been violated (Pun 2005; Lee 2007). Since the late 1990s, labor NGOs based in rural migrant workers' communities have emerged (Chan 2013; Xu 2013). These organizations build solidarity among workers (e.g., Chan 2013; Fu 2018; Hui 2020). Labor NGOs have been able to promote self-help networks in migrant workers' communities (Froissart 2005; Chan 2013; Xu 2013), raise workers' class consciousness (Smith and Pun 2018; Hui 2020), orchestrate the fragmented factory-based collective actions (Chen and Yang 2017; Fu 2018), and

© The Author(s), 2023. Published by Cambridge University Press on behalf of Social Science History Association.

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

formulate counter-hegemonic discourses (Li 2021). These organizations, however, can be easily co-opted by the state and corporations (Franceschini 2014; Howell 2015; Lee 2011), and that they lack autonomy vis-à-vis international donors (Zhou and Yan 2020). However, almost all the above-mentioned studies have been carried out at the micro- or meso-level (e.g., Chan 2013; Xu 2013; Li 2021). None have taken the macro scope and analyzed labor NGOs' impact on policies and the culture of public sphere.[1] Neither have these studies examined the interaction between labor NGOs and the Chinese state in the long run.

I examine the history of labor NGOs in China between 1996 and 2020. I discover that it was between 2007 and 2014 that these organizations entered an active phase. During these years, labor NGOs mainly made two contributions in the public sphere. First, by formulating the discourse of the "new working class" (*xin gongren jieji*), labor NGOs proposed sharp criticism over China's participation in neoliberal globalization and raised the issue of social justice. Second, by thematizing a series of difficulties rural migrant workers encountered, such as industrial injuries and the lack of social insurance, these organizations pushed the state to improve relevant laws to provide better protection to workers. Most of these labor NGO activisms have been terminated after 2014, as state's regulation over NGOs has become intensified. However, labor NGOs' withdrawal from the advocacy activism has not eliminated public concerns about labor rights issues. Criticism of labor problems has largely continued. These historical processes beg the question: in an authoritarian regime where the state commands the most resources and its interference in civil society is in principle not constrained, how is it possible that social movement actors promote policy changes and generate enduring impact on the themes and tones of public discussions?

I find the theoretical discussion of interstitial emergence particularly helpful for answering this question. In his analysis of social power, Michael Mann (1986: 16) uses the term interstitial emergence to describe the emergence of new actors whose relations with old actors are not yet institutionalized. According to Mann (1986: 30), actors emerge interstitially because the penetration of dominant power institutions in society can never be complete. Drawing on the insight, organizational studies use the term interstitial space to refer to the social domain in which multiple institutions compete or no institution is firmly established, suggesting that this kind of domain facilitates the rise of new institutions or organizational forms. (e.g., Rao et al. 2000; Medvetz 2012; Morrill 2017). However, till now, all the above-mentioned organization studies (e.g., Medvetz 2012; Morrill 2017) drawing on the idea of interstitial space have been carried out in democratic context where major institutions in society are differentiated and enjoy certain degree of autonomy. It is still unclear how interstitial emergence could take place in authoritarian context where the power of the state is pervasive and major institutions in society lack autonomy.

This article has two goals. First, I offer an alternative historical account of the rise and fall of labor NGO activism in China in the past twenty-five years. Second,

[1]By public sphere, I refer to a space in which actors communicate to bridge social-network positions, formulate collective orientations, and generate working alliances to influence common concerns (Emirbayer and Sheller 1999).

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

building on my empirical study, I intend to reformulate the theoretical discussion of interstitial emergence and extend the concept to authoritarian context. Central to my argument is that the concept can gain more analytic efficacy in authoritarian context if the interstitial space is analyzed as a space that is interstitial to the power of the state and examine the interactive relations between interstitial emergence and the state as an institutionalizing force. To analyze the interactive relations, I propose that we recognize that state's institutionalization of an interstitial space is an ongoing process that spans over a period and that the institutionalization may incur unintended consequence.

Based on my ethnographic data and archival data, I suggest that labor NGOs emerged out of the interstices of state control in the 1990s and the early 2000s. As early as the late 2000s, the state started to design a master plan for regulating NGOs. However, in the beginning, its intervention in the NGO sphere was rather localized and lacked consistency. Many policies that were meant to regulate labor NGOs inadvertently empowered these organizations. The state finally gained sufficient capacity to regulate these organizations in the mid 2010s. Before that, labor NGOs had already launched a series of influential advocacy campaigns, through which they had not only thematized the labor rights issues in the public sphere but also cultivated a group of activists who were critical of China's labor policies and identified with the value of social movement. When state's regulation over NGOs becomes more stringent after 2014, these activists quickly recognize that NGOs are no longer a reliable channel for conveying critical voices and thus begin to try new forms of activisms, such as opening alternative discussion space on the internet. As these activisms have continued to attract new participants, public engagement with labor rights issues has largely been maintained in recent years.

The rest of the article will be arranged in the following way. In the next section, I discuss the theory of interstitial emergence and lay out my analytical framework. This is followed by a section that introduces my data and method. Then I report my empirical findings in a chronological order. In the concluding section, I discuss the implications of the study.

## Interstitial emergence and its institutionalization

The concept of interstitial emergence derives from the idea that society is not a system. Michael Mann (1986) argues that human beings formulate power networks for attaining various human goals and societies are constituted of multiple overlapping and intersecting power networks. Among these networks, those having the greatest capacity for organizing are the networks of ideological, economic, military, and political power. The stabilization of the relationship between these networks tends to partially merge them into one or more dominant power networks, which provide the dominant power structure that exerts general shaping of social life (Mann 1986: chap. 1). Two types of networks could become the sources of interstitial emergence – those networks that are not organized for attaining ideological, economic, military, and political goals and those networks that are organized for the above-mentioned goals but are poorly integrated into the

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

dominant power structure. When these two types of networks induce a reorganization of social life, social change takes place (Mann 1986: 30).

Students of organization studies, such as Armstrong (2002), Rao et al. (2000), and Clemens and Cook (1999), use the concept to explain institutional change or the creation of new organizational forms. Coining the term interstitial space or interstitial field, they elaborate Mann's discussion by identifying the social domains relevant to interstitial emergence. Medvetz (2012) and Rao et al. (2000) understood an interstitial space as the "gap between multiple organizational fields." Morrill (2017) emphasizes that an interstitial space is located at the "intersection of multiple fields." Nonetheless, the above-mentioned scholars (e.g., Rao et al. 2000; Medvetz 2012) all generally agree, because an interstitial space usually lacks established rules and occupies a crucial position for the interchange of information, actors in the space are enabled to formulate overlapping networks, draw resources from multiple spheres, develop hybrid intellectual products, or even invent new identities and communication styles (also see Armstrong 2002; Mische 2008).

The idea of interstitial emergence is also relevant for the analysis of social movements in contemporary China. On the surface, China's authoritarian system has remained rather stable since the ending of the 1989 student movement. But underneath, due to the rise of a market economy, the implementation of open-up policies, and the development of communication technology, many interstices have emerged from both within and outside the state's bureaucratic system. Activists make use of the "cracks" and "holes" in state's control to advance their agenda (e.g., O'Brien and Li 2006; Sun and Zhao 2008; Lei 2016).

However, the context out of which the interstitial space is formed in China is different. Most extant studies (e.g., Medvetz 2012; Morrill 2017) are dealing with the West, where major institutions in society are differentiated and enjoy certain degree of autonomy. Based on these institutions, social fields with relatively clear boundaries and rules can be established. An interstitial space comes into being when the influence exerted by the established fields fails to completely cover people's social interactions, or when some important aspects of the social interactions are under the influence of multiple established fields. For example, Thomas Medvetz (2012) employs the concept of interstitial field to describe the semi-structured space between academic, political, business, and media and argues that think tanks in America rise in this space. But in an authoritarian regime like China, the power of the state is pervasive and major institutions in society lack autonomy. While social fields like academy and media also exist, activities in these fields are largely under the influence of the state and their capacity to independently shape people's social interactions is quite limited. It is in the social domain in which the state has not yet intervened, or in which the structuring power of the state has not yet prevailed over other kinds of power, that an interstitial space may come into being. To put it simply, the interstitial space in an authoritarian context should be understood as a space that is interstitial to the power networks organized by the state.

