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Workers' rights defence on China's internet: an analysis of actors

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ABSTRACT

The discourse of 'rights defence' (*weiquan*), referring to the grassroots' struggle for legal redress after their lawful interests are encroached upon, has gained increasing popularity in China in the last two decades. Given the ubiquity of the Internet nowadays, rights defence activities also take place online; in a small number of cases, they develop into a form of online activism. But what determines or contributes to the online visibility of some rights defence cases and the invisibility of others? In this paper, we investigate this by examining three highly visible workers' rights defence campaigns in comparison with three similar cases that received almost no attention. Analysing the various *actors* involved, we argue that online rights defence tends to become visible and develop into online activism when one key actor, the *state*, which ought to be an impartial source of justice, is perceived to be collusive or to be playing an active role in the encroachment of people's rights and interests.

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Introduction

The term 'rights defence' (*weiquan*), commonly understood as the defence of individuals' legal rights, has gained popularity in China since the early 1990s (Benney, 2007). Its rise is associated with the awakening of individual rights consciousness and the state's attempt to establish the 'socialist rule of law' in conjunction with the deepening of the Chinese 'socialist market economy' (Teng & Mosher, 2012). The growing body of legislations, especially in civil law area, becomes an increasingly important source of justice, albeit still limited, for ordinary citizens and the powerless in society. Indeed, rights defence has been described as a 'movement' (*yundong*) in which individuals and groups in society engage in legal discourses as well as legal processes to actively protect their rights and interests (Benney, 2007; Hung, 2010).

The development of rights defence discourses and activities has been accompanied by the dramatic spread of the Internet in China. As such, rights defence activities nowadays take place both offline and online (Teng & Mosher, 2012). Offline rights defence activities, including demonstration and litigation, tend not to attract substantial attention from the authorities and the public. This is not only because the Internet has become such a vital

medium that without it such activities could not possibly reach a wider audience in a large country like China; more importantly, the Chinese government tends to see such activities in general, demonstrations particularly, as threats to the stability of the society. In the name of ‘maintaining stability’ (*weiwen*), rights defenders’ activities are often curtailed, sometimes oppressed, especially if the rights defenders claim wrongdoings on the party of the government.

In contrast, given the nature of the Internet space, particularly the anonymity and the speedy and wide reach it affords, many rights defence activists take their struggles online, as an alternative and possibly superior medium to achieve their aims. Indeed, as we shall show, some online rights defence events attract considerable attention and support, and develop into so called ‘Internet incidents’ (*wangluoshijian*) (Benney, 2007; Feng, 2013; Hung, 2010), which refers to large-scale internet phenomena that developed spontaneously among netizens, usually revolving around current topics or events.

Internet incident: online activism and connective action

The productive intersection between rights defence and the Internet is not surprising. As Castells (2007) notes, the Internet has facilitated and invigorated the growth of social movements in many ways. According to Garrett’s (2006) review of the relevant literature, the Internet helps to organize and mobilize people to engage in collective action; to open up more political opportunities and create more favourable conditions for social movement; and to frame such activities strategically and positively. More recently, Bennett and Segerberg (2012) argue that the Internet gives rise to another type of contentious politics in addition to collective action – *connective action*. In contrast to the former, which is typically mobilized and co-ordinated by resourceful social movement organizations (SMOs), *connective action* develops spontaneously, often growing out of individual-initiated content-producing and content-sharing activities across media networks.

In China, with unauthorized public demonstration prohibited and non-governmental organizations focusing on political issues banned (The Standing Committee of the National People’s Congress 1989), online activism is typically initiated by netizens online rather than orchestrated by organizations as an extension to their offline activities (Bondes & Schucher, 2014; Yang, 2009b). It usually involves netizens spontaneously expressing critical opinions or making demands on the Internet in the form of comments, content relays and so on, which encourage more netizens to make further contributions, culminating into a form of collective upsurge of critical voices. In other words, it typically follows a connective action logic.

The study of Internet incidents in China has proliferated recently, but so far the majority focused on issues of state control and the empowerment potential of the Internet (e.g. Bondes & Schucher, 2014; Hassid, 2012; Herold, 2008; MacKinnon, 2008; Sullivan, 2014; Tang & Bhattacharya, 2011; Tang & Yang, 2011; Yang, 2009a); meanwhile, little is known about the characteristics or logics of the formation of these incidents.

