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Chapter 1

Old and new inequalities: Citizenly discounting and precarious work in a changing China

Huiyan Fu

Introduction

Precarious work can be defined by the *uncertainty, instability and insecurity* of work in which workers bear the risks of work (as opposed to businesses or the government) and receive limited social benefits and statutory protections (Kalleberg and Vallas 2018; Hewison 2016; Vosko 2010; Kalleberg 2000). In China, it is most commonly experienced among those engaging in non-regular or informal employment (NRE), ranging from a bewildering variety of part-time and fixed-term contracts to agency-mediated labour dispatch and self-employment. It should be stressed that NRE and its concomitant social stratification has long been a defining feature of the Chinese labour landscape. Of particular significance is *hukou*, the country's long-existing rural-urban household registration, which plays a salient role in driving internal rural-urban migration processes, meting out institutional discrimination against rural citizens and entrenching social class divisions. Compared to distinctively gendered patterning in its neighbouring countries such as Japan and South Korea where women bear the major brunt of precarious employment, China is characterised by rural-urban migration and citizenship as a key structural axis for grappling with NRE and its ever-shifting forms and patterns.

Since China's 'open-door' reform in the late 1970s, millions of 'rural or peasant workers' (*nongmingong*) have migrated en masse each year to cities in search of work and disproportionately clustered in the periphery of insecure, low-pay and low-status jobs. In 2019, there were more than 290 million migrant workers, roughly 35% of China's total labour force, the majority of whom left their hometowns without their families and worked in regions and urban cities far away — the number decreased slightly in 2020 due to the Covid-19 pandemic (Statista 2021). Rural migrants are referred to in common parlance as 'floating population' (*liudong renkou*), a somewhat pejorative term denoting a social malaise. Despite being the powerful engine that has propelled China's extraordinary transformation into the world's second-largest economy, they continue to be denied equal opportunities to settle in the city where they engage in income-generating activities — what Pun and Lu (2010a) aptly describe as 'unfinished process of proletarianisation' whereby a spatial chasm persists between production in the city and reproduction in the countryside. Rural *hukou* holders are rendered second-class citizens, institutionally and culturally, in an alluring yet oft-hostile urban environment that subjects them to an overarching system of exploitation, discrimination and alienation. This 'citizenly discounting' (Fu *et al.* 2018) features prominently in China's changing contours of precarious work and therefore merits close scrutiny.

The saliency of *hukou* has been widely discussed among Chinese studies scholars, especially in relation to power dynamics between the state, capital and labour that falls largely within the area of Marxist class relations. Notwithstanding valuable insights from existing studies, there is a distinct lack of careful probing into the role of deep-rooted traditional cultural values; in other words, how and why *hukou* and its associated citizenly discounting emerges, persists and evolves has yet to be fully grasped. To bridge this gap, this chapter sets out to bring anthropological perspectives to bear on the elusive cultural domain and, perhaps more

importantly, its connections with broader political-economic forces. In the next section, key characteristics of NRE in contemporary China are first outlined, with an emphasis on *hukou* and its intersections with fundamental economic structures and other inequality variables — drawing on insights from sociological research on ‘intersectionality’ (Collins 2015). This is followed by a brief navigation of historical trajectories of precarious work, which takes culture and tradition into careful consideration and is organised in three broadly defined phases: 1) the pre-reform era (1949-1978), 2) the reform era (1979-2007), and 3) the regulation era (2008-present). In so doing, the chapter aims to bring a more integrated, nuanced and contextualised understanding of precarious work in a dynamic China. Theoretically, special attention is paid to the complex ways in which traditional norms and assumptions are embedded and/or appropriated in major transitional processes, with a view to casting light on the symbolic power of culture and its implications for social change.

Key characteristics of NRE in contemporary China

Although comprehensive and accurate official statistics are not available, it is estimated that well over half of China’s total urban workforce are now engaged in NRE. In contrast to advanced economies where most workers tend to be absorbed into the formal sector, China’s informal sector still commands a considerable proportion of urban employment (Xiao *et al.* 2022), where precarious and low-paid jobs are most concentrated and rural migrants remain by far the largest group of workers. This is of particular interest given the country’s centralised economy. Since the late 1990s, the size of NRE across all sectors has enlarged twofold, which corresponded with massive downsizing of state-owned and collective-owned enterprises (SOEs) and subsequent expansion of private-owned enterprises (POEs) and foreign-owned enterprises (FOEs). The retrenchment of the state sector saw many of the laid-off urban workers transformed into temps in POEs and FOEs. To help the once-privileged urban regular workers

who lost their ‘iron rice bowl’ (*tie fanwan*) — a specific form of secure work in state-sector firms (Kuruvilla *et al.* 2011) — government reemployment services were quickly set up in the late 1990s. It was in this context that the official language *feizhenggui jiuye* (NRE), rhetorically designed as *linghuo yonggong* (flexible employment), emerged and has since been widely endorsed by both state and academic discourses as an effective means of absorbing urban unemployment and boosting economic competitiveness. By contrast, the long-standing and pervasive informality of rural migrants was until recently largely ignored by the state.