Accordingly, the mechanisms through which interstitial emergence promotes social change can also be different in an authoritarian context. Medvetz (2012), Morrill (2017) and Mische (2008) often assume that an interstitial space is a place where the structural constraints imposed by established institutions are minimal and actors enjoy much freedom and flexibility. They focus on how interactions in

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

the space could eventually evolve into a field with its own rules. For example, in describing the growth of alternative dispute resolution in U.S. law, Morrill (2017) unpacks the process of interstitial emergence and lays out three stages, which are innovation, mobilization and structuration. In the final stage, alternative legal practitioners, as interstitially emergent actors, can carve out legitimated social spaces through establishing professional organizations and articulating cultural and normative boundaries. This implies that an interstitial space may become institutionalized and evolve into a new social field. But in an authoritarian context like China, the willingness of the state to extend its power tends to be high and actors' freedom is by no means guaranteed. An interstitial space can be institutionalized by the state before it is able to develop its own logic and evolve into a new social field.

Nevertheless, I contend that the fact that an interstitial space in authoritarian context can be institutionalized by the state does not mean that this kind of space cannot make a difference. This is because interstitially emergent actors can promote significant social changes during state's institutionalization. To elaborate how this could take place, I scrutinize the process of institutionalization.

I propose that the state's institutionalization is an ongoing process. By institutionalization, I refer to the process of developing rules, norms or procedures that have the capacity to shape social actions. On most occasions, this process does not happen overnight. Migdal (2001) well documents that the state is not a unitary entity and that different state actors may have different understanding of certain policies. Rodríguez-Muñiz (2017), Helmke and Levitsky (2006), and Scott (1998) highlight that, at the enforcement level, state intervention in society often encounters various obstacles, such as popular resistance and the domination of informal rules. These scholars point out the limitation of the extension of state power by showing how local groups succeed in defending themselves against powerful state intervention. Yet my point is that unifying different state actors and clearing various obstacles both take great efforts. Therefore, even if the state eventually succeeds in implanting rules in a certain interstitial space, there would usually be a time interval between some state actors showing the intention to regulate activities in the space and relevant state policies coming into effect. For interstitially emergent actors, such as social movements, this time interval may serve as a "window of opportunity." Chances are that the actions organized by these actors simply vanish after the window is closed. But it can also be that these actors take the opportunity and create things that have lasting impact.

In addition, I propose that state's institutionalization can incur unintended consequence. In early discussions, Mann (1993: 728; 1986: 15) also points out that the institutionalization of interstitially emergent actors tends to generate unintended consequence. But he has not elaborated how this could happen. Here I contend that the key lies in the interaction between interstitially emergent actors and the state. To analyze the interaction, I highlight two possible approaches – dialectical interaction and non-dialectical interaction. Dialectical interaction refers to the situation in which interstitially emergent actors engage in head-on struggles with the state. It happens when state's institutionalizing force is relatively loose and diplomatic. Interstitially emergent actors choose to cope with the state, because they believe that state's regulation is still porous. In this kind of interaction, these actors

usually play dual roles. On the one hand, they partially and ostensibly accept state's discipline. On the other hand, they exploit advantages and strive for their own goals. Since the enforcement of new rules is often associated with the investment of financial, legal, and policy resources, some interstitially emergent actors can even be empowered during state's institutionalization.

In some circumstances, the exercise of state power could become so stringent and repressive in an interstitial space that actors in the space no longer believe that it is possible to exploit advantages. Many of these actors hence choose to skirt around state intervention and search for new interstitial space. This is how non-dialectical interaction proceeds. Compared to that of dialectical interaction, the consequence of non-dialectical interaction tends to be even more unpredictable. Since interstitially emergent actors are not unitary, they may end up turning to a variety of social domains. Then the result is that they become too fragmented to initiate any collective actions. However, as these actors are translocated to other social domains, they may also merge with new networks and initiate new forms of collective actions. When that happens, the state would discover that its attempt at incorporating newly rising actors has only pushed conflicts, struggles, and disturbances into a new terrain.

## Data and method

The analysis in this article relies on the following data. Between 2012 and 2014, I visited 26 labor NGOs in six cities – Beijing, Guangzhou, Shenzhen, Foshan, Dongguan, and Zhuhai. Most of the NGOs I visited were organized by either workers or student activists who were concerned with labor issues. In either case, these organizations provided service to workers in their residential communities and engaged in some forms of activism that advocated workers' rights. In this round of fieldwork, I conducted 37 interviews. I conducted another round of fieldwork between 2016 and 2018, when state's regulation over labor NGOs had become increasingly stringent. In this round, I visited 17 organizations and interviewed 23 activists. In both rounds of fieldwork, I attended labor NGOs' meetings, participated in activists' training programs, worked as an interpreter when English-speaking activists and scholars came to visit, and helped these organizations raise funds. Through the fieldwork research, I got to understand the various advocacy campaigns labor NGOs had initiated and the relationship between these organizations and the state in different stages in the 2010s.

To understand the history of labor NGOs in the 1990s and the 2000s, I turned to archives. Since most NGOs in China during that period were unregistered, there was no official record I could consult. I relied on an NGO directory assembled by the China Development Brief, a private research institute that had documented the development of China's NGOs since the 1990s. From the directory, I selected all organizations that claimed that they worked in the labor field and read their records. Another source was a data set offered by the Southern China School of Philanthropy. Existing in Guangzhou between 2011 and 2017, the school was widely connected with many unregistered NGOs. In 2013, an "oral history" research team in the school conducted in-depth interviews with 33 labor NGO activists in the

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

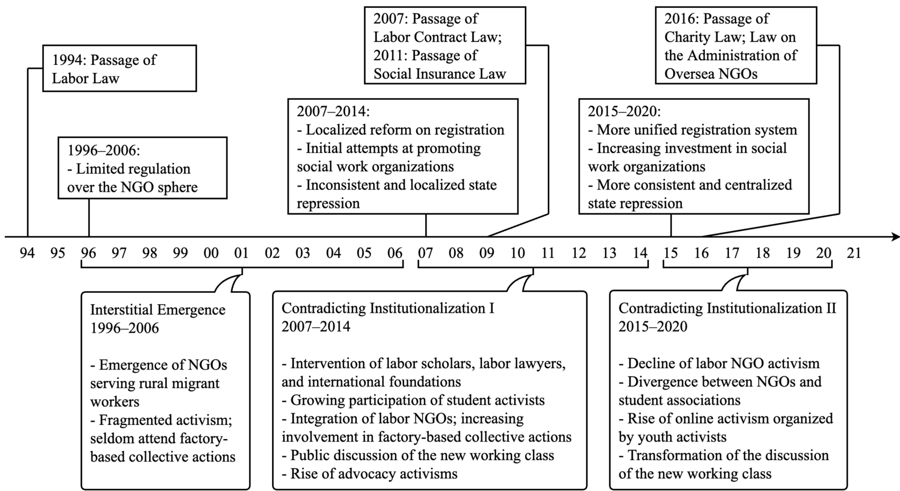


**Figure 1.** Interactions between state and labor NGOs over time.

Pearl River Delta. Some of the activists interviewed had worked in labor NGOs since the late 1990s. I read all the transcribed interviews the research team left.

In both of my fieldwork research and archival research, I took "labor NGOs" as a historical category. On the one hand, I tried my best to collect information on all organizations whose activism was or had been associated with labor issues. On the other hand, I paid close attention to how the term "labor NGOs" had become the common identity for these organizations and how the identity was later disintegrated.