One approach towards studying Internet incident formation is by analysing the *process* of these incidents’ development – the *processual approach* (e.g. Pu & Scanlan, 2012; Yang, 2009b). However, there are two significant problems associated with this approach which, in our view, account for the paucity of published studies looking at the processes of Internet incidents. First, due to the heavily censored nature of the Chinese cyberspace (King,

Pan, & Roberts, 2013), the developmental process of Internet incidents – especially politically sensitive ones – is typically very difficult to track *post hoc*; the traces and evidence are often deleted, suppressed or, if not, scattered on the vast space of the internet. Second, the processual approach to Internet incidents by definition only focuses on those events that actually *did* gain momentum and develop into ‘incidents’, and ignores the larger number of events that fail to do so. In other words, there is a problem of asymmetry, whereby the opportunity is lost to understand why many – the majority indeed – online rights defence cases never develop into influential ‘Internet incidents’.

To counter these two problems, in this paper, we propose an alternative approach, which shifts the focus from the *process* onto the *actors* involved in online rights defence cases. This approach allows us to circumvent the problem of asymmetry, and to compare the rights defence cases that successfully turned into Internet incidents and those cases that remain unheard. Doing so, we argue, allows us to identify the key actor(s) determining the online in/visibility of rights defence cases in China, thus shedding light into the logics underlying Internet incident formation.

In what follows, we first further explain our ‘actors approach’; then, after a brief note on the research and the data, we proceed to comparatively analyse three obscure online rights defence events with three influential ones that became ‘incidents’; finally, we discuss and advance our concluding arguments.

Internet incidents – an ‘actors’ approach

Drawing on anthropologist Turner’s (1982) concept of *social drama*, Yang (2012) argues that activism, including online activism, manifests a temporal structure of dramatic form, starting with a *breach* of a norm (a ‘breach event’), which then escalates into a crisis, and finally ends with redress of the breach, and resolution. Yet, a drama cannot unfold without actors, and our simple modification here is to put the ‘actors’ back into the ‘drama’, and focus on these actors. By *actors*, importantly, we mean not only the obvious human actors, but also institutions, organizations or even objects that can nevertheless be seen as playing active roles in enabling an event (Latour, 2005), in this case the event of online activism. Under this augmented metaphor, in what follows, we venture to list a number of relevant actors, setting an indicative framework for the actors analysis we shall carry out later.

The initial breach event itself and those who get to frame this event may be regarded as two primary actors, because, as Pu and Scanlan (2012) have shown, the escalation of a breach into a crisis depends on the ‘nature’ of the breach and how it is framed online. If the narrative arouses the audience emotionally and causes moral shock and indignation, argues Yang (2009b), it is more likely to motivate online spectators to participate and push it into a ‘crisis’.

The motivated online participants obviously constitute an important actor as well, for after all, it is their participation that makes the event a crisis. Yang (2012) points out that netizen participants utilize a number of popular online contention practices, such as retweeting/sharing the story via social media, digging for further information, and commenting on the event, to show their concerns and spread out the story (see also Tang & Sampson, 2012). Such participation attracts and sustains public attention and makes the event an influential Internet incident.

The mass media has been shown to be another important actor in the development of spontaneous online activism or internet incident (Tang & Sampson, 2012; Yang, 2012). Because online activism is by definition largely discursively based, the role played by mass media is not just significant, but often *constitutive*. In the process of dramatization, the mass media can act in one of two ways: (1) it can act as the original investigator and reporter of the breach event, which it then disseminates widely both offline and online through news reports; or, (2) it may pick up and report on a breach event that is *already* circulating on the Internet in the form of, for instance, personal blog entries; but by picking it up, it can further frame the breach event and drastically raise its public profile. In either way, the mass media as a now digitally empowered actor dramatically broadens the audience base for public affairs consumption and, potentially, participation. Furthermore, while news reports from the mass media provide material for netizens to share and discuss, netizens' comments and attention in turn encourages further reporting and investigation from the mass media (Tang & Sampson, 2012). As such, the interplay between the two actors provides mutual feedback and momentum, pushing the escalation of the event into a crisis.

China's Internet is tightly controlled and heavily censored by the authorities. Issues that are deemed to threaten the stability of the regime are not allowed to appear on the Internet, and even if they do appear accidentally or under some disguise, they would be removed as soon as the censors are alerted. As such, the authorities constitute another actor, which has the power and capacity to freeze the escalation of a potential Internet incident by killing-related online discussions. In spite of this, many Internet accidents did take place in China and these incidents often involved discussions about socio-political issues and criticisms of the authorities (Tang & Sampson, 2012). Concerning this apparent contradiction, Herold (2008) usefully noted that, it is when the momentum of online discussion spreads offline and prompts offline activism or when the authorities perceive that the situation has become politically challenging, that they will suppress both online and offline activities. Similarly, King et al. (2013) found that while the authorities may not mind critical opinions from individuals, they are more alert to and are likely to censor comments spurring social mobilization for collective action.