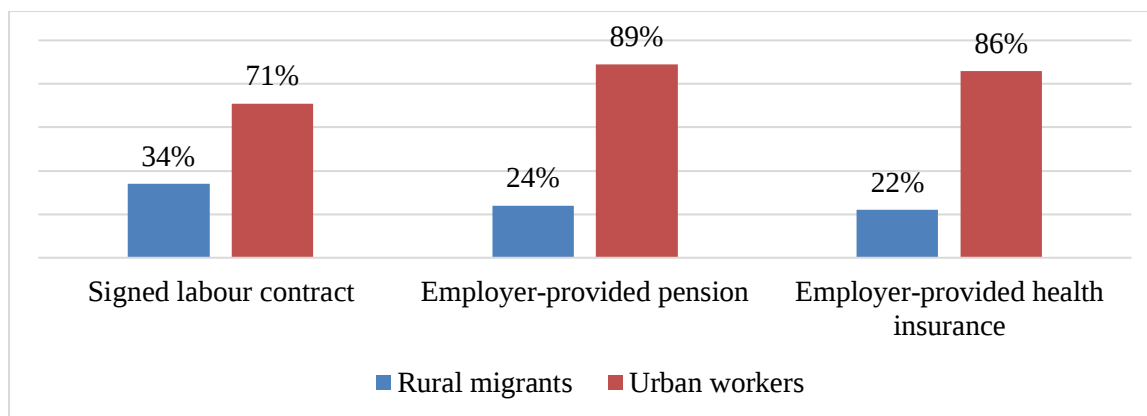
NRE in contemporary China is comprised mainly of temps on a wide range of temporary and fixed-term contracts and the self-employed working alone or for family-owned or small-scale firms that face little legal pressure to comply with labour standards. As the country’s economic reforms proceed, employers have been emboldened to seek the economic advantages of utilising a cheaper workforce — at the expense of such things as income security, health and safety protection and welfare provision. As a consequence, the number and composition of temps have evolved drastically over the past two decades. New categories such as dispatched or agency-mediated workers and in-sourced contract workers have been widely used by large firms, especially SOEs, in order to bypass regulatory pressures and keep labour costs down. Among formal-sector firms, it has therefore become a common practice that the burden of labour cost is increasingly transferred to the informal sector via subcontracting or outsourcing. The resulting expansion of the informal economy is further strengthened by the emergence of gig or platform economy (*linggong jingji*), which has generated a host of non-traditional self-employment opportunities. Situating in the wider context of precarious work, the gig economy is concerned predominantly with the use of third-party digital platforms or ‘apps’ in connecting (self-employed) workers and customers or client firms. Significantly, this technology-driven modernisation involves a new mechanism of power in the organisation of work whereby

platform owners externalise risks and impose socio-technical control of workers through, for example, ownership and management of actionable data — such power asymmetries and class conflicts are well documented by Chan and Humphreys' study of Uber drivers' experiences (2018) and Wood and Lehdonvirta's thesis on structured antagonism inherent in platform labour relations (2019). In China, the gig economy has grown exponentially due to the country's remarkable technological advancement and flourishing informal sector. Recent years have witnessed a rising number of gig economy workers, estimated around 200 million, who subject themselves to the prerogatives of platform owners. For instance, Didi Chuxing, China's giant car-hailing business, claimed that it attracted more than 21 million registered drivers on its platform within one year (people.cn 2017). Perhaps more strikingly, the gig economy and its meteoric boom has been widely portrayed in official discourses as a new, 'inevitable' business model contributing to 'flexibility' (*linghuo*) and 'creativity' (*chuangxin*). Employers are encouraged to use state-endorsed 'multiple types of flexible employment' (*duoqudao linghuo jiu*) (*jiuye*) (China Today 2021). According to the latest China Development on Flexible Employment (2022), 61% of the firms actively used NRE in 2021, a further 5.5% increase on 2020. Like elsewhere, the global Covid-19 pandemic has accelerated the trend towards a greater proliferation of short-term gig jobs, which affects particularly informal workers (Webb *et al.* 2020). During the pandemic, many rural migrants became disproportionately unemployed and were urged by the state to educate themselves about the gig economy and to seek gig jobs within close proximity to their homes.

The realities faced by the expanding legions of temps and giggers are further complicated by the ownership structure of firms, which is crucial to grasp the complexity of precarious work and its implications for social inequalities in China. Temps employed by SOEs — which are highly concentrated and remain the largest firms in almost every industry, despite their

gradually shrinking number — are normally protected with a labour contract and a basic level of social insurance coverage. Moreover, they tend to be urban citizens whose *hukou* status and associated social capital plays an important role in retaining them in the upper echelons of precarious workers. Most of labour rights violations stem from POEs and FOEs — which contribute to the majority of economic output and total employment — in the private sector where rural migrants are concentrated. A 2007 national report estimated that only about 50% of all firms signed contracts with their workers and that the rate among private-sector firms was only 20% (Friedman and Lee 2010: 509). While there is a general consensus that the 2008 Labour Contract Law has produced moderate success in improving the share of workers having a labour contract and/or being covered by social insurance schemes, the difference in treatment between rural migrants and urban locals remains substantial. As shown in Figure 1.1, among employed rural migrants in 2010, 34% signed labour contracts, 24% enjoyed employer-provided pension, and 22% had employer-provided health insurance, compared to 71%, 89% and 86%, respectively, for their urban counterparts (Gallagher *et al.* 2015: 206-207, 224). It is worth noting here that precarious workers' experiences are also mediated by regional differences, especially with respect to labour protection and law enforcement. Empowered by the state's decentralisation policy, local governments, which are keen to foster economic growth and develop different strategies, have considerable discretion in the way they forge alliances with different ownership types of firms and enforce labour laws. This in turn bears important upon workers' interests and welfare, particularly for the most vulnerable.

Figure 1.1 Legal protection disparities between rural migrant workers and urban workers



(Source: Gallagher *et al.* 2015: 206-207, 224)

On a macro level, the above key characteristics of NRE are closely related to China's reorganisation of employment in a services-based economy. In contradistinction to the classic English industrialisation, the Chinese development model features a relatively small percentage of employment in manufacturing industries, which since the mid-1990s has been exceeded by growth in service industries. As China shifts away from manufacturing and investment towards services and consumption, the contribution of the service economy has risen rapidly, with its share of GDP reaching nearly 60% in 2018 (China Statistical Yearbook 2019). The macro-structural change has certainly led to a growing proportion of affluent professional jobs particularly in capital-intensive technology and financial services. However, the bulk of new service-sector employment gains emanate from weakly regulated, labour-intensive industries such as food and beverage, hospitality, entertainment, cleaning and care work. Along with low-skilled construction sites and manufacturing factories, these service industries have most informal, precarious jobs filled by many rural migrants.

