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Entrapment by consent : the co-ethnic brokerage system of ethnic Yi labour migrants in China

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Chapter 6

The Collective Resistance of Yi Labour Migrants

Does the experience of being excluded and exploited as individual workers suggest that these workers are completely powerless and hence extremely vulnerable? If it does, why is there such extensive condemnation of the Yi migrants under the label of “troublemakers”, as I pointed out at the beginning of this thesis? How should we understand the different forms of collective resistance, such as strikes, public protests, street fights, and traffic blockades, often conflated as “trouble,” in which Yi migrants are involved?

This chapter strives to balance between general and specific accounts of Yi workers’ collective actions, and outlines, albeit skeletally, a diversity of causes, motivations, and results connected to Yi collective resistance. The goal of this chapter is twofold. Firstly, it unpacks the multiplicity of the dynamics of collective resistance behind the narrative of “*naoshi*”. I will show the distinct logic of this collective resistance: Yi migrants’ collective resistance contradicts the overarching picture of the collective resistance of labour migrants in China. Apart from the economic factors that drive it, Yi migrant workers’ engagement in collective resistance is very much a matter of conflicting culture logic.

Secondly, by exploring the different forms of collective resistance that Yi migrants workers engage in, this chapter demonstrates the roles of Yi brokers in these different forms as well. I show that it is often the Yi brokers instead of workers who are decisive in organizing collective actions,

or not organizing them, as the case may be. This chapter shows the multiple roles that Yi brokers play in the actions of collective resistance: including instigators, participants and arbitrators in different circumstances. In some instances, brokers succeed in making profits from the collective actions they have organized while, in others, brokers' businesses can go bankrupt when they fail, or do not have enough clout, to collaborate with factories in the settlement of disputes.

6.1 Cultural Logic

The following case is based on my observation of a street fight in which a number of Yi workers were involved. In October 2013, a group of Yi people including brokers and workers brawled with some Han people in a public thoroughfare. The fuse had been lit by a small quarrel that between a few Yi and Han workers. When it seemed that the police who came to the scene were not in a hurry to arrest the assailants- the Han workers, other Yi workers gathered and proceeded to turn over the police car and beat up a policeman.¹

Two months later, another fight involving fifty-six Yi people broke out and most of those who rushed to the aid of their Yi peers were brokers. This event ended with all fifty-six participants being arrested on a charge of "endangering public order." During the first 48 hours those under arrest were detained, the families of the big brokers received a succession of phone calls from other brokers in the nearby cities, inquiring about the situation, and some of them took the trouble to come, one after another, to discuss the best way to secure the release of the Yi workers.

Jiang and his peers were among those who were released after 48 hours. Awaiting them outside was a large dinner in a restaurant organized by members of Jiang's clan and kinship group. After a hospitable welcome, Jiang and Lan Cong launched into a vivid description of their experiences and made accusations of police brutality. "The suspects were handcuffed far too tightly. They gave us only a small piece of bread the whole day. Is that enough?! I heard that the police cover a camera with a cloth to avoid being recorded beating them..." Those who had waited to greet their fellows

¹ <https://www.secretchina.com/news/gb/2013/08/15/508760.html>. 东莞街头发生械斗：刀棍齐发掀警车.html (download on the 20th, Aug 2013)

listened attentively to their stories. Sometimes when they said something funny about their peers, the crowd burst out laughing. At a certain moment, the experience of the past two days began to take on the allure of an adventure with their peers rather than a shameful ordeal. Jiang's little brother, age sixteen, was the youngest involved in the fight and subsequently detained. Jiang regretted having implicated his little brother because it gave him a police record and bad reputation at a young age. In fact, the sixteen-year-old appeared quite calm as he shared his experience with others. As far as he was concerned, joining in the collective actions of his seniors had helped him establish a heroic image among his Yi peers. Undoubtedly, after he returned to his workers' community, he would be regarded as a hero in his factory.

By chance, when I revisited my informants one-and-a-half years later, it happened to be the date on which Shayong, one of the key figures in this street fight, was released from the prison. Together with dozens of Yi people, I was again warmly invited to attend the welcome-back dinner they were giving him. In the open Nuosu open restaurant on a hill, Shayong received a sophisticated welcome from his Yi peers. As is their custom in their hometowns, people prepared Nuosu food—*tuotuo* meat, baked potatoes and beer. Over the dinner, people were warm in their praise of Shayong and the hospitable host who organized the dinner. Organizing a dinner is an outward and visible sign of generosity, a virtue that is highly appreciated in Yi society. In this hospitable atmosphere, Shayong was surrounded by the courtesy of his Yi peers and repeatedly toasted by his fellows. Returned once again to the heart of his ethnic community, his crime and subsequent imprisonment seemed never to have happened to him; only his bravery and courage were remembered.