It is important to note that, the authorities are not a monolithic entity, but situated at different levels and commonly seen as divided between the central/local line. It is often pointed out that online socio-political criticisms are allowed if they are directed at *local* authorities, because the *central* government can use such complaints to its advantage by cleaning up corrupt local officials so as to demonstrate to the public that the government is responsive to popular concerns (Downey, 2010; MacKinnon, 2008; Xin, 2011). Thus, according to Zheng and Wu (2005), if online discussions are perceived to be undermining the legitimacy of the CPC regime, the authorities are likely to stop them; otherwise if they do not threaten the regime but provide feedback for the authorities to improve its image and legitimacy, such discussions may be allowed to continue.

Internet incidents by definition take place in the Internet space which is made up of various websites. Therefore, Internet companies as an actor cannot be ignored. As the Internet space is vast and constantly changing, too complicated for the government to have total control, the Chinese authorities take a multi-layered approach. To block overseas websites disseminating 'unwanted' information into China, the regime has set up the notorious filtering system, the Great Firewall (Open Net Initiative, 2012). To control the

domestic Internet space, the authorities delegate the censorship task to Internet companies operating in China and make them liable for any sensitive information appearing on their websites. In other words, the authorities take control of domestic Internet space by controlling Internet companies. Research suggests that Internet companies, like Sina, in compliance with government requirements, employ a variety of censorship mechanisms, such as keyword filtering, monitoring specific users and retroactive deleting (Zhu, Phipps, Pridgen, Crandall, & Wallach, 2013). However, most Internet companies are commercial organizations and need web traffic for advertising revenue. Furthermore, Internet entrepreneurs tend to embrace the idea of free speech (Lagerkvist, 2012). As such, Internet companies are reluctant to conduct stringent censorship, and they do just enough to satisfy government regulations without discouraging users from using their services (Zhu et al., 2013). This balancing act has two implications. First, some companies are more relaxed in their censorship than others depending on many factors, such as the physical location, the political connections and the value and agenda of the company (Mackinnon, 2009). Second, they like to cover events and stories that appeal to the public in order to attract attention and web traffic, and then delete them or freeze the related discussion if these issues become sensitive enough to warrant censorship instructions from the authorities directly. This time difference, as well as different attitudes of different websites, allow a space for certain events to grow into Internet incidents. How big this space may depends on how sensitive the issue is (Mackinnon, 2009).

In this paper, we look at Internet incident in the context of workers' rights defence, which by definition involves breaches of rights. According to Feng (2013), rights defence in today's China is a social as well as political movement encompassing all manners of rights and involving all social strata. In reality, however, more often than not, it is the disadvantaged and powerless in the society who takes up the discourse of rights defence. For example, it is used by peasants to fight against forced seizures of farmland, by workers against delays or failures of wage payment and/or poor working conditions and by homeowners against forced eviction and house demolition.

Rights defenders in China nowadays increasingly make use of the Internet. Yet, the majority of rights defence cases that make appearances online disappear rather quickly, leaving few traces behind; only a 'lucky' few manage to attract the online public's attention, escalating from breach events into moral crises. Previous research has exclusively focused on those 'lucky' few, and paid particular attention to the processes of Internet incidents (e.g. Pu & Scanlan, 2012; Yang, 2009b). Obscure cases by nature receive little attention and the processes of developing into incidents hardly even started; as such, there are no unfolding processes to examine and discuss. Given this asymmetry, our proposed analysis of actors provides an alternative approach, since all cases necessarily involve actors. Our aim, ultimately, is to account for the reason(s) why some rights defences get noticed while others fail to receive online attention.