To summarise, the complex nature of NRE in China can be best captured by focusing on an intersecting set of key inequality variables, with rural-urban *hukou* as a central axis — whose cultural roots and implications in relation to the changing political economy will be explored

in detail in the next section. As the largest and longest exploited group of the working class, rural migrants are disproportionately concentrated in the informal sector, the gig economy, private-sector POEs and FOEs and labour-intensive service industries. Although not all traditional temps and new gig-economy workers are associated with precarious work, a great many are susceptible to the uncertainty, instability and insecurity of work, low pay and benefits, poor working conditions, lack of training and upward mobility and labour rights infringement. In particular, discrimination against rural migrants is rife; the *hukou* system is widely used by employers to segment workers by different employment contracts and terms, even though they undertake similar tasks. Precariousness and employment informalisation has also spread steadily among urban *hukou* householders; more and more are shunted to the periphery of labour markets, working as temps and giggers with or without a written contract or a formal worker status. Young graduates have become an increasingly important component of NRE, which is aggravated by China's new system of mass high education¹. In its perhaps most disturbing form, employers' unrelenting search for cheap and flexible labour has extended to dual commodification of education and labour whereby vocational schools and employers, under the auspices of local governments, turn large numbers of teenage student interns into constrained factory workers (Selden, Chan & Pun 2015; Smith & Chan 2015). Finally, gender in China appears to be a less pronounced variable in the patterning of NRE than observed in its neighbouring countries such as Japan and South Korea; yet far fewer women than men are employed as a secure worker in SOEs, still regarded as a more privileged employment status than its equivalent in private-sector POEs and FOEs².

Hukou, culture and the political economy of precarious work in a changing China

The Pre-Reform Era (1949-1978)

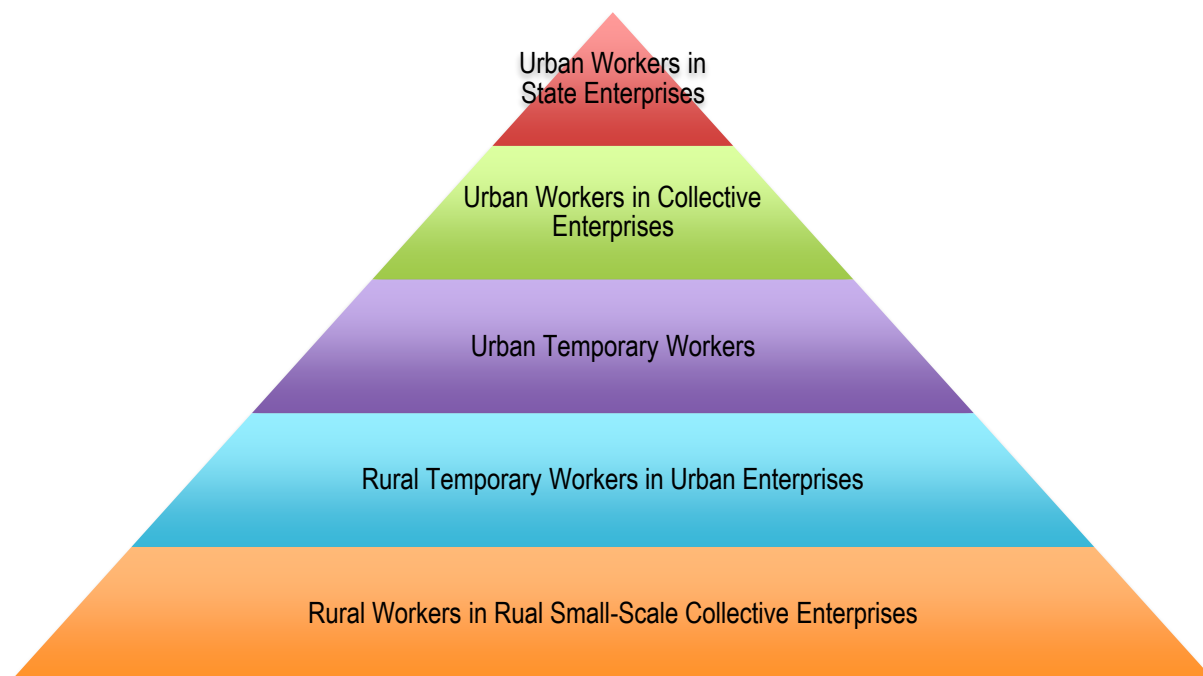
China after 1949 witnessed a distinct historical transformation of ‘the working class’ in Marxist terms that unfolded against the backdrop of a highly centralised planned economy. Under Mao’s leadership, a period (1949-1957) of unprecedented industrial expansion in heavy industry attracted a new mass of workers — the bulk of whom had no skills and experience — into factories and created the social basis for a new tradition of labour relations. The state itself took charge of the recruitment, job allocation and remuneration of urban workers in SOEs or work units (*danwei*) that were then the main business and political institutions. To accumulate capital, it prescribed low agriculture prices and industry wages; centrally administered pay grids were implemented to emphasise seniority-based wage differentials while allowing for only small differences across firms, industries and regions. The management, which was subject to strict political control, set up employment, wages and conditions of work according to local governments’ rulings. At the workplace, workers’ political loyalty to the Community Party, induced by a vast array of material rewards and punishments, was an essential prerequisite to the ‘iron-rice-bowl’ employment; the latter offered earnings, lifetime security and a wide range of social benefits including housing, health insurance and retirement. In this state-orchestrated labour system, workers were not allowed to move from their allocated firm without government approval; neither could they form independent organisations outside Party auspices that were deemed ‘counter-revolutionary’ (*fan geming*) and treated with consistent severity (Walder 1983). A crucial corollary to this regime was workers’ personalised forms of dependency and managerial paternalism in shop-floor authority relations, which were derived from core values and beliefs of Confucianism, one of China’s longest philosophical traditions. In particular, hierarchy — which is fundamental to the Confucian order of human relationships — became the defining characteristic of the new post-revolution working class. The iron rice bowl at SOEs

was a privileged status conferred upon only a minority of workers with urban *hukou*; the rural majority, then accounting for between 70% and 80% of the national population, were excluded from jobs at SOEs and associated benefits³. A cultural orientation was, therefore, recreated in the making of new political-economic institutions.