Based on my fieldwork research and archival research, I created a data set containing information on 78 labor NGOs. For each of these organizations, I was able to know the dates they were founded and, in many cases, the dates they were disbanded. I was also able to know their founders and major activists, their funding sources, and the change of their major activities over time. In 2018 and 2019, I shared my data set with a few senior activists in the field and asked them whether any important organizations had been missed. They also provided valuable supplementary information. Integrating the information from multiple sources, I acquired comprehensive knowledge of the history of labor NGO activism in China.

## The rise and fall of labor NGO activism

To elaborate the interplay between the labor NGO activism and the state, I divide the 25 years of the study (1996–2020) into three sub-periods (see Figure 1). In each stage, labor NGOs, influenced by the changing political and social environment, engaged in distinctive activisms. In the first stage (1996–2006), the Chinese state did not have a master plan for regulating NGOs. This was the period during which labor NGOs interstitially emerged. State's efforts in institutionalizing NGOs began in the second stage (2007–2014). But in this stage, state's regulation was rather porous. Consequentially, many labor NGOs engaged in dialectical interactions with the

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

state. The public discussion of the "new working class" and the advocacy campaigns on labor rights flourished. In the third stage (2015–2020), state's regulation became intensified. As a result, labor NGO activism declined. However, as some activists began to turn to non-dialectical interactions, the public engagement with labor issues largely continued.

## *1996-2006: The interstitial emergence of labor NGOs*

### *The rise of rural migrant workers and their rights conditions*

After Deng Xiaoping's southern tour in 1992, state policies in China began to allow the mobility of labor across regions. Since then, millions of Chinese people left their rural hometowns and sought working opportunities in cities. In the 1990s, most of these rural migrant workers were employed in the manufacturing industry or the service industry in coastal regions. In the mass media and state policies, these workers were often referred to as the "peasant workers" (*nongmingong*).

While the liberalization of the labor market brought economic prosperity to coastal regions, the protection of labor rights lagged far behind. In 1993, the Zhili Toy Factory Fire in Shenzhen caused the death of 87 women workers. The tragic event catalyzed the formation of China's first labor law (the Labor Law), which was issued in 1995. This law listed some of the basic rights that workers were entitled to, such as the right to sign contracts with employers, the right to safety at work, and the right to social insurance. However, in practice, these rights were not guaranteed. Privileging economic growth, local governments were often incentivized to connive at employers' violation of labor rights (Pun 2005; Lee 2007). An example that vividly illustrated the problem was the frequent occurrence of industrial injury accidents in southern China in the 1990s. A survey conducted in Shenzhen in 1998 showed that on average 31 people became disabled every day because of industrial injury, and one person died every four days (Liu 2003).

China's *hukou* system brought extra challenges to rural migrant workers. The *hukou* system was a household registration system that defined citizens as legal residents in a certain region. It was a legacy of the socialist era. While the mobility of China's population had dramatically increased since the market-oriented economic reform, transferring *hukou* registration across regions remained difficult, especially for those who lacked professional skills. Because many local governments only provided services to residents whose *hukou* was locally registered, rural migrant workers had very limited access to various welfare programs, such as medical care, education, and retirement pension (Chan and Zhang 1999).

In as early as the 1990s, rural migrant workers rose to resist. Through wildcat strikes, workers demanded higher wages and better working conditions. This kind of insurgencies was particularly rampant in the Pearl River Delta, where the rapidly growing manufacturing industry had attracted millions of workers (Pun 2005). However, workers did not have organizations in their resistance. In China, all workers were supposed to be represented by the All-China Federation of Trade Unions (ACFTU), which was a state-controlled organization. Independent unions and other forms of political organizations were strictly prohibited (Chen 2010). Without organizations, most of the labor insurgencies had remained factory-based (Lee 2007).

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

### The interstitial emergence of NGOs serving rural migrant workers

In such an environment, NGOs serving rural migrant workers emerged. The first two organizations entering historical records were the Young Women Workers' Friendly Society in Beijing and the Women Workers' Center at Nanshan District in Shenzhen, both established in 1996. In the following years, dozens of NGOs focusing on the issue of rural migrant workers came into being. Most of these organizations were in Beijing and the Pearl River Delta. With respect to their organizers and daily activities, these organizations varied greatly from each other. In Beijing, the organizers of the NGOs were usually intellectuals working in state sponsored institutions. For example, the founders of the Young Women Workers' Friendly Society were two women intellectuals, Xie Lihua and Wu Qing. Xie was then the associate managing editor of China Women's News, the newspaper published by the All-China Women's Federation (ACWF), whereas Wu was then a professor at Beijing Foreign Studies University. Feeling sympathetic toward women rural migrant workers, they established an NGO that organized cultural and recreational activities in workers' community.

In the Pearl River Delta, most organizations serving rural migrant workers were initiated by workers themselves. In cities like Guangzhou, Shenzhen, and Dongguan, a few rural migrant workers who were relatively well educated (e.g., those who had finished high school) taught themselves legal knowledge and established organizations to provide affordable legal aid. These legal aid organizations helped workers prepare paperwork in labor arbitration. In the 1990s, many of these legal aid organizations charged fees. Later, receiving funds from international organizations, such as the Evangelical Church Development Service and the Oxfam Hong Kong, some of these organizations began to provide service for free (Zhu 2008: 229–52). Notable examples were the Panyu Migrant Workers in Guangzhou and the Spring Breeze in Shenzhen.

Two factors had prevented the Chinese state from strengthening its control over these NGOs in this stage. The first factor had to do with the pressure from the international community. During the 1990s, while China hoped to participate in international trade to boost its economy, its reputation among the international community had dropped to its lowest point following the crackdown on the 1989 student movement. To redeem its reputation, the state was eager to show that it welcomed international cooperation and was open to civil society activism. In 1995, Beijing even hosted the fourth World Conference on Women, whose participants included many feminist movement activists from all over the world. Another factor was that, during those years, the state was deeply influenced by the neoliberal idea that excessive government intervention in society was problematic (Zhang and Ong 2008). At the local level, because of the cuts in welfare spending, social organizations like NGOs became important supplements to the delivery of services (Spires 2011; Teets 2014). Some government departments, such as the Ministry of Civil Affairs, even proactively advocated that it was good to have a "small government and big society" (Bray 2006).

As a result, the NGO sphere became an interstitial space in which rules were rather ambiguous. An administrative order issued by the state council in 1998 required that any NGO that tried to register as a non-profit organization had to get a permit from a "supervisory agency" that had to be a government department whose

function was relevant to the supposed activities of the NGO (State Council 1998). In practice, very few NGOs were able to register. But the Chinese government usually tacitly consented to their existence (Saich 2000). According to the data I collected, 26 labor NGOs were established in this stage. Among them, only four registered as non-profit organizations. The others remained unregistered or registered as business.

Although NGOs serving rural migrant workers interstitially emerged, in this stage, they did not have a common identity. In the Pearl River Delta, many NGOs providing legal aid saw their activism as part of a rising civil society in China and emphasized the discourse of self-organization as opposed to the regulation of the state. In Beijing, some NGOs, such as the Young Women Workers' Friendly Society, worked on empowering socioeconomically disadvantaged women and emphasized feminist discourses. Focusing on different agenda, these organizations seldom contacted each other. Nor did they connect with workers' factory-based collective actions.

### *2007-2014: The contradicting institutionalization of labor NGOs (I)*

#### *The transformation of the labor field*

Transformations took place in the broader environment since the mid-2000s. First, seasonal labor shortage occurred in the manufacturing industry in the Pearl River Delta, which granted workers more bargaining power (Cai 2010). Second, as China entered the Hu-Wen regime (2003–2012), the state began to emphasize that its development goal had now shifted to building a "harmonious society," rather than simply promoting economic growth. In 2007, several laws that aimed to provide better protection to workers, notably the Labor Contract Law and the Labor Dispute Mediation and Arbitration Law, were passed. In 2011, the Social Insurance Law was passed to equalize citizens' access to welfare programs. The changes in the labor market and state policies largely encouraged workers. In the late 2000s, workers' collective actions surged (Chan 2014; Elfstrom and Kuruvilla 2014).