The research

This research started out with one author's project which looks at seafarers' occupational injury and death compensation in China. Out of an extensive trawling exercise in relevant Internet forums and the blog sphere, she found three cases of attempted online rights defence relating to seafarers' injury and death at sea. All three, however, received negligible

attention. While this perhaps illustrated once again the difficulty of grabbing netizens' attention on the vast space of the Internet, it prompted us to wonder why some other cases managed to sweep the Internet and sensationalize the whole nation in a matter of days or even hours. This led us to try to identify and examine a few cases of worker-related online rights defence that actually did become highly visible in the past few years. (Our choices here of seafarers' and workers' rights defence cases are due to both practical/opportunistic and methodological reasons. While the seafarer example was obviously because one co-author worked on this issue, we felt that the case of workers' is highly comparable to that of seafarers. In terms of the generalizability of our analysis for online rights defence cases more broadly, we believe that, like any other types of right defence mentioned previously, workers' rights defence is also the drama of the relatively powerless fighting with the relatively powerful for justice. Given this same theme, whichever type of rights defence the focus is on, the theoretical implication would be similar.)

Since 2007, the Public Opinion Watchdog (*yuqingjiandushi*) of the *People's Daily* (the Chinese government's flagship official newspaper) started monitoring public opinion on the Internet and listing top 'Internet incidents' in China annually. In 2007, the Watchdog listed 10 top incidents and ranked them in terms of the number of posts/blogs each generated on major Internet portals and blogs in China; from 2008 onwards, 20 top incidents were listed every year. Hence, between 2007 and 2013, the Watchdog annual reports presented a total of 130 top 'Internet incidents'. Going through these incidents, we found that out of the 130, the number of cases pertaining specifically to workers' rights defence was exactly three – a very opportune number for the purpose of this comparative study.

The three cases that went unheard

The first case concerned a seafarer who was injured on a ship during a fire accident in 2008. At the start of the medical treatment, the manning agency¹ promised to provide the necessary treatment and compensation. Due to the continuous inflammation caused by the wound, however, surgery could not be carried out for a long period of time. In 2012 when the inflammation was finally subsiding, the seafarer requested the manning agency to have the evaluation of injury done for him. He then learned that the agency actually did not report the injury to the Social Security Bureau, which means he could not claim compensation from the social security fund. The agency argued that they did not make an injury and disability report to the Social Security Bureau in the beginning because they simply regarded the injury as a simple trauma. By now, it was already too late to report it to the Bureau and too late to make the evaluation and claim compensation. In addition, the manning agency requested the seafarer to sign an agreement to give up further treatment as a condition to help the seafarer apply compensation from the ship-owner. In brief, the manning company took advantage of the seafarer's lack of legal awareness to make the compensation claim time-barred, hence escaping the compensation liability. To defend his rights, the seafarer's wife created a blog account and exposed the case on NetEase, one of the Chinese largest portal websites, and shipman.org.cn, a leading online community of seafarers.

The second case pertained to the death by accident of a Chief Officer on a ship in Singapore in 2012. After learning of the accident, the family members of the deceased swiftly

got their passports ready and the Singaporean shipping company sent out invitation letters and visas to them through the manning agency in China. However, using various excuses, the agency withheld the visas from the deceased's family members, and did not want to release the visas unless the latter agreed to certain conditions, including the upper limits of compensation. Seven days after the death occurred, the family members were still not able to fly to Singapore. Infuriated by the callousness of the manning agency, the wife of the deceased Chief Office wrote about the experience and posted it on Tianya – the biggest online forum in China.

The third case was associated with the death by accident of a Chief Engineer in Poland in March 2012. After the accident, the Chinese manning agency refused to let the family fly to Poland and see the deceased. The body of the deceased was sent back to China six months later when it was already highly decomposed. The manning agency used the transport of the deceased's remains as a bargaining chip, pressurizing the family to accept the compensation agreement offered by the manning agency and the ship-owner jointly. In the process of negotiating the compensation, the family found out that the manning agency had embezzled seafarers' social security and insurance payments. Due to the manning agency's embezzlement, the family were not able to obtain adequate compensation from the social security fund they ought to be entitled to according to the law. The wife voiced her anger and exposed the case on Tianya, Sina Blog and Weibo (China's equivalent of Twitter).

Analysis

Looking at the actors in these three cases, we immediately note the absence of trade unions. Although all the cases involved breaches of the worker's rights, the seafarers and/or their families were very much left to their own devices to defend their rights. Although officially speaking hundreds of millions of working Chinese are unionized under an official umbrella union organization, namely All-China Federation of Trade Unions (ACFTU), under the current Chinese political setup, the unions are generally regarded as window-dressing and found to be ineffective in representing workers when labour disputes occur (Chen, 2007; Metcalf & Li, 2005). As such, it was not surprising that the seafarers and/or their relatives did not resort to the unions but chose to bring up their grievances online. Doing so helped them vent their anger and frustrations; but more importantly, they hoped to garner support from netizens. In fact, due to the lack of support from trade unions or other institutions representing workers' interest, it has become commonplace now in China for people to go online in hope of garnering support from the anonymous public – the powerful actor behind every Internet incident.