The *hukou* system, which has been central to the structuring of NRE throughout contemporary China, was established in 1958 under severe demographic pressure. Indeed, no account of China's industrialisation and working class after 1949 would be complete without a careful consideration of the demographic setting and its impact (Walder 1984). Unlike many Western nations, China in the early 1950s could not take the established path of industrialisation-led urbanisation, for it already had an extensive network of large cities, a massive rural population and very high rates of population growth especially in rural areas. As a result, a growing labour surplus — which was greatly aggravated by the Great Leap Forward (1958-60) — compelled the state to institute astringent control over rural exodus with the aim of reducing unemployment and improving the welfare of the existing urban population. By the early 1960s, an apartheid-style segregation was written into law. *Hukou* became a *de facto* internal passport system, which tied people to their residential status they attained at birth. It also functioned as a social entitlement mechanism whereby a dichotomy was created between the access to land for rural *hukou* holders and most state-provided social goods restricted to urban *hukou* holders. From this time forward, rural-urban mobility control was enforced vigorously; rural residents were prohibited not only from working in urban work units, but also from freely entering into cities without obtaining a temporary official permission. Throughout the pre-reform era, urban *huko* holders were given special ration cards for purchasing grocery and other necessities, while those rural *hukou* holders who were residing in urban areas received none of these benefits.

In his classic account (1984), Walder explicates cogently how Chinese industrial workers were split and immobilised by a five-tiered hierarchical pyramid (Figure 1.2) where there was little upward mobility among employment statuses. The top-tier workers comprised only 42% of the total industrial workforce in 1981, with their average pay level 40% higher than that of the second-tier workers, well over twice the average for workers in other lower tiers (*ibid.*: 37). At the bottom fifth tier were rural workers in rural small-scale, collectively owned industries, who worked on a mostly temporary basis to supplement their main agriculture-based household income and whose treatment was at the same level as average commune peasants. At the fourth tier were a diverse and shadowy group of rural temporary workers outside of state planning and regulation. They took short-term seasonal jobs in urban enterprises of all types and sizes while having periodic obligations to work in rural agricultural communes that exercised management and control of all rural resources including land and labour. Because of their rural *hukou* status, they were officially denied the opportunity to become permanent workers as well as any of the fringe benefits attached to such secure employment. The third, middle tier was occupied by urban temporary workers, who, compared to their rural counterparts, relied heavily on waged labour for their livelihood since they had no agricultural income to fall back on. While their position was not significantly dissimilar from rural temps in terms of regulatory protection, urban temps were far more likely to be integrated into the core factory production process, to have their employment periods extended indefinitely and to be employed eventually as part of the permanent labour force. The second tier was composed of secure urban workers in collective enterprises administered by local and regional governments. The majority were women and young people, who did not enjoy the same pay scales and benefits as available to the top-tier workers in state enterprises; the latter were the only group who participated fully in the near-total iron-rice-bowl welfare benefits, which in large enterprises extended to workers' families and amounted to as much as above 80% of their average earnings.

Figure 1.2 Five-tiered hierarchical employment segmentation in the pre-reform era



(Source: Walder 1984)

Such rural-urban divisions and segmentations were new hierarchies arising from China's reconstruction of society; they shattered fleeting historical processes of class consciousness and political unity that were well underway by the 1920s. To be sure, the post-1949 revolution ushered in institutional arrangements, especially with regard to *hukou* and five-tier employment statuses, which 'froze into place some rather striking sectoral inequalities within the working class itself' (Walder 1984: 14). Noteworthy, these newly formed institutions were reinforced by, albeit implicitly, age-old Confucian values, notably hierarchy and paternalism, which place an emphasis on social order based on prescribed status moral codes. This was despite that Confucianism was denounced, particularly during the Cultural Revolution (1966-1976), as a backward, feudal tradition, an impediment to modern development in Maoist China. For the

new working class, life chances were dictated by not only residential and employment statuses but also a bureaucratic order at the workplace; the latter was infused with paternalistic reciprocity that demanded workers' personalised forms of dependency and political loyalty. Moreover, this evolution towards neo-traditional norms and practices militated against workers' collective participation and activism in factory decision-making processes, which were ironically at odds with images of Mao's 'mass line' (*qunzhong luxian*) Party principles. For rural masses, the change from class to status, coupled with its cultural underpinnings, spelt the beginning of an 'unfinished process of proletarianisation' (Pun and Lu 2010a) — an unusual route to the world-historical process of capitalism that turns agricultural labourers to industrial workers by deriving the former of their means of production and subsistence. Perhaps more strikingly, it was consequential in transforming rural citizens from once highly acclaimed 'revolutionary heroes' to 'modernisation losers' from the reform era onwards.

The Reform Era (1979-2007)

In December 1978, faced with dual pressures of political uncertainty and economic stagnation, the new leadership under Deng Xiaoping embarked upon an 'opening-door' reform that strove to bring market forces, albeit under strict centralised supervision, to bear on China's modernisation processes. As the reform pushed forward with privatisation and urbanisation, a shift towards market-oriented labour markets ensued. In 1984, in order to meet an increasing demand for flexible, cheap labour, the state introduced a system of temporary residence permits, equivalent to temporary work visas, which allowed peasants with rural *hukou* holders to work in urban areas. Around the same time, rural agricultural communes were dismantled and replaced by a household responsibility system. These measures, combined with widening

economic gaps between rural and urban areas, unleashed a massive flow of rural migrants into cities during the first decade of their application. Mobility restrictions were further relaxed during the late 1990s and early 2000s, leading to exponential growth in the volume of rural-urban migration; the number of rural migrants rose from more than 60 million in the mid-1990s and 100 million in the early 2000s to 140 million in 2008.