In response to the rising labor struggles, three groups of interrelated actors, namely labor scholars, labor lawyers, and international foundations, began to intervene in labor issues. Between 2007 and 2014, their interventions had largely upgraded the activism of NGOs serving rural migrant workers. It was also during this period that "labor NGO" became a common name for different types of organizations in the field.

The labor scholars were mostly sociologists and political scientists from top universities and research institutes, such as Tsinghua University, Peking University, Sun Yat-sen University, and the Academy of Social Sciences. Apart from studying labor issues, they tended to believe that social scientists could intervene in public discussions and make use of their knowledge to help the disadvantaged (Shen 2020). Since 2007, these scholars organized a series of workshops in Beijing for training labor NGO activists (Lee and Shen 2009). Many rural migrant workers who had provided legal aid service in the Pearl River Delta were invited. Besides familiarizing trainees with theories in labor studies, the workshops invited labor activists from abroad to talk about their labor-mobilizing experiences. This effort was echoed by a group of labor lawyers in Shenzhen, who believed that NGOs in rural migrant

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

workers' community could intervene in workers' factory-based collective actions (Zhou and Yan 2020). Since 2009, the lawyers also held several workshops for training activists. Together, these activities popularized the idea that NGOs could play a more proactive role in workers' resistance.

Another contribution made by the labor scholars was that they introduced many university students to labor NGO activism. In 2009, these scholars started a program called the "New Generation Project." In the program, students recruited were advised to do research on labor-related issues and introduced to intern in factories and plants. Many of the students later became activists in NGOs led by rural migrant workers or founded their own NGOs for serving rural migrant workers. A notable example was an NGO called Safety Helmet. Established by students from Peking University and Tsinghua University, the organization disseminated the knowledge of safety production among construction workers.

During this stage, international foundations also increased their support for labor activism. In the late 2000s, a series of internationally funded programs that sought to promote the communication among labor NGOs in different regions emerged. A typical example was an annually held "communication camp" organized by the Oxfam Hong Kong. Since 2007, the camp invited activists from different kinds of NGOs for serving rural migrant workers and encouraged them to share their experience. Additionally, international foundations also invested resources to cultivate labor activists. For example, with the financial support from a foundation from Europe, a Beijing-based NGO called the Workers' Friendly Society offered a half-year training course (also known as the "Workers' College") to any worker who was interested in labor activism. Between 2009 and 2014, hundreds of trainees graduated from the college. After graduation, many of them left Beijing and established labor NGOs in other provinces.

Due to these interventions, NGOs serving rural migrant workers, now called labor NGOs, became more active and integrated. The number of these organizations reached its peak in 2014. According to my data, at the end of that year, there were at least 62 labor NGOs in China. Among them, at least 27 had either intervened in workers' factory-based collective actions or attended various forms of advocacy activism. The connections among different types of labor NGOs also became more common, especially during the first two years of the 2010s. In 2012, there were at least 51 labor NGOs in the country; 43 of them were in some way connected with four organizations – the Workers' Friendly Society, Panyu Migrant Workers, Safety Helmet, and Little Grass, a Shenzhen-based NGO established in 2003. The 43 organizations all had at least one major activist who used to work or receive training in one of the four organizations. This kind of connections promoted the flow of information and made the orchestration of collective actions possible.

### *State's initial attempt at institutionalizing NGOs*

While the NGO activism was rising in this stage, state's attempt at institutionalization also started. In response to the situation that many NGOs remained unregistered, since the late 2000s, several provincial level governments, including Beijing and Guangdong, began to carry out reforms to simplify the registration procedure. Instead of requiring NGOs to find a "supervisory agency," these

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

governments asked NGOs to directly register at the departments of civil affairs. It was expected that the reforms would make NGOs more visible to the state (Hilderbrandt 2011). Later, the central government adopted some of the local policies. In 2011, the ministry of civil affairs announced that it intended to lower the threshold for the registration of those organizations that "engaged in philanthropy activities and provided social service" (The Paper 2019). In the following years, the state council announced that "social work organizations" having the capacity to "help the disadvantaged" should be promoted. Several administrative orders were issued, requiring local governments to financially support the "social work organizations" through "government purchasing service" programs (State Council 2013).

During this period, many state agencies began to engage with labor NGOs. State agencies were especially proactive in Guangdong Province, where the ACFTU, ACWF, and the Communist Youth League at both the provincial and the municipal level set up "government purchasing service" programs. These government departments hoped that, through offering funds to labor NGOs, these organizations could help to alleviate the tension between capital and labor. Some of these government departments also expected that the lowered threshold for registration and the state funds could separate labor NGOs from their international donors (Howell 2015). But judging from the development of labor NGO activism, the effect of these policies was rather limited. This had to do with the way the state policies were implemented.

First, at this stage, state's rules on what kind of organizations could register and what kind of organizations were eligible for state funds were far from unequivocal; their enforcement at the local level was still largely dependent upon the local social and economic conditions, or even local government officials' personal understanding of the issue. For example, it was rather unclear what kind of activities could be accounted as "providing service." While some local government officials confined the referent of the term to very moderate activities like providing childcare in rural migrant workers' community, others included those activities that might induce conflicts, such as offering legal aid. A typical figure in the latter group was Chen Weiguang, the leader of the municipal branch of the ACFTU in Guangzhou. Chen used to work at a chemical fiber plant in the 1970s. Because of this experience, he had often been sympathetic toward workers. On many different occasions, he openly criticized the staff at the ACFTU for being "too bureaucratic" and praised labor NGOs for their activities in helping workers defend their rights (Chen 2012). In practice, he did maintain connections with several labor NGOs in Guangzhou that were involved in workers' factory-based collective actions.[2]

This kind of divergency among government officials led to inconsistencies in state repression, which had constrained state's capacity to contain the labor NGO activism. The effect of the repression on labor NGOs in Shenzhen in the early 2010s was a case in point. In 2012, nine labor NGOs in the city claimed that they were harassed by some local gangs. Multiple lines of evidence revealed that these gangs were associated with the government. While many of these NGOs had never been

[2]Interview with labor activist, Guangzhou, April 25, 2013; Interview with labor activist, Guangzhou, April 18, 2013; Interview with labor activist, Guangzhou, April 10, 2013.

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

involved in any agitational activities, they were forced to leave the community in which they provided service to workers. Meanwhile in Guangzhou, a city neighboring Shenzhen, some labor NGOs now and then intervened in workers' protests; yet they were largely tolerated by the municipal government and experienced no suppression. The contrast made activists in Shenzhen extremely confused. Some of them began to think that it was simply the problem of the municipal government. Some began to believe that keeping a low profile did no good for increasing the survival chances of NGOs. For example, recalling the state suppression, an activist said.[3]

When it [the harassment] started, we thought it targeted those organizations that had attended workers' collective actions. We thought we were good, since we had only provided legal aid service to individual workers. Panyu Migrant Workers used to invite us to join their advocacy of workers' collective rights. We declined because we considered the advocacy as being too risky. But still, the harassment came to us. We were like . . . the government is going to kill every one of us. Now what's the point of keeping docile?

Eventually, angry activists publicized the harassment on the internet and won wide sympathy. As a result, the harassment failed to tame labor NGOs. According to my data set, among the nine labor NGOs that had experienced suppression, only two had been disbanded. Four had returned to the field one year after and continued their previous activities, while the rest three had even turned to more radical activities like organizing advocacy campaigns.

In addition, during this period, local state's capacity to distinguish and supervise NGOs was still quite limited. When I was in the field, I discovered that quite a few labor NGOs were able to keep their connection with international foundations and attend advocacy activism even after they registered and received state funds. For the sake of expanding funding sources, activists from labor NGOs quickly learned to speak two languages. When they were in front of the state, they emphasized that they were "social work organizations" providing service to the disadvantaged. When the activists were with labor scholars, granters from international foundations, and those unregistered labor NGOs, they became more critical and talked about issues like raising workers' rights consciousness. Because of the existence of this kind of loopholes, many labor NGOs chose to enter the regulation system set up by the state. Between 2007 and 2014, 22 labor NGOs registered, while 16 had received state funds. With the state funds, labor NGOs hired more full-time staff and refurbished their office place, which facilitated their interactions with workers. From this angle, state's intervention during this period even to some extent empowered labor NGOs.