However, these three cases were largely ignored on the Internet. In the first case, the wife posted and reposted the same blog entry eight times on NetEase within nine days. Unfortunately, altogether they were read 28 times only and received no comment at all. It was slightly better in the second case – the post on Tianya was hit 696 times and received 35 replies including the author's own. The fate of the third case was similar to that of the second. All three families tried their best to attract attention and plea for support by either repeatedly making the same posts several times or providing updates from time to time in the hope of keeping the thread alive. Such efforts nevertheless yielded hardly any result, and compared with the millions of posts and comments that can be generated by

influential news items in China's vast online world, the attention received by these three cases was negligible.

Furthermore, we notice that these three cases were not picked up by the mass media for reports either. In other words, the mass media as another powerful actor was missing from the scene in these cases. Hindman (2009) has argued in the American context that the advent of the Internet has neither diminished the audience share of corporate news media nor given greater voice to ordinary citizens. Despite the obvious importance of the Internet, traditional news media remain significant in terms of their ability to reach mass publics (Cardoso & Neto, 2004; Tang & Sampson, 2012). Certainly the presence of the mass media actor alone would not necessarily turn a breach event into a large-scale moral crisis, as influential Internet incidents involve the interplay between the mass media and ordinary netizens (Tang & Sampson, 2012). Indeed, a casual search on the Chinese Internet about workers demanding payment of overdue wages would easily return thousands of relevant mass media reports. Some of these reports tell harrowing stories and reveal the tragic lengths workers would go in order to demand what they are rightfully due. In 2011, for example, one peasant worker killed himself by drinking lethal pesticide in front of his employer when his demand was refused the third time (Chen & Li, 2011). None of these distressing news stories was escalated into top 'Internet incidents'.

However, as previous research suggests that the mass media are important participants of online activism and their participation helps to energize the campaign (Tang & Sampson, 2012; Yang 2012), it is worth asking here why these seafarers-related posts did not attract attention from the news media. As the media are obliged to be primarily the 'throat and tongue' of the Party in China (Zhang, 2006), the Internet provides ordinary citizens alternative means and channels to publicize their concerns and articulate their grievances (Tang & Sampson, 2012; Yang, 2009a). Nevertheless, due to media marketization since the 1980s, the Chinese media also have to serve a second master – the market – and concern themselves with audience appeal (Tong & Sparks, 2009). Under such conditions, journalists often browse the Internet for potential leads for news stories that would appeal to the public (Tong & Sparks, 2009). Blogs and posts that have already caused a stir would be more likely to attract attention from journalists (Tong & Sparks, 2009), because the stir indicates public interest. Journalists also exercise their own professional judgement on the newsworthiness and potential mass appeal of new stories. The fact that the public showed very little interest in the three seafarers' cases in the first place perhaps also explains why the journalists did not take them up. This indicates that the breaches manifested in the three cases may not be 'serious' enough to invoke strong public indignation, which leads us to examine another actor in the cases, the victims themselves.

The victims in these cases were seafarers who might be regarded as belonging to a rather specialized occupational group, distant from the public eye. However, should it be inferred that, just because people ashore in general are not familiar with this occupation, therefore they do not care? By this logic, it could also be argued that each occupational group, such as seafarers, miners, factory workers and taxi drivers, is unique in its own way. Our contention here is that, despite differences in the specific content of work, workers have a shared identity as the employed in the capital-labour relation, and this point should be clear to the public. In short, we contend that, seafarers being a

less familiar occupational group could not sufficiently explain why their rights defence posts were ignored. So, what ultimately accounted for this ignoring? With this unresolved question, we move on next to the three high-profile cases.

The three high-profile cases

The first case is the notorious 2007 Shanxi brickyard slavery scandal, in which thousands of Chinese people including children were found to have been forced, often with torture, to work without pay in illegal brickyards in Shanxi province. In May 2007, undercover reporters from Henan Television (the provincial television station of Henan province), accompanied by two parents who suspected that their lost children were kidnapped to work in illegal brickyards, visited some of these brickyards. The conditions in these yards were found to be those of slavery. Subsequently, these reporters entered the brickyards again, this time accompanied by the local police, but the reporters' hidden camera showed that the police actually prevented them from rescuing children who were not from Henan – an act that was later interpreted as the local police's complicity with the brickyard owner. In June, hundreds of parents who also suspected their children kidnapped by brickyards jointly made a post on the Internet forum Tianya, desperately calling for help. In the post, the parents revealed that the local government and police had not only ignored their previous requests for help but also tried to prevent them from taking home their found children. This post quickly grabbed the online public's attention, which eventually forced the central government to take action.