For rural migrants who were called on to work, but deprived of fundamental rights to settle in the city, industrialisation and urbanisation were, as Smith and Pun (2018: 607) put it, ‘highly disconnected processes’. The resulting quasi-peasant and quasi-worker identities inflicted a deep sense of incompleteness, inadequacy and unworthiness, despite their decades of hardship and toil that led to China’s meteoric rise to global economic superpower (Pun and Lu 2010a). This was further aggravated by the emergence of neoliberalism-informed discourses on ‘*suzhi*’ (human quality) that reverberated throughout the reform era. The Chinese term *Suzhi* is a multi-faceted and malleable cultural concept that has many indigenous connotations. It was appropriated by the state as a prominent development policy and a discursive tool to problematise rural masses as having low quality, lacking civility and hindering development — a drastic change in the public representation of peasants who were Mao-era revolutionary heroes contributing greatly to the establishment of New China (*xin zhongguo*). To a large extent, *suzhi* was akin to a ‘quasi-eugenic’ discourse and a ‘cultural fixation’ indispensable for China’s modernisation endeavours (Anagnost 1997). In line with the doctrines of neoliberal capitalism, government policies and media reports frequently invoked *suzhi* to adroitly place responsibility on individuals, rather than on existing social structures and conditions, for failing to acquire desirable qualities. That peasants needed to be disciplined into a modern citizenry and use migration to relieve rural poverty and backwardness seemed to justify just-in-time provision of a large, cheap and relatively docile labour force. As the quintessential embodiment

of precariousness existence, a great many rural migrants took up low-wage, low-skill and low-status jobs in informal and private sectors of economy with least autonomy, protection and dignity. Their life was marked by job insecurity, wage arrears, low pay and benefits, lack of training and upward mobility, alienation and violence, as well documented by numerous scholars such as lee (1995, 1998), Pun (2005), Pun and Smith (2007), Pun and Lu (2010a, 2010b), Peng (2011), Zhang (2014), Swider (2015), Huang and Yi (2015) and Choi (2016), to name but a few.

In addition to the unleashing of rural-urban migration, the state stepped up efforts to restructure SOEs in the late 1990s by ‘grasping the large and releasing the small’ (*zhuada fangxiao*), which helped a minority of large ones become modern, profit-making enterprises and turned small- and medium- size ones into private-sector enterprises. Many urban workers, especially women, lost their secure iron rice bowls and were rehired as precarious temps with limited welfare benefits and legal protection in rapidly expanding private-sector POEs and FOEs. As mentioned earlier, the government was attentive to the needs of those former urban ‘labour aristocrats’ and quickly established reemployment service centres to help jobseekers make a smooth transition from ‘relying on the state’ to ‘relying on the market’ (Xu 2015). Since the 2000s, the use of agency-mediated dispatched workers, who received lower wages and much less social security protection than regular employees, had become widespread among large firms, particularly SOEs in service sectors (such as postal services, telecommunication and railways); as Lin (2015) points out, dispatched workers accounted for more than 60% of the entire workforce in some SOEs. Fixed-term workers with direct labour contracts, who were not counted as NRE in China, either worked under renewable one-year contracts in SOEs or faced far more precarious employment in POEs and FOEs. As more and more workers were absorbed into labour market

peripheries, the size and diversification of NRE had grown rapidly, which resulted in a greater division of the working class than previously existed.

Shaped by a confluence of state-driven marketisation and global neoliberal forces⁴, the reform era was characterised by an emphatic shift towards highly precarious and commodified forms of employment relationship. While the unparalleled economic growth alleviated the poverty of many, a crucial corollary was that China changed from one of the poorest and most egalitarian societies to one of the most unequal societies. During the turbulent restructuring process, all manner of differences emerged; old inequalities transformed themselves into not only rural-urban citizenship divisions, but also disparities between social strata and regions. In the chaos of transition, government officials, Party cadres, enterprise managers and other elites acquired considerable personal economic advantages via a combination of corruption, hidden ruses and appropriation of public assets and rights that in effect enclosed the commons — large numbers of dispossessed farmers, rural migrants and urban workers — to the benefit of a few. They emerged as the Chinese rising capitalist class who, in Marxist terms, gained different private rights over the means of production and accumulated much of their capital through the super-exploitation of labour power, particularly of rural migrants. In this reconstitution of class relations, some neoliberal cultural elements such as ‘flexibility’, ‘personal responsibility’ and ‘entrepreneurship’ were incorporated into the state’s pro-growth policies, as evidenced by the aforementioned *suzhi* discourses and Deng’s famous slogan of ‘to get rich is glorious’. These transformations, albeit ‘with distinctly Chinese characteristics’ (see Harvey 2005: 121-151)⁵, resonated with western neoliberal emphases on individual subjectivities and marked a break from Maoist redistributionist ethics in the pre-reform era. Co-existing with the Confucian tradition of hierarchical social relations that implicitly served to legitimise or deflect attention

from the widening divisions, the imported western values were instrumental in forging a national consensus on the Chinese logic of ‘market socialism’.