### *The public discussion on the "New Working Class" and the rise of advocacy activisms*

The transformation of state's attitude toward labor rights issues and the still porous system for regulating NGOs had enabled labor NGOs to insert influence in the public sphere. With the help of labor scholars, labor NGOs initiated the public discussion of the "new working class." In the 1990s and early 2000s, there were relatively few discussions on class politics in China's public sphere. To implement

[3]Interview with labor activist, Shenzhen, May 13, 2013.

privatization and the market economic reform, the Chinese state intentionally played down in its propaganda many socialist discourses that valued the working class. In those news media that produced critical public opinions, journalists and liberal intellectuals more often criticized the power of the authoritarian state and advocated the value of market economy. Seldom did they mention the inequality within civil society and those social conflicts brought by China's participation in neoliberal globalization (Zhou 2021). It was against this background that labor NGOs' articulation of the class discourse was a breakthrough.

Labor NGOs' public expression of the class discourse traced back to 2006. In that year, activists from the Workers' Friendly Society announced that they would like to use the term "new working class" or "new workers" (*xin gongren*) to substitute the term "peasant workers." According to these activists, "peasant workers" was a pejorative term. By calling rural migrant workers "new workers," they hoped to revive a socialist culture in which laborers were respected. In the first few years after it was coined, the term was usually associated with subcultural activities. An art troupe consisting of activists from the Workers' Friendly Society made a concert tour and released a CD called "Sing for Laborers." Several other labor NGOs, notably Little Grass and Hand in Hand, held programs that supported workers to express their feelings through artistic creations. It was after the public discussion of the Foxconn suicide event that the term was more often associated with workers' social and economic rights.[4]

For many labor NGO activists, the term simply provided a useful framework for making public interventions. Activists' use of the term usually contained two layers of meanings, one for criticizing the reality, and the other for pointing out the direction for actions. On the one hand, it was emphasized that rural migrant workers were a socioeconomically disadvantaged group. While this group had made tremendous contributions to China's economic miracle, they were still marginalized in society and excluded from enjoying the benefit of the economic growth. On the other hand, it was highlighted that various kinds of resistance among rural migrant workers were already rising and that the resistance would promote the formation of a class consciousness (Zheng and Zhu 2011). Following this rationale, labor NGOs built working alliances with labor scholars and their students and organized a series of advocacy activisms. These actors' intervention in the issue of rural migrant workers' right to social insurance was a typical case.

In China, the social insurance program collects funds from both employers and employees and provides citizens with basic security benefits, such as a retirement pension, medical care insurance, and industrial injury insurance. As early as the 1990s, relevant laws stipulated that all employees should be enrolled in the program, regardless of their *hukou* status. But in practice, in the 1990s and 2000s, rural migrant workers were often excluded (National Bureau of Statistics 2010). Since the early 2010s, migrant workers who had left rural areas in the 1980s gradually came to the age of retirement. Some of these workers began to consider the possibility of

[4]Foxconn was a contract electronic manufacturer that supplied goods to Apple. In 2009 and 2010, several rural migrant workers committed suicide at its plants in Shenzhen and Chongqing. The event aroused the public concern over rural migrant workers' living condition. For a detailed introduction of the event, see Pun et al. (2014).

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

staying in cities after retirement. Factory-based collective struggles agitating for the inclusion of workers in the retirement pension program then arose.

Labor NGOs quickly detected workers' new demands. In the Pearl River Delta, Little Grass, Firefly, Hand in Hand, and the Center for Migrant Workers actively intervened in workers' collective actions. These organizations accompanied workers as the latter petitioned the municipal government and offered them advice when they decided to initiate collective bargaining with their employers. To bring together the fragmented factory-based resistance, these organizations also held salons in which protest leaders from different factories could meet and encourage each other. To attract public attention, activists from Firefly, with the help of some student activists, established on Weibo and WeChat a social media account called "Social Insurance for Everyone." On the account, activists posted biographies of individual workers to demonstrate their difficult situations. They also reported on workers' petitions to local governments and updated their followers on the progress of different negotiations.

In Beijing, although workers' struggles for social insurance were not as proactive as those in the Delta, labor NGOs made similar interventions. In 2009, activists from Safety Helmet conducted research on the compensation for industrial injury in the construction industry and completed a report that exposed rural migrant workers' limited access to the industrial injury insurance (Li 2014). To support the workers, the labor scholars in research institutes like Tsinghua University also held several academic conferences to discuss the issue. In those conferences, the labor scholars publicly asserted that the lack of social security among rural migrant workers was a common phenomenon and that the root of the problem was that workers had been treated as commodities, rather than human beings (Li 2013). This activism eventually alarmed the state. In 2013, some state-controlled news media began to report the issue.

Similar instances of advocacy activism were also launched to move the needle on other issues, such as the prevention of occupational disease and the right to collective bargaining (for a summary of these advocacy activisms, see Table 1). This activisms often involved the coordination among different types of labor NGOs. Labor NGOs organized by workers were usually more deeply embedded in workers' daily struggles and thus had more firsthand information, whereas labor NGOs organized by scholars, lawyers, and students tended to have more connections with various advocacy channels, such as the media and the people's congress. Working together, these actors served as networks of sensors that reacted to the pressure of social problems and stimulated influential opinions.

On some occasions, especially when the public anger was rampant, labor NGOs' advocacy activism received positive responses from the state. A case in point was the issue of occupational disease. Through helping victims of occupational disease, many activists discovered that one of the factors that had contributed to the difficulty in claiming compensation was that employers often unlawfully refused to participate in the industrial injury insurance program. Focusing on this phenomenon, labor NGOs submitted policy suggestions to the people's congress, arguing that the government should advance the money for workers' compensation when employers failed to assume their responsibility (the "pay in advance" policy). To attract attention in the wider public, in the late 2000s, activists worked closely

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

**Table 1.** Major advocacy activisms initiated by labor NGOs, 2007–2014

| Starting Time | Issue | Major labor NGOs Involved | Contents and goals |
|---|---|---|---|
| 2007 | Industrial injury in the construction industry in Beijing | Safety Helmet | Expose the industrial injury problem; demand state supervision over subcontracting; demand wider access to industrial injury insurance; advocate "pay in advance" |
| 2009 | Industrial injury and occupational disease | Yilian, Hand in Hand, Firefly, Youwei, Southern Goose, Migrant Workers' Center | Expose the problem of industrial injury and occupational disease; demand state supervision over production safety; criticize ACFTU for its nonfeasance; demand wider access to industrial injury insurance; advocate "pay in advance" |
| 2009 | Workers' right to collective bargaining | Laowei, Panyu Migrant Workers, Spring Breeze, Sunflower | Help workers initiate collective bargaining; criticize ACFTU for its nonfeasance; demand less state intervention in the organization of collective bargaining |
| 2011 | Pneumoconiosis | Love Saves Pneumoconiosis, Safety Helmet | Expose the prevalence of pneumoconiosis among rural migrant workers; demand more state investment in the prevention and treatment of pneumoconiosis; advocate "pay in advance" |
| 2013 | Rural migrant workers' right to retirement pension | Firefly, Hand in Hand, Migrant Workers' Center | Demand rural migrant workers' inclusion in the retirement pension program; advocate the nationwide "overall management" of the social insurance fund |

with muckraking reporters. Several influential media reports were publicized. Among them, those arousing the most heated discussions was a report on the miserable living condition of rural migrant workers who suffered from pneumoconiosis (Yang 2009). To pacify the public anger, the state later incorporated the "pay in advance" suggestion in the Social Insurance Law.

## *2015–2020: The contradicting institutionalization of labor NGOs (II)*

### *The decline of labor NGO activism*

With the transfer of presidency at the end of 2012, new changes took place. On the one hand, as China gradually built up its economic power in the global market, the West had lost some of its leverage to influence China in issues like human rights. On the other hand, with the increase in state's investment in poverty alleviation and the

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

rise of domestic foundations, local governments' reliance on internationally funded NGOs for service provision tended to be reduced (Kuhn 2018). Consequentially, many interstitial spaces began to diminish.