The second case involved Zhang Haichao undergoing a thoracotomy operation just in order to prove that he had work-related pneumoconiosis in 2009. Before the operation, Zhang had received numerous diagnoses of pneumoconiosis, an occupational disease caused, in all probability, by his employment at an anti-friction material factory. However, none of these diagnoses was from a 'legally designated occupational illness hospital', and in order to receive worker's compensation, Zhang had to obtain a diagnosis from such a designated hospital. For getting a diagnosis from the designated hospital in the local area, however, Zhang was required to provide relevant occupational health and safety documents issued by the employer regarding the workplace, who nevertheless refused to do so. After rounds of petition to the government, the local designated hospital finally agreed to check him up, but incorrectly diagnosed him with 'tuberculosis'. Left with no other option, Zhang went to another hospital and underwent the invasive thoracotomy surgery to prove his condition. But because this hospital was not a 'designated' one to ascertain occupational disease, Zhang was still denied to obtain workers' compensation. Only after this tragic and twisted story was exposed by the media, which caused an outcry on the Internet, was he finally compensated.

The Tonghua incident in Jilin Province is our third case, in which a manager was beaten to death by workers. In 2005, a private corporation called Jianlong Group invested in and became the major shareholder of the formerly state-owned Tonghua Steel with approval from the provincial State-owned Assets Supervision and Administration Commission (SASAC). This ownership restructuring resulted in tens of thousands of workers being laid off, causing massive discontent among the workers. In 2008, Tonghua Steel suffered massive losses, and furnaces were forced to shut down and workers were barely paid. Faced with the crisis, Jianlong Group withdrew its stakes in Tonghua Steel in March

2009, but only to come back three months later, still with the SASAC's backing, trying to take over Tonghua Steel again, when Tonghua's business improved. Many Tonghua employees feared that the re-takeover would result in yet more workers being laid off. In July, a working group from the SASAC came to Tonghua Steel to announce the decision to let Jianlong Group restructure the steel plant and appointed a new management team. Infuriated by the decision, workers gathered together to stage a protest which soon ran out of control. Despite intervention from the government officials and the police, workers surrounded the newly appointed manager from Jianlong and assaulted him so fiercely that he eventually died on the way to the hospital. Desperately trying to get the situation under control, the head of the SASAC working group announced the abolishment of Jianlong re-takeover. When news of the whole incident appeared on the Internet, it drew widespread comments from Chinese netizens which seemed to have overwhelmingly supported and cheered the workers (Hu, 2009; Huang, 2009).

Analysis

In drastic contrast to the three seafarer-related cases, the three cases above could be said to have come to the centre of public attention. According to the statistics of the Public Opinion Watchdog, the brickyard slavery scandal was the third most influential Internet incident in 2007 (ranked according to the number of discussion threads it generated in three representative online forums – Tianya, Kaidi, and People), and triggered 404 discussion threads on the Tianya forum alone (Yang, 2008). The second case prompted 1899 discussion threads exchanged between strangers on Tianya and was ranked the 11th most influential Internet incident in 2009, while the third case was ranked the eighth, by having generated 605 discussion threads on Tianya and lots more on other forums (Zhu, Shan, & Hu, 2009). Furthermore, in all three cases a strong sense of resonance, if not solidarity, seemed to have developed among strangers online, in support of the victimized workers. Just like the three seafarer-related cases, these three also reflected the missing of institutionalized channels for addressing worker grievances; but in their stead, netizens came to the fore to provide support on the Internet. In other words, the actor of the anonymous public was very active in these three cases.

The mass media was no doubt an active actor in these cases, but not necessarily a decisive one by itself. The slavery scandal was indeed first exposed by undercover reporters from Henan Television, but it was the online post made by hundreds of parents asking for help that finally attracted widespread attention on the Internet (Yang, 2009b). In the latter two cases, once they were exposed in news reports, they quickly grabbed public attention online. The fact that these cases happened to be revealed first by the mass media does not mean that this actor was always the initiator of Internet incidents. In many cases, high-profile incidents started with heated online discussions of relevant events by ordinary netizens which then caught the attention of journalists (Hassid, 2012). When news reports indeed served as starting points of incidents, it does not necessarily follow that the mass media would be a more crucial actor than netizen participation. Rather, it is usually the interaction between the mass media and netizens that pushed stories into top accidents (Tang & Sampson, 2012).