The ascendancy of Chinese capitalism, however, cannot simply be subsumed under the global process of neoliberalism, which manifests itself differently in different countries. As asserted by Nonini (2008), China’s distinct cultural contexts, especially *guanxi*, are of vital importance in understanding the specific reconfiguration of state-class-labour relations in the post-Maoist era. *Guanxi*, variously translated as ‘connection’, ‘networking’ or ‘relationship’, is grounded in Confucian thought and can be briefly described as pervasive and intricate personal connections based on social exchange (in the form of, for example, gifts and favours). As a fundamental governing feature of hierarchically structured social relationships, it is infused with a complex and dynamic set of norms and values surrounding reciprocity, obligations, trust, face, emotions and personhood, often depending on the nature and context of relationships (see, for example, Fei 1992; Barbalet 2021). During the reform era, the operations of *guanxi* allowed greater integration between the state and the market among the new rising capitalist class, while marginalising the dispossessed who lacked the resources to employ *guanxi* connections with the new elites, as expounded by Nonini (2008: 160):

Government cadres and Party officials have been in the vanguard of those profiting by privatization and liberalization, while private entrepreneurs have also emerged. ... In this environment, local cadres formed prosperous partnerships with business people, including foreign corporate investors. Cadres provided entrepreneurs with vital information and access to credit and to markets; they shielded their capitalist partners from exactions by other cadres and from official or irregular taxes; and they accorded their partners the political protection they have needed to evade labor, health, pension and other welfare regulations. In return, capitalists provided ‘their’ cadres with money (via fees) and gifts, integrated them into valuable social networks, mobilized

overseas connections, and provided them with shares in the enterprises they formed (So 2005: 487).

To be sure, the Chinese culture of *guanxi* personalism plays an important role in creating old and new asymmetries in power, status and hierarchy, in laying the foundation for what is dubbed ‘crony capitalism’ (Pei 2016), and in dictating workers’ everyday lives⁶. It was, and continues to be, an essential part of the Chinese capitalist class formation process whose ramifications continue to reverberate throughout contemporary China.

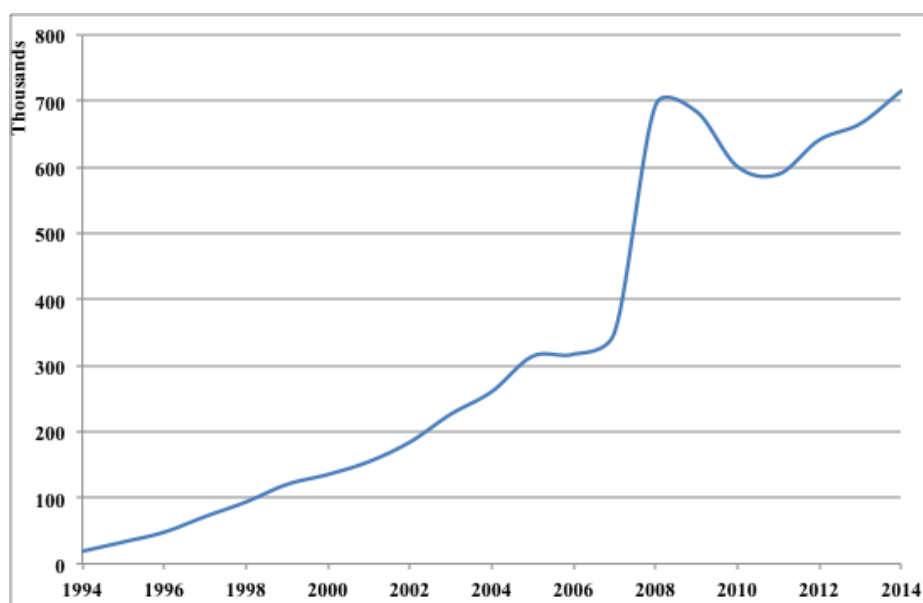
The Regulation Era (2008-present)

Social tensions and conflicts had sharpened since the late 1990s, amid growing inequality, exploitation and suffering that the reform era inflicted on the working class, especially rural migrants at the bottom end of the labour market. Recent decades witnessed a growing number of protests, rallies and petitions, which also reflected workers’ pervasive disaffection with and distrust of official Party-led unions and local governments whose activities were often seen by workers as closely aligned with the interests of management⁷. Within the political ruling elite, fractions also emerged with Maoist advocates railing against the market-based economy and its negative effects on the interests of the masses and social order (Nonini 2008). Figure 1.3 shows a massive increase in formally processed labour disputes from 19,098 in 1994 to 715,163 in 2014, with a precipitous jump from 2008 when a new Labour Contract Law came into effect. The rising number and intensity of labour unrest in China was fuelled in part by younger and better-educated migrant workers who were less tolerant of injustice and more eager to engage in all manner of resistance (Chan and Selden 2014).

It was against this tumultuous backdrop that the state introduced a series of laws and regulations, including Labour Contract Law (2008, amended in 2013), Labour Disputes Mediation and Arbitration Law (2008), Social Security Law (2011), Provisional Regulations on Labour Dispatch (2014) and Opinions on Building Harmonious Labour Relations (2015). As commented by Gallagher *et al.* (2015), China would rank third in Employment Protection Legislation strictness among OECD countries. The 2008 Labour Contract Law, although being significantly watered down from its draft version as a result of employer associations' lobbying, was widely viewed as a vital step towards regulating NRE and safeguarding workers' interests. While there were some increases in contract-signing rates, the law produced only modest success in expanding social insurance coverage, as many rural migrant workers who were offered labour contracts remained uncovered by major social insurance programmes (Gallagher *et al.* 2015: 228, see Figure 1.1). In addition to the existing rural-urban citizenship divide, the new regulation regime proved to be more useful to socially advantageous groups of workers who occupied a relatively strong position in the labour market (Friedman and Lee 2010: 526-527); a large proportion of precarious workers including part-timers, in-sourced 'independent' contractors and student interns fell largely outside of the protection of the labour laws (Cooke and Brown 2015: 31-32). Furthermore, the heightened regulatory restrictions provided employers with strong incentives to exploit legal loopholes or ambiguities and/or replace permanent or non-fixed-term workers with new sources of cheap labour; for example, the use of dispatched workers increased drastically shortly after the enactment of the Labour Contract Law. To ameliorate the situation, subsequent amendments imposed a ten percent cap on dispatched and independent contract workers. Nevertheless, it became evident that laws and regulations alone would not suffice to curb the widespread exploitation of precarious workers.