Picture 6.1: Nuosu food—*tuotuo* meat and buckwheat cakes

The Yi people's positive attitude towards those who participate in a collective fight is clearly derived from the cultural legacy of traditional Yi society. As I noted in Chapter 2, in traditional Yi society, fighting in support of clan members and protecting clan solidarity is not “losing face”—quite the opposite in fact; it is an outward sign of the courage and bravery of Yi men, which is an important characteristic inculcated in Yi children from a very early age. The importance of such public participation has been enshrined in Yi proverbs. “If you do not protect the interests of one person (in your clan), your household will be damaged (without others' help); If you do not protect the interests of a household, the whole clan will be destroyed” (不维护一个人的利益，一户将被糟蹋；不维护一户人的利益，整个家族将被毁灭).

The commitment of ethnic Yi communities varies depending on the degree of social distance that can be roughly established by clan, kinship, and ethnic proximity. The degree of people's involvement in solving disputes is a measure of their social distance. Inside their clans, the disputes between clan members are easily resolved by simply exchanging toasts with a bottle of wine. As the Yi proverb says, within the same clan, “a person is on a par with a horse, and a horse is a bottle of wine” (人值一匹马，马值一杯

酒). The resolution of disputes that reach beyond one clan can vary, however. In some cases, disputes between close clans can also be simply defused by arbitration and mediation, carried out by *Ndegg* and *Suyy* in other cases, disputes deteriorate into a fierce fight between the hostile clans or kinship groups. Of all the social relationships a Yi person may have, the most recalcitrant distant is one with the Han. As the Nuosu proverb says, “Just as a stone is not a pillow, the Han should not be treated as friends” (石头是不能当枕头的, 汉族是不能当朋友的).

In these ways, the cultural norms of traditional Yi society associate Yi people most closely with their own clan, kinship group and ethnic community and it is based on this that Yi male adults who participate in collective fights on behalf of their community members can expect to earn respect and dignity. Instead of seeing the experience of being imprisoned as an indelible stain, the Yi peers of those who fight for their relatives or clan members see them as exemplarily brave and courageous men, even though this community value diverges significantly from the norms established by the formal law.

Returning to the Nuosu dinner described above, I was seated next to Haiying’s sister, a female broker. She explained what she thought of the men just released from prison,

It is important to be hospitable to a person who has been imprisoned, especially to those who have fought for the good of their relatives and consequently experienced misery, is not it? Generally speaking being in prison is not a good thing, but it has a different significance in our society. Imagine that feelings of a person coming out of the jail. Seeing his clan or relatives waiting to receive him warmly will make him feel a lot better psychologically. Moreover, what he did was not for himself but for the good of others!

As the Yi people see it, participating in a collective fight on behalf of their clan, kinship group or ethnic community members is neither “making trouble” nor creating a disturbance. In contrast, public participation is a positive signification of courage and bravery and it articulates the masculinity of Yi men. As Willis insightfully writes in *Learning to Labour*, “many important cultural values are expressed through fighting. Masculine hubris, dramatic display, the solidarity of the group, the importance of quick, clear and not over-moral thought, comes out time and again. Attitudes to ‘ear’ oles’ are also expressed clearly and with a surprising

degree of precision through physical aggression” (Willis, 1993, 34). In the same way, notwithstanding the fact that fighting with non-Yi people can involve punishment or even imprisonment, Yi men’s collective participation expresses their masculinity which is appreciated by the Yi community according to Yi culture logic.

The fighter-as-hero-logic is not unique to the Yi migrants in the Pearl River Delta area. Many underground groups associated with gangsters have been actively organizing collective fights in the area’s industrial zones². Many of these gangster organizations—the “Anhui Bang” (安徽帮) and the “Henan Bang” (河南帮), for example—actively offer their services for dispute settlement. Along with debt collection, such services generate these organizations money, which tends to be their primary motivation. Even though, admittedly, Yi brokers do act in the fashion of economically-oriented gangster organizations, they often have to follow the cultural norms and moral obligations which matter in their community. This characteristic differentiates the Yi migrant workers from the gangster organization. One leader of the Anhui Bang whom I met during fieldwork even expressed amazement about the Yi people: the Yi would team up to fight for their people without seeking any economic profit!

In contrast to the assumptions that inform this gangster’s amazement, Yi migrants participating in collective fighting argue that people taking part in the collective actions do not always make a rational choice to do so,³ rather, it is a deeply-seated emotional and cultural logic that drives Yi migrants participating in the collective resistance.