What was special about these three cases that make them attract so much netizen attention? This is the key question, especially considering that the thoracotomy case and the

first seafarer case can be seen as very similar, both involving occupational injuries and compensation. Examining the breaches involved in these three cases and the two actors, that is, the victims and the perpetrators, our attention is drawn towards one actor – the state (in its various specific incarnations). In the 2007 brickyard slavery scandal, the local government and the police were seen to be protecting brickyard owners instead of helping the victims. In the thoracotomy case, state regulations and public hospitals effectively conspired with the employer to deny the victim proper diagnosis which drove him to taking the drastic and dangerous measure. In both cases agents or apparatuses of state power were directly involved, and seen to be colluding with employers in activities that infringed the worker's rights.

In the three seafarer-related cases, the state or government was not explicitly framed in the stories. The conflicts were seen to be taking place mainly between seafarers' families and manning companies, which means these 'dramas' were framed as *civil* disputes. In other words, no matter how despicable the manning companies were, these disputes were regarded as *private* legal issues. There was no indication in these stories that state power was actively involved in violating seafarers' rights. For sure, in the seafarer cases the authorities also breached the social contract as they did not do anything to protect seafarers' rights and the state-dominated docile trade unions did not prove to be any help to grieved workers and their families. However, this breach was implicit and hidden in the background; it was characterized by inaction.

In contrast, in each of the three high-profile cases, the breach was characterized by the *active* participation of state power – the latter was seen as having *acted* to encroach on workers' rights. Put more precisely, the main difference between the three seafarer-related cases and the three high-profile cases was not that the state was completely irrelevant in the former three and relevant in the latter three; rather, we maintain that the difference resides in the fact that the state was *not made to* appear as an actor in the first three cases, but was documented and then widely perceived by the public to be an active 'bad guy' in the three latter cases. The modern state/government, according to the theory of social contract, ought to be the guarantor of citizens' lawful rights. In the specific context of China under the Chinese Communist Party, the official ideology used to emphasize that the socialist state represents particularly the interests of the peasants and workers, i.e. the Chinese proletariat. Whichever theoretical tradition be followed, the state is expected to be an impartial source of justice. As such, we argue that it is the state's active perpetration and culpability in what is morally and legally abominable that resulted in the connective action between the netizens in upscaling rights defence into top Internet incidents.

The third high-profile case was slightly different in that the online stir was caused by the death of the manager. Instead of expressing sympathy for the dead and his family, most netizens seemed to cheer the workers (Hu, 2009; Huang, 2009). While the netizens' response may indeed come across as insensitive and inappropriate, we argue that to the online public, the emphasis of the event probably lay in the fact that the *personification* of state-imposed injustice against ordinary workers – in this case the newly appointed manager charged with the task of further restructuring the steel plant – was beaten. In other words, metaphorically beating the state (i.e. the SASAC which approved both restructuring programmes at Tonghua Steel) was in this case translated into literally beating the person that represented the state, with fatal consequences. Arguably, the

netizens' response to the event spoke less about their insensitivity to the death of a person through summary justice than it was about a much deeper sense of injustice and resentment shared by netizens, directed against state power.

As the state is also the censor, high-profile Internet accidents naturally cause its concerns. The developments of these three accidents triggered censorship actions. The US-based website *China Digital Times*, which collects leaked censorship instructions, shows that censorship instructions were issued on both the slavery scandal and the Tonghua incident. In the case of the former, the mass media were required to base their reporting only on information issued by the authorities and to avoid sensationalizing any 'insiders' story' or miserable conditions.² As for the latter case, journalists were banned from going to the scene and those already there were told to leave immediately.³

In face of censorship instructions, Internet companies had to take actions. For example, major web portals, such as Sina, Tencent and NetEase, disabled the reader comments function on news items related to the Tonghua incident. Nevertheless, they continued to carry news reports on this incident. Despite censorship, the three cases were influential. In fact, censorship instructions were issued when the three cases had already made a stir. As previous research noted, the authorities are likely to intervene only when they feel that the situation is slightly out of control and becoming politically challenging (Herold, 2008; King et al., 2013). Until then, they may allow a vent for public concerns if such concerns are related to localized issues, and they may also respond to these concerns in order to improve the image and legitimacy (Downey, 2010; MacKinnon, 2008; Xin, 2011). As Chen and Xu (2015) point out, to prevent collective action and maintain social stability, it is a shrewd strategy for an authoritarian regime to use information manipulation (including propaganda and censorship) in combination with responsive policy reform. This strategy has allowed some room for online rights defence to gain momentum. Internet companies certainly play an important role in this strategy because on the one hand they seek to cover stories that appeal to the public and attract web traffic, and on the other, they have to freeze the related discussion when these issues become sensitive and the authorities feel necessary to issue censorship instructions.