In 2015, twenty years after the first labor NGO in China was established, the state finally began to systematically regulate these organizations. What had raised the curtain was the crackdown on a couple of labor NGOs in the Pearl River Delta. On December 3, fifteen activists in four labor NGOs were detained. All the four organizations were internationally funded and had been involved in workers' collective actions. Although this was not the first time the state suppressed labor NGOs, the repression was different from the previous ones in several ways. First, the order of repression was issued by the central government, rather than any local government. Second, the crackdown on labor NGOs and the arrest of activists were quickly publicized, while in previous years, these were usually done surreptitiously. On CCTV, a special program was broadcast, in which labor NGOs like Panyu Migrant Workers were labeled as "agents of overseas hostile forces" that intended to manipulate Chinese workers and intensify labor-capital disputes. After that, several research centers that were closely connected with labor NGOs were closed. Those programs that introduced students to labor activism were also terminated. Through these activities, the state released a clear signal to social movement actors: Many activities that used to belong to the gray area would from now on be prohibited.

Apart from the repression, the state also sought to regulate NGO activism through legislation. In 2016, two laws relevant to NGOs were passed, which were the Charity Law and the Law on the Administration of Activities of Overseas Non-governmental Organizations within the Territory of China. These laws specified the rules on the registration of NGOs and the management of charity funds. After that, the Ministry of Civil Affairs (2018) also issued several enforcement regulations, detailing how local governments should evaluate NGOs and supervise the use of funds (2018). For example, it was required that relevant government departments routinely investigate the activities of NGOs and establish a blacklist to document those organizations that engaged in "abnormal activities." Those organizations that had been put on the blacklist would be deprived of the opportunity to compete for the "government purchasing service" funds. In practice, activities like receiving funds from unregistered international foundations and organizing agitational activism could all be categorized as "abnormal."[5] With the passage of these laws, local governments' influence was lessened, and the state power for regulating NGOs became more unified.

These regulations brought significant impact on labor NGO activism. Between 2015 and 2020, 21 labor NGOs were disbanded. Most of the remaining organizations turned to service provision activities. To avoid repression, these organizations had to de-emphasize the discourse of the "new working class" and the identity of "labor NGOs" and packaged their activities in other issues, such as migrant children's education. By doing this, some labor NGOs got to survive. But the NGO community for engaging in labor issues disintegrated.

[5]Interview with labor activist, Beijing, October 24, 2018.

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

*The youth activism as a new interstitial emergence*

Facing an increasingly suppressive environment, many activists explored new interstitial spaces. Of particular significance here were those students who had worked as activists or attended various training programs in the previous stage. Because of the experience, some of them had become quite tenacious in standing with workers. For these students, holding an NGO that refrained from criticizing the state and the capital was meaningless. In my interviews, when discussing those labor NGOs that had chosen to become "social work organizations," a student activist commented,[6]

"Social work organizations" nowadays can only provide the kind of service the government regards as being necessary to workers. They don't reflect workers' real needs, wishes, and desires. Even if they try to help workers defend rights, they do it within the framework of law. For me, this is too conservative.

Another student activist I interviewed even accused the labor NGOs that had turned to other issues of "betraying the labor movement."[7]

To sustain the public concern of labor issues, these students began to experiment with alternative forms of activism. As China's economic growth had slowed down since the mid 2010s, opportunities for young people were diminishing. Even college graduates found it difficult to find a decent job. Student activists' public expression thus stroke a chord with the youth and attracted more young people to attend labor rights issues. In recent years, these young people had formed a new group in the public sphere. I hereafter call this group youth activists.

Some youth activists established university-based associations, such as reading groups and learned societies. Participants of these associations were usually those who were interested in Marxist political economy theories and sought to "apply" the theories into social movement practice. These associations offered night school classes to workers on campus. Sometimes they also intervened in workers' collective actions. Among the collective actions these youth activists had intervened, the most influential case was the Jasic Incident in 2018. When workers in Jasic, a company fabricating welding products in Shenzhen, confronted management regarding their wages and working conditions, youth activists from the above-mentioned student associations formed an alliance called the "Jasic Workers Solidarity Group." To attract public attention, the students demonstrated outside the Jasic plant and held public speeches to criticize the company's exploitation of workers and express their belief in Marxism.

Some youth activists employed social media to expand the space for discussing labor issues. Typical cases included Tootopia and Hot Pepper Tribe, two social media accounts established around 2015. On these accounts, youth activists introduced various kinds of leftist social theories, used the theories to explain real world problems, and reported labor rights issues in China and around the globe. These expressions both continued and transformed the previous discussion on the "new working class." On the one hand, youth activists continued the criticism of the dehumanizing effect brought by the capitalist market economy and advocated decommodification. On the other hand, they tended to emphasize that the

[6]Interview with youth activist, Beijing, October 23, 2018.

[7]Interview with youth activist, Guangzhou, Jul 29, 2017.

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

dehumanizing effect brought by the capitalist market economy did not just hit the socioeconomically disadvantaged class; many problems people commonly faced today, such as precarity and the long working hours, were in fact inherent to neoliberal globalization. In this way, youth activists brought in new topics for public discussion. An illustrative case was youth activists' online protest over the "996 system" in China's IT industry.[8] In 2019, some youth activists organized on Github a campaign called "996, ICU," suggesting that the long working hours in the industry had almost hounded its employees to death. The campaign aroused heated discussions on labor rights issues among professionals.

Compared with the NGO activism in previous years, the organizing structure of youth activism had become more diffuse and decentralized. On most occasions, the organizations involved had been event-based concern groups, lacking formal decision-making structures. The absence of stable organizations had brought significant disadvantages. The youth activism had often been too fragmented and ephemeral to get crystalized into an operationalizable political agenda. Unlike the NGOs associated with labor scholars and labor lawyers, youth activists nowadays were seldom able to propose detailed policy suggestions.

But on the other hand, the diffuse and decentralized organizational structure had also granted youth activists more flexibility in employing radical strategies. In the 2000s and early 2010s, many student activists either established their own labor NGOs or worked with some labor NGOs organized by workers. Considering the long-term survival of the organizations, they usually employed moderate strategies, such as publishing research reports. But nowadays, as state's regulation over NGOs had become too stringent to allow any space for social movements, youth activists no longer expected to establish registered NGOs. Many constraints hence went away. Youth activists' employment of radical strategies had been well illustrated in the Jasic Incident. Additionally, the diffuse and decentralized organizational structure had also granted youth activists more flexibility in connecting with actors from other social movements. For example, the Hot Pepper Tribe had been particularly proactive in joining the feminist movement in China and criticizing gender issues like sexual harassment in workplace and the discrimination against women employees in the job market.

Of course, youth activism invoked state repression. Immediately after the Jasic Incident, leading youth activists were detained. Those student associations that had attended the demonstration were forced to disband. Because of their connection with some labor scholars and international foundations, Tootopia was forced to disband in 2019, whereas Hot Pepper Tribe was closed in 2021. But compared to the situation in the previous stage, it was even more difficult for the state to eradicate youth activism, because most of the activism had emerged spontaneously. The emergence of youth activism and the radicalization of the activism well illustrated that state's attempt at incorporating labor struggles was far from being complete. As youth activists found new interstitial spaces to articulate concerns, public discussion over labor rights issues largely continued.

[8]996 refers to the requirement that IT engineers work from 9 AM to 9 PM, 6 days per week.

## Conclusion and implications

This article extends the theoretical discussion of interstitial emergence to authoritarian context. I contend that the interstitial space in an authoritarian regime should be understood as a space that is interstitial to the power of the state. To analyze the relationship between interstitial emergence and state's institutionalization, I attend to institutionalization as an ongoing process that spans over a period and emphasize that state's intervention in an interstitial space may generate unintended consequence. The case of the rise and fall of labor NGO activism is used to illustrate my approach.