Figure 1.3 Accepted Cases by Labour Dispute Arbitration Committees (1994-2014)

(Source: *China Labour Statistical Yearbook*, various years, National Bureau of Statistics of the
People's Republic China)



The limitations of the seemingly pro-labour regulatory approaches, to a great extent, could be ascribed to China's state-centric political economy and its intricate connections with cultural particularities. As the economic restructuring enabled capitalist enterprises to form and function freely, the state gradually pushed forward with its decentralisation policies, which granted local governments more leeway to pursue their own economic goals (Friedman and Kuruvilla 2015). Under this efficiency-driven, pro-growth development model, local governments were keen on nurturing a pro-capital, competitive economic climate. The devolution of power enabled them to strengthen their alliance with businesses aided by the aforementioned *guanxi* personalism. It also allowed them to exert a considerable leverage over legal and judiciary systems — activities that constituted an essential element for China's lax enforcement and differential implementation of national laws and regulations at the local level. This central-local

government division, coupled with official unions' subservience to the state and the absence of independent unions, had a profound impact on workers' everyday struggles (Friedman 2014). While there was mounting antagonism towards employers and local governments, the legitimacy of the central paternalistic state — who was expected to protect the masses against all evil aspects of capitalism — remained relatively intact. Rather than resorting to unionisation or organised movements, aggrieved workers were urged by the state to use law as a tool for protecting labour rights and resolving disputes. It should be noted here that many disputes were collective in nature, but formal arbitration and civil courts systems tended to break up collective actions into individual or small-scale cases. The new regulatory regime, therefore, played a key role in promoting individualised employment relations, cellularising conflicts and defusing working-class formation. As reported by Lee and Zhang (2013), despite its growing number and militancy, work insurgency, especially among rural migrants, was either brutally suppressed or channelled adroitly into the state-controlled legal and bureaucratic apparatus

Central to the state's renewed enthusiasm for 'ruling the country by law' were concerns over social stability and economic growth, to which large-scale public protests were deemed serious threats. In tandem with the enactment of a series of new laws and regulations, 'harmonious society' (*hexie shehui*) had been introduced by Hu's government since the early 2000s as a major policy orientation. Herein again lies the importance of traditional culture. 'Harmony' (*he*) is a fundamental principle of Confucianism that carries paternalistic and benevolent overtones and emphasises co-prospering, complementarity and hierarchical solidarity. While classical uses often denote loyal opposition and constructive disagreement, contemporary political interpretations focus predominantly on stability and order, which can be used as a convenient tool for suppressing dissent. Such an overt assertion of 'harmonious society' in regulation-era China reflected state-orchestrated efforts to contend with the problems and

failures of modernisation through the revision and reimagination of old traditions — a prevalent phenomenon in modern nation-building endeavours where the past is being ‘(re-)invented’ to construct the present (Hobsbawm and Ranger 1983)⁸. As a key governing political-cultural discourse, ‘harmonious society’ had apparent explanatory power; it was instrumental in reinforcing the state’s stance on laws and regulations, masking glaring inequalities and entrenching social status hierarchies.

More recently, the Chinese development model had been redefined with a new focus on domestic consumption that would require the improvement of rural migrants’ earning power and economic security. In the context of increased inequalities, growing urbanisation pressures and a reduced demographic dividend, reforming the *hukou* system had become a political and economic necessity. Since the 2000s, many provincial and municipal governments had been experimenting with *hukou* reforms including permanent *hukou* transfers. Those reforms, however, varied greatly across localities. For example, large so-called ‘first-tier’ cities such as Beijing and Shanghai where rural migrants were highly concentrated imposed much more stringent criteria for obtaining urban ‘green cards’ than small and medium cities. In addition, a high proportion of inter-provincial migrants found it considerably harder to convert *hukou* than those migrating within the same province. For the vast majority of rural migrants, the removal of barriers to job mobility had not been accompanied by adequate welfare and social security reforms that would address the coverage gap between rural and urban *hukou* holders and between different types of firms; for instance, the lack of *hukou* portability between regions is a contributing factor to the gap. More importantly, employers had a strong incentive to minimise social security contribution costs by reducing the number of regular workers on their payroll. This was further compounded by the practices of local governments, which often used social security laws as an economic strategy and administered them differently according to

their *guanxi* relationships with firms, often depending on the latter's ownership and size. Consequently, the *hukou* reforms were fraught with important political, economic and cultural issues. As discussed earlier, of particular salience were the reconfiguration of class relations that tilted the balance of power in favour of the new capitalist class, the lack of independent labour unions and bargaining power essential to advance workers' rights and interests, the weak enforcement and differing implementations of national legislations at the local level, and the complex and dynamic interplay of those political-economic structures with cultural traditions, noticeably *guanxi*, hierarchy and harmony.

Conclusions

This chapter has shown how the rural-urban migration and citizenship is of central importance to grappling with China's ever-shifting contours of precarious work and social inequalities. Despite various reforms, *hukou* continues to function as a crucial feature of social entitlements system that confers many public benefits and services — ranging from health insurance and pension to education and housing — on urban local workers while denying them to rural migrant workers. This distinct citizenly discounting, combined with its intersections with other key inequality variables including formal and informal sectors and firms' ownership structure, sets China apart from its neighbouring countries such as Japan and South Korea; the latter are characterised by predominately gendered patterns of stratification. To gain a more comprehensive and nuanced understanding, future research should pay careful attention to the intersection of rural-urban citizenship with other identity categories (such as gender, sexuality, age, regionality, class, dis/ability, ethnicity, race and nationality) that engenders a specific 'matrix of domination' (Collins 1990) in the Chinese context. In this regard, empirical studies

are particularly needed to reveal how real people in concrete social worlds are affected by such complex structures of inequalities and power relations, thereby offering qualitative insight for agential responses⁹.