Concluding discussion

In this paper, we have looked at online rights defence in China, specifically addressing the question as to what contributes to the online in/visibility of workers' rights defence events. Departing from previous research which has focused on the unfolding process of dramas, we adopted an actor's approach, paying attention to the various *actors* playing roles in online events. Doing so has allowed us to comparatively examine three cases of workers' rights defence that escalated into 'Internet incidents' and three other cases which were largely neglected in cyberspace. Through this comparison, we identified the *state* as the actor that made the difference; namely, we argue that the culpable involvement of the state itself, usually in its local and specific incarnations, could be decisive in pushing certain rights defence events into sensational Internet incidents.

However, it is important to enter a caveat here: we are not suggesting that state complicity is the necessary and sufficient condition for online rights defence activities to develop into online activism. In fact, another benefit of adopting an Actor–Network–Theory-inspired metaphor of the *actor* is the emphasis that any social event or

phenomenon, such as online activism, is always the outcome of the interactions and collaborations between multifarious actors, lacking any of which, the event may fail or develop in completely different ways. For instance, the state in China still retains the capacity to disable physically the Internet infrastructure to prevent any form of online activism that it deemed threatening enough.⁴

Our conclusion based on this examination of workers' rights defence points towards the question of Chinese online public's view of, and their level of trust in, the state. Namely, that Chinese netizens seem to pay particular attention to rights defence cases implicating agents of the state and/or government officials (see also Feng, 2013; Radio Free Asia, 2009) appears to suggest that the online Chinese public harbour certain distrust towards the government.

The issues of Chinese public opinion of and levels of trust in the government are ones muddled in much conflictory evidence and therefore controversy. On the one hand, certain popular surveys, such as World Value Survey, Asia-Barometer and the Pew Survey on Global Attitudes, have suggested that public trust in the Chinese government has been remaining high and stable since the 1990s (for a review see Li, 2013). On the other hand, such results continue to be questioned by scholars and observers (e.g. Link, 2008), and was even contradicted by a public opinion poll – a rare occurrence – carried out in 2013 by none other than People.com, the website affiliated to the *People's Daily*. In this poll, which consisted of four question, the second asked if participants agreed that the current socialist system served the interest of the Chinese people best. Out of four options – 'strongly agree', 'agree', 'don't know' and 'disagree', more than 80% of the 3492 participants chose 'disagree', and less than 10% chose either 'strongly agree' or 'agree'. This result was apparently so embarrassing that the survey was called off and deleted from the website only a few hours after it was initiated (He, 2013).

In addition to such contradictory results, polling public opinion can be further subject to endless methodological debates regarding its effectiveness and validity. Thus, our actor-focused analysis of the make-up of hot Internet incidents, which suggests a measure of public distrust in the state, provides an alternative approach. We concede that the online public cannot be equated with the general public, because of the self-selective processes that are inevitably involved between offline and online worlds. Nevertheless, because the Internet verily provides some degrees of anonymity and ready access to symbolic action, we maintain that examining Internet incidents can reveal important things about public opinion.

Notes

1. A manning agency is an employment agency for seafarers. Seafarers use manning agencies to find employment at sea and shipping companies use them to source crew for their ships.
2. For details see: <http://chinadigitaltimes.net/chinese/2007/06/%E4%B8%AD%E5%AE%A3%E9%83%A8%EF%BC%9A%E5%B1%B1%E8%A5%BF%E9%BB%91%E7%A0%96%E7%AA%91/>
3. For details see: <http://chinadigitaltimes.net/chinese/2009/07/%E4%B8%AD%E5%AE%A3%E9%83%A8%EF%BC%9A%E5%91%98%E5%B7%A5%E4%B8%8A%E8%AE%BF%E5%AF%BC%E8%87%B4%E6%80%BB%E7%BB%8F%E7%90%86%E6%AD%BB%E4%BA%A1/>
4. This tactic was used during the riots that took place in July 2009 in the Uyghur province of Xinjiang.

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