Extant studies on interstitial space associate the space with autonomy and innovation (e.g., Clemens and Cook 1999; Mische 2008; Medvetz 2012). By showing how labor NGO activism in China had interstitially emerged and influenced state policies, my study endorses this view. Yet I also emphasize how interstitial spaces in an authoritarian context like China could diverge from their counterparts in democracies. Unlike the situation in democracies, where interstitially emergent actors may eventually form an autonomous social field, in China, these actors need to engage in close interactions with the authoritarian state. In the end, they may also be incorporated by the state. However, from the perspective of the state, the incorporation often comes at a cost. Because of the existence of various unintended consequences, rather than pacify social conflicts, the state may simply push these conflicts into a new social terrain.

My analysis brings in new perspectives for understanding interactive relations between social movement activism and the state in authoritarian context. It is already known that authoritarian regime is not a stable system, and that social movement activism of various kinds can be common in a political environment in which independent media and civil society organizations are weak or even absent. In explaining the emergence of these activism, recent scholarship has focused on the increasing capacity of authoritarian state to distinguish, infiltrate, and regulate social movement actors. For example, in explaining the existence of NGO activism in China, Teets (2014) highlight Chinese state's capacity to divide and rule – through establishing the registration procedure and offering funds, the state is able to encourage those moderate organizations and eliminate those engaging in agitational activities and criticizing the regime (also see Deng 2012). In discussing the production of critical news, Stockmann (2013) argues that since the state is able to skillfully maintain a space for articulating critical opinions that do not challenge the regime, those media that are proactive in producing critical news could even facilitate authoritarian rule.

By employing the theoretical discussion of interstitial emergence and offering a longitudinal description of labor NGO activism that spans over twenty years, my study challenges this view. I demonstrate that it was between 2007 and 2014 that labor NGO activism entered an active phase. To some extent, by informing the state of the most egregious abuse of labor rights and pushing the state to enact policies and laws that provided workers with better protections, the activism during this stage did have enhanced the legitimacy of authoritarian rule. However, this had not been done under any skillful state management. On the contrary, as I have emphasized, all the organizations and networks that had played crucial roles in the

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

formation of critical public opinions had emerged out of various interstitial spaces where the state lacked capacity to identify or control social movement actors. Ironically, after 2014, when the state finally gained the capacity to establish consistent rules and enforce these rules at the local level, labor NGO activism began to decline. While many NGOs still provided service in rural migrant workers' community, they turned away from initiating critical public discussions. In another word, by institutionalizing the interstitially emergent actors, the authoritarian state deprived itself of the many sensors that could react to social problems.

I contend that the "paradox" here had to do with the particular way the state had institutionalized NGOs. The incorporation of labor NGOs after 2014 had been carried out in a top-down, arbitrary fashion, without seriously taking NGO activists' political agenda into consideration. Unlike the incorporation of labor movement in some democracies, where the state seeks to build political stability by forging alliances with nation-level workers' organizations (Collier and Collier 1991), the Chinese state had simply sought to replace labor NGOs with new institutions (the "social work" organizations). No politically meaningful alliance had been established in the process.

Moreover, by discussing the "translocation" of labor NGO activism, I emphasize that, even in terms of pacifying social disputes, state's efforts had been far from successful. The newly rising youth activism appears to be fragmented. But it is also more difficult to control because the activism tends to be more diffused. While the social domains in which resistance or innovative activism can be nurtured are multidimensional and to large extent unpredictable, state's capacity to identify these domains is not infinite. On the surface, challengers are suppressed, and conflicts are resolved. But underneath, new "troublemakers" are building up their strength. The multiple, contradicting consequences brought by the fall of labor NGO activism vividly demonstrates how an authoritarian regime could be strong as well as vulnerable.

**Acknowledgements.** I would like to thank Nic Cavell, Ann Mische, Dingxin Zhao, and the editors and reviewers of Social Science History for reading earlier versions of this article and providing insightful comments. I would also like to express my gratitude to Yang Cao, Dajun Li, Yuan Shen, and Jiangang Zhu for all their help with data collection, the Yifang Foundation for its financial support, and the labor NGO activists who sacrificed their time for the interviews.

**Competing interests.** The author declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

## References

**Armstrong, Elizabeth A.** (2002) "Crisis, collective creativity, and the generation of new organizational forms: the transformation of lesbian/gay organizations in San Francisco." Social Structure and Organizations Revisited (19): 361–95.

**Bray, David** (2006) "Building 'community:' new strategies of governance in urban China." Economy and Society **35** (4): 530–49.

**Cai, He** (2010) "From 'bottom-line interest' to 'development interest:' the transformation of rural migrant workers' demands and the order of labor-capital relations" (Cong 'dixianxing liyi' dao 'zengzhangxing liyi:' nongmingong liyi suqiu de zhuanbian yu laozi guanxi zhixu). Open Times (Kaifang Shidai) (9): 37–45.

**Chan, Chris K.** (2014) "Constrained labour agency and the changing regulatory regime in China." Development and Change **45** (4): 685–709.

—— (2013) "Community-based organizations for migrant workers' rights: the emergence of labour NGOs in China." Community Development Journal **48** (1): 6–22.

**Chan, Kam Wing, and Li Zhang** (1999) "The hukou system and rural-urban migration in China: processes and changes." The China Quarterly (160): 818–55.

**Chen, Feng** (2010) "Trade unions and the quadripartite interactions in strike settlement in China." The China Quarterly (201): 104–24.

**Chen, Feng, and Xuehui Yang** (2017) "Movement-oriented labour NGOs in South China: exit with voice and displaced unionism." China Information **31** (2): 155–75.

**Chen, Weiguang** (2012) Anxiety and Reflection: Comprehension of Working in the Trade Union for Three Decades (You yu Si: Sanshi Nian Gonghui Gongzuo Ganwu). Beijing: China Social Sciences Press.

**Clemens, Elisabeth S., and James M. Cook** (1999) "Politics and institutionalism: explaining durability and change." Annual Review of Sociology (25): 441–66.

**Collier, Ruth Berins, and David Collier** (1991) Shaping the Political Arena: The Incorporation of the Labor Movement in Latin America. Princeton: Princeton University Press.

**Deng, Guosheng** (2012) "The direct registration of social organizations is a breakthrough" (Shehui zuzhi zhijie dengji shi zhidu tubo). Caixin, https://china.caixin.com/2012-04-01/100375889.html (accessed April 20, 2012).

**Elfstrom, M., and Sarosh Kuruvilla** (2014) "The changing nature of labor unrest in China." ILR Review **67** (2): 453–80.

**Emirbayer, Mustafa, and Mimi Sheller** (1999) "Publics in history." Theory and Society **28** (1): 145–97.

**Franceschini, Ivan** (2014) "Labour NGOs in China: a real force for political change?" The China Quarterly (218): 474–92.

**Froissart, Chloé** (2005) "The rise of social movements among migrant workers: uncertain strivings for autonomy." China Perspectives (61): 30–40.

**Fu, Diana** (2018) Mobilizing without the Masses: Control and Contention in China. New York: Cambridge University Press.

**Helmke, Gretchen, and Steven Levitsky** (2006) Informal Institutions and Democracy: Lessons from Latin America. Baltimore: The Johns Hopkins University Press.

**Hilderbrandt, Timothy** (2011) "The political economy of social organization registration in China." The China Quarterly (208): 970–89.

**Howell, Jude** (2015) "Shall we dance? Welfarist incorporation and the politics of state-labour NGO relations." The China Quarterly (223): 702–23.

**Hui, Elaine S.** (2020) "Labor-related civil society actors in China: A Gramscian analysis." Theory and Society (49): 49–74.

**Kuhn, Berthold** (2018) "Changing spaces for civil society organisations in China." Open Journal of Political Science (8): 467–94.

**Lee, Ching Kwan** (2007) Against the Law: Labor Protests in China's Rustbelt and Sunbelt. Berkeley: University of California Press.

**Lee, Ching Kwan, and Yuan Shen** (2009) "China: the paradox and possibility of a public sociology of labor." Work and Occupations **36** (2): 110–25.