Perhaps more importantly, by delving into — albeit cursorily and partially — the three well-known historical phases of transformation, the chapter has thrown into relief the role of culture in China's major political-economic transitions. To be sure, traditional Confucian beliefs and values permeated the historical processes, from the pre-reform institutional establishment of *hukou* and its rural-urban mobility control, workers' personalised forms of dependency and managerial paternalism in *danwei* or work units and the five-tiered hierarchical employment segmentation, through the reform-era's discursive emphasis on *suzhi* or human quality and appropriations of *guanxi* network not least during the tumultuous entry into neoliberalism-informed market modernisation, to the ubiquitous evocation of *hexie shehui* or 'harmonious society' in the regulation era. Throughout those prominent development trajectories, culture provided an underlying basis, and was instrumentally powerful, for legitimising and reinforcing the institutional changes.

Such interconnectedness of culture with institutions merits special attention. Compared to institutions, culture, as a system of malleable and inherently contestable symbols (Turner 1967; Cohen 1969, 1974), is an elusive and enigmatic domain and yet possesses apparent explanatory, discursive power. The so-called 'linguistic turn' in many social sciences also brings a renewed focus on the importance of culture, especially language use, and power relations in the (re-)construction of social reality (Parkin 1984; Bourdieu 1991). This is particularly true when it comes to those deep-seated beliefs and values rooted in remote antiquity, which are often taken for granted, hidden, internalised and difficult to contest. As demonstrated in the Chinese

context, Confucian doctrines concerning hierarchical status and harmony were influential in entrenching rural-urban citizenship inequalities and reconciling intensified social tensions. Moreover, they played an important role in deflecting attention away from working-class struggles and collective actions geared towards confronting the structural subordination of labour to capital and exploitation against the backdrop of growing social disparities and conflicts intensified by decades of unrelenting marketisation¹⁰. For example, labour NGOs' activism, a well-trodden field of research in the Chinese studies, focused mainly on the resolution of individual disputes within state-proved regulatory frameworks and rarely connected labour rights violations with *hukou*'s socio-cultural exclusion of rural migrants (Howell 2015; Fu 2021). Thus, the prism of Marxist class relations, which is indeed an indispensable tool (Smith and Pun 2017)¹¹, needs to be combined with a cultural lens. This in turn can go a long ways towards tackling the root causes of precariousness and inequality and casting fresh light on social change in China and beyond.

Notes

1. There had been a massive increase in the number of bachelor's graduates, which rose from 600,000 in 1990, doubled to 1.2 million in 2002 and then leapt by over fivefold to 7 million in 2013 (Freeman 2015). The role of education in improving social mobility was waning on the whole, although it remained an important factor in future job prospects and upward mobility.
2. In addition, women in China have to retire, as stipulated by official guidelines, at 55 (50 for blue-collar workers), five to ten years earlier than their male counterparts.

3. From a historical comparative perspective, the iron rice bowl at SOEs was not the result of a de facto compromise between capital and labour that came to normalise the post-war standard employment across many Western countries (Xu 2015).
4. China's tortuous path of internal transformations coincided with the gathering strength of neoliberalism in the advanced capitalist world; the latter indeed opened up a space for China's tumultuous entry and spectacular emergence as a global economic power after 1980 (Harvey 2005: 121).
5. China's key development strategies during the reform era were characterised by heavy reliance upon foreign direct investment and keeping the power of state ownership structures intact, which seemed to fit with the aim of inhibiting the formation of any coherent capitalist class power bloc (see Harvey 2005: 121-151).
6. *Guanxi* or personal connections with government and workplace authorities can have a profound impact on people's major life events. For example, workers may rely on *guanxi* help from family, relatives, former classmates and friends to find new employment or move to more desirable jobs. This is particularly effective when it comes to strong *guanxi* ties of obligation, trust and intimacy.
7. In contrast to growing autonomy conferred upon private capital and rising power of employer associations, the All-China Federation of Trade Unions (ACFTU), as the only legitimate representative of organised labour, continues to be a vital component of political centralisation, functioning as government agencies or benevolent mediators. Despite that ACFTU and its local branches played a facilitating role in introducing a series of pro-labour laws and experiments, they were unable or unwilling to protect workers' rights and interests at the point of production. For example, Hui and Chan's study (2015) show how a post-2010 wave of democratic union elections in the Pearl River Delta region, driven by workers' wildcat strikes, turned out to be 'indirect' and 'quasi-democratic' as the Party-state, the high-

level unions and management exercised far greater organisational and institutional power than the workers.

8. Perhaps not surprisingly, the regulation era also saw a broad political and intellectual movement towards Confucian renaissance, as demonstrated vividly by the 2008 Beijing Olympic Opening Ceremony (see Wordsman 2012).
9. It is striking that we know very little about NRE in China's rural areas where farmers and other types of informal-sector workers comprise a substantial share of precarious workers at the lowest end of labour markets with little protection and rights.
10. The Marxist concept of 'class' is not invoked in China as the discursive frame to constitute workers' collective experiences. Rather, the Maoist social model continues to assume importance, which emphasises 'harmonious' interests between people in different social statuses, including workers, peasants, the intelligentsia and the bourgeoisie (see Wang 2021).
11. Among others, Smith and Pun's work (2017) offers trenchant criticism of Standing's conceptualisation of 'the precariat' as a new class in the making (2011), which rejects or misunderstands Marxist notions of class and class struggles in changing capitalism, strengthens cleavages among workers and, therefore, undermines the importance of working-class formation processes. To be sure, precariousness is not evidence of a separate class with different interests, but rather a fundamental feature of working class, which has become exacerbated and more prevalent across different employment statuses under neoliberalism.

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