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Striking resistance

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A wildcat strike at a garment factory in Thanh Hoa Province. Photo: libcom.org

Workplace Justice: Rights and Labour Resistance in Vietnam
Tu Phuong Nguyen
Palgrave Macmillan: 2019
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I'm sitting in a coffee shop talking to Chi (not her real name). We're in Vietnam's Dong Nai province, one of the country's industrial heartlands, full of the export-focussed factories that have been a key driver of the country's stunning economic growth over the past thirty years.

Chi is a line worker at a large garment factory employing thousands of people. She's frustrated at her colleagues. Wages are low, working conditions are poor, and the management frequently comes up with new policies to make workers' lives miserable. Despite this, her colleagues don't seem to care or want to resist. I ask if they ever discuss these issues. Not much, she says. Do they talk about the possibility of organising and striking? Never, she says.

It is not only Chi who thinks that workers are passive. It's a common refrain often heard with regard to workers in Asia. Workers are passive. They don't resist. They don't know their rights. This image of workers was a convenient way to try to attract foreign capitalists to invest.

Workers are passive. Come to our country. Exploit our workers. The simple, cheap, female labour force won't cause you any trouble. Hard working. Submissive.

It has also been internalised by Western do-gooders, captured in the much maligned image of the millennial social justice warrior. Workers are passive, so we will help them. Boycott brands that pay poverty wages. As if that were an aberration rather than the norm. Campaign for better working conditions on their behalf. They can't help themselves. I once spoke to a journalist investigating working conditions in Vietnam. He was focussing on workers' exploitation and helplessness and didn't particularly want to know when I started explaining how workers fight back. He had his line and was sticking to it.

It is strange how a refrain that is so patently false can hold so much sway in the imagination. Workers, of course, are not passive. A few weeks after the coffee with Chi, workers at her factory launched a major strike. There were lively and fervent discussions among workers, both in person and on social media, about what to demand, the best ways to organise, how to interpret responses from the company management and when and whether to go back to work.

This is not uncommon. Vietnam has had thousands of strikes since the 1990s, after the transition to a market economy. All of these strikes are wildcat strikes, meaning that they are not led by a trade union. There is only one legal trade union federation in Vietnam, and it is not independent, but led by the state. It has singularly failed to represent workers. Instead, they take matters into their own hands, organising strikes by themselves, without the help of the union.

Wildcat strikes often win. In addition to achieving immediate wage demands — the most common reason for them to occur — strikes have had some important impacts: contributing to Vietnam being one of the few countries in the world where wage growth has been faster than productivity growth; forcing the state-led union federation at least to attempt to reform; generating a structure for annual minimum wage rises; and reversing a major change to the social security law in 2015.

Vietnamese worker activism has generated a growing literature, often in the form of policy-focussed documents or academic journal articles hidden away behind pay walls. There are very few book-length monographs on the subject. Tu Phuong Nguyen's *Workplace Justice* is, then, a welcome addition.

Nguyen focusses on labour resistance and the law, investigating how workers use legal discourse when striking and protesting. The ins and outs of the theoretical framework will probably only be of interest to those who are into socio-legal studies. For the rest of us, the answer to her research question seems to be simple: workers sometimes appeal to legal discourse. In my reading, though, the theory is merely a tool through which to explore some fascinating forms of contemporary worker activism.

Workplace Justice examines different types of labour organising, from the classic wildcat strike to the less well known workers' protest letters, in which groups of workers send collective letters to local trade union offices to complain about their working conditions and appeal to authorities for help. These are seldom analysed by scholars, because most are not publicly available. The author did well to get access to them, and she examines how workers phrase their demands and petitions in these letters.

One chapter provides the first extensive English-language analysis of the Dong Nai Legal Aid Centre, affiliated to the provincial trade union office. This centre is well known within labour circles in Vietnam for providing effective legal representation and support to workers across Dong Nai. Specifically, it focusses on an Oxfam-funded project that involved teaching groups of "core workers" about the labour law, who then taught their fellow workers.

Despite the book's strengths, there are some weaknesses, ranging from the dry academic prose — it was drawn from a PhD thesis — to the lack of reflection on the methodologies used (we are presented with a simple account of what the author did: she did interviews and she analysed letters). Given the breadth of the content, the analysis is disappointingly thin. Key ideas and thinkers are briefly mentioned, then abandoned, potential contradictions go unnoticed or ignored, and contentious points are asserted rather than argued.

Nevertheless, and regardless of its problems, Nguyen's book does well to focus attention on labour organising and militancy in Vietnam, covering different types of resistance and showing how workers are definitely not passive.

Three months after our initial conversation, I'm talking to Chi again. She's frustrated. She's trying to persuade her colleagues to strike again, over a different issue. But they're not interested. They tell her that she's always too agitated and needs to calm down. Workers are passive.

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