—— (2011) "The anti-solidarity machine? Labor nongovernmental organizations in China," in Sarosh Kuruvilla, Ching Kwan Lee, and Mary E. Gallagher (eds.) From Iron Rice Bowl to Informalization. Ithaca: Cornell University Press: 173–87.

**Lei, Ya-wen** (2016) "Freeing the press: how field environment explains critical news reporting in China." American Journal of Sociology (122): 1–48.

**Li, Chunyun** (2021) "From insurgency to movement: an embryonic labor movement undermining hegemony in South China." IRL Review **74** (4): 843–74.

**Li, Dajun** (2013) "The best monument is to keep the collective memory" (Zuihao de jinian shi liuzhu jiti jiyi). Caixin, December 11, https://lidajun.blog.caixin.com/archives/64988 (accessed September 14, 2023).

—— (2014) "Unrestrained capital and the workers who cannot afford to get injured" (Wuyueshu de ziben, shangbuqi de gongren). Strong Wind, July 22, https://strongwindhk.com/product/no_hk2014-33-pdf/ (accessed September 14, 2023).

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

**Liu, Kaiming** (2003) The Price of Body: Compensation for Industrial Injuries in China (Shenti de Daijia: Zhongguo Gongshang Suopei Yanjiu). Beijing: People's Daily Press.
**Mann, Michael** (1986) The Sources of Social Power. Vol. 1, A History of Power from the Beginning to AD 1760. New York: Cambridge University Press.
—— (1993) The Sources of Social Power. Vol. 2, The Rise of Classes and Nation-states, 1760–1914. New York: Cambridge University Press.
**Medvetz, Thomas** (2012) Think Tanks in America. Chicago: University of Chicago Press.
**Migdal, Joel S.** (2001) State-in-Society: Studying How States and Society Transform and Constitute One Another. Cambridge, UK: Cambridge University Press.
**Ministry of Civil Affairs** (2018) The regulation on managing the credit information of social organizations (Shehui zuzhi xinyong xinxi guanli banfa). Beijing: The Ministry of Civil Affairs of People's Republic of China.
**Mische, Ann** (2008) Partisan Publics: Communication and Contention across Brazilian Youth Activist Networks. Princeton: Princeton University Press.
**Morrill, Calvin** (2017) "Institutional change through interstitial emergence: the growth of alternative dispute resolution in U.S. law, 1970–2000." Brazilian Journal of Empirical Legal Studies **4** (1): 10–36.
**National Bureau of Statistics** (2010) "A survey report on rural migrant workers in 2009" (2009 nian nongmingong jiance diaocha baogao). March 19, http://www.stats.gov.cn/ztjc/ztfx/fxbg/201003/t20100319_16135.html.
**O'Brien, Kevin J., and Lianjiang Li** (2006) Rightful Resistance in Rural China. New York: Cambridge University Press.
**Pun, Ngai** (2005) Made in China: Women Factory Workers in a Global Place. Durham, NC: Duke University Press.
**Pun, Ngai, Yuan Shen, Yuhua Guo, Huilin Lu, Jenny Chan, and Mark Seldon** (2014) "Worker-intellectual unity: gransborder sociological intervention in Foxconn." Current Sociology **62** (2): 209–22.
**Rao, Hayagreeva, Calvin Morrill, and Mayer N. Zald** (2000) "Power plays: How social movements and collective action create new organizational forms." Research in Organizational Behavior (22): 237–81.
**Rodríguez-Muñiz, Michael** (2017) "Cultivating consent: Nonstate leaders and the orchestration of state legibility." American Journal of Sociology **123** (2): 385–425.
**Saich, Tony** (2000) "Negotiating the state: The development of social organizations in China." The China Quarterly (151): 124–41.
**Scott, James C.** (1998) Seeing Like a State. New Haven: Yale University Press.
**Shen, Yuan** (2020) "The development of China's labor sociology in the past 30 years" (Laogong shehuixue sanshi nian). Sociological Review of China (Shehuixue Pinglun) **8** (5): 3–17.
**Smith, Chris, and Ngai Pun** (2018) "Class and precarity: An unhappy coupling of China's working-class formation." Work, Employment and Society **32** (3): 599–615.
**Spires, Anthony J.** (2011) "Contingent symbiosis and civil society in an authoritarian state: understanding the survival of China's grassroots NGOs." American Journal of Sociology **117** (1): 1–45.
**State Council** (1998) The Provisional Regulation on the Registration and Management of Private Non-Enterprises (Minban fei qiye danwei dengji guanli zanxing tiaoli). Beijing: State Council of People's Republic of China.
—— (2013) A Guidance on Government Purchasing Service (Guanyu zhengfu xiang shehui goumai fuwu de zhidao yijian). Beijing: State Council of People's Republic of China.
**Stockmann, Daniela** (2013) Media Commercialization and Authoritarian Rule in China. New York: Cambridge University Press.
**Sun, Yanfei, and Dingxin Zhao** (2008) "Environmental campaigns," in Kevin J. O'Brien (ed.) Popular Protest in China. Cambridge, MA: Harvard University Press: 144–62.
**Teets, Jessica C.** (2014) Civil Society under Authoritarianism: The China Model. New York: Cambridge University Press.
**The Paper** (2019) "The history of the policies that allow social organizations to directly register" (Shehui zuzhi zhijie dengji zhengce de qianshi jinsheng). March 20, https://www.sohu.com/a/302665406_260616 (accessed September 14, 2023).
**Xu, Yi** (2013) "Labor non-governmental organizations in China: mobilizing rural migrant workers." Journal of Industrial Relations **55** (2): 243–59.

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press

**Yang, Jibin** (2009) “The rights-defending actions of workers who suffer from pneumoconiosis: they one by one die” (Wanzhou xifei gongren weiquan zhilu: tamen zhuyi siqu). The Southern Weekly, August 20, http://www.infzm.com/contents/33204 (accessed September 14, 2023).

**Zhang, Li, and Aiwa Ong** (2008) Privatizing China: Socialism from Afar. Ithaca: Cornell University Press.

**Zheng, Guanghuai, and Jiangang Zhu** (2011) Public Life Review No. 2 New Working Class: Relationship, Organization and Collective Actions (Gonggong Shenghuo Pinglun Di’er Ji Xingongren Jieji: Guanxi, Zushi yu Jiti Xingdong). Beijing: Chinese Social Science Press.

**Zhou, Mujun** (2021) “Contesting counterpublics: The transformation of the articulation of rural migrant workers’ rights in China’s public sphere, 1992–2014.” Politics & Society **50** (3): 351–83.

**Zhou, Mujun, and Guowei Yan** (2020) “Advocating workers’ collective rights: the prospects and constraints facing ‘collective bargaining’ NGOs in the Pearl River Delta, 2011–2015.” Development and Change **51** (4): 1044–66.

**Zhu, Jiangang** (2008) “Constructing a public space for mutual help: A study on a group of volunteers in a migrant workers’ NGO” (Suzao huzhu de gonggong kongjian: yige wailaigong NGO li de zhiyuan tuandui yanjiu), in J. Zhu (ed.) The Power of Action: An Inquiry into the Pragmatic Logics of Voluntary Associations in Civil Society (Xingdong de Liliang: Minjian Zhiyuan Zuzhi Shijian Luoji Yanjiu). Beijing: The Commercial Press: 229–52.

**Mujun Zhou** is an associate professor of sociology at Zhejiang University. She currently studies civil society, the public sphere and social movement in China. Her work has been published in *Politics & Society*, *The China Quarterly*, and *Development and Change*. She is now working on a book that documents and explains the structural transformation of the public sphere in China over the past three decades.

**Cite this article:** Zhou, Mujun (2024) “The Interstitial Emergence of Labor NGO Activism in China and Its Contradicting Institutionalization, 1996–2020,” *Social Science History* **48**:121–144. doi:10.1017/ssh.2023.30

https://doi.org/10.1017/ssh.2023.30 Published online by Cambridge University Press