That being said, the kind of fight mentioned above is only one kind of collective action which Yi migrants find themselves caught up in, and the cultural logic that I have described is only one factor which may inform these diverse actions. Economic factors and working conditions, for example, are impossible to ignore. Yi migrant workers are often illegitimately denied wages and injured without compensation in small and low-end factories;

² Regarding the gangster organizations in the Pearl River Delta area, see for example, Wang Jianhua. 2015, *Between the Black and the White: Gangster and Labour Politics in the Factory of the World*. *Cultural Review*. 2015 (1): 26-35. 汪建华, 世界工厂周围的帮派与劳工政治。文化纵横。2015年01期; Federico Varese. 2011. *Mafias on the Move: How organized Crime Conquers New Territories*. Princeton & Oxford: Princeton University Press.

³ Regarding the studies on collective actions, see Olson, Mancur. 1965. *Logic of Collective Action: Public Goods and the Theory of Groups*. Cambridge, Massachusetts: Harvard University Press.

such circumstances define the experience of precarious employment. Yi migrant workers, like most other temporary workers in the Pearl River Delta area, often have to organize collectively to demand their wages and compensation. In contrast to the cultural logic outlined above, economic concerns—and the often life-and-death consequences that they imply—mobilize workers to participate in collective actions in a very concrete way.

6.2 Economic Benefits

I met Broker Qiu and his workers in the township of Tangxia through an introduction from Boss Li. Both are natives of Liangshan in Yunnan province. Qiu had rented a two-room apartment in a damp and fetid building to use as a temporary residence where his workers could stay in the gap between when they left one factory and began to work in a new one. On the day I visited there were thirteen workers in that room, five girls and eight boys. Two days earlier, they had experienced a horrific incident that had still not been resolved. On the bed in the room lay three boys nursing badly bruised legs and arms. The brokers, on behalf of the workers, told me what happened to them in the past week.

We went to demand payment from the factory-owners who had held back their wages for the three months, from May to August. Although they [the factory-owners] promised that they were about to pay the workers their wages, they did nothing. They asked the workers to keep on working in order to catch up on an urgent order. On the 18 July, the bosses of the factory paid their formal workers 600 RMB per person. When our turn came, the boss said that we would have to wait for a few more days because he needed time to find sufficient funds. What should we do?! I discussed with the others and decided that we would neither walk out nor work if they did not pay our wages.

On 15 July, we began a sit-in in the workshop, waiting for our wages to be paid. In the meantime, we called the police. Yes, the police did come - a big car and a small one. But you know what they said? After listening to the factory-owners, the policemen said that 'You guys sitting here are actually disrupting the production of others', and then they left.

We refused to go! We insisted on staying put there overnight. The girls did go back to their dorms but most of the guys stayed in the factory workshop. The actual conflict happened the next morning. About 7 a.m., when many of

us were still fall asleep on the ground, the owner of the factory hired a group of gangsters- from the Black Society- armed with the knives and steel rods who battered our people- three were seriously wounded, four suffered minor injuries and another five escaped with scratches and bruises ...

Fearful of being harassed or threatened, or both, by employers who have connections with the mafia and other gangsters in the area, Qiu asked me not to take pictures or post their stories online. At my suggestion that they seek redress from the labour arbitration or in the civil courts, he shook his head and rejected the idea immediately. He said that the owners of the factory had the government officials and the police in that area in their pockets. Reporting to the police or accusing them of grievous bodily harm or some other crime would only make these workers' situations worse.

Like most of the other forms of labour resistance in the context of precarious employment, the wage arrears and strikes over the non-payment of their earnings in which Qiu and his workers had become entangled have become a common phenomenon in recent years. Since the economic crisis in 2008, factories employing cheap labour, in blatant contravention of the Labour Contract Law, have gained the upper hand (chapter 3). This sort of precarious employment, like subcontracting employment in the construction sector, results in an increasing amount of labour resistance (Swider, 2015).

It is worth noting that temporary workers do not formally join Trade Unions and that most of the temporarily employed workers on precarious job sites have had to establish a foothold in the labour market through the co-ethnic brokerage embedded in their ethnic network. The co-ethnic brokerage system is expected to offer shelter to temporary workers under the condition that they are deprived of the formal protection that unions would have provided. However, there is a significant question mark hanging over whether the brokers can successfully reduce the risk that being a temporary worker entails. In the ruthless environment of precarious labour, as this case shows, Yi brokers do not always organize their fellow workers to demand their unpaid wages successfully. Instead, both brokers and workers fall short when they have to contend with the collaboration between the state and capitalist employers, and when they have to contend with powerful opponents with a gangster background.

These sorts of cases have hardly been covered in the flurry of media

reports and public commentary about ethnic Yi precarious factory labour in China. On the contrary, the most notable information about ethnic Yi migrant workers that reaches the ears of the public and the authorities is a continuous litany of “extortion,” “street fights,” “trouble-making” and similar accusations arising from the way Yi migrants present themselves visibly in the public space. Although the majority of the protests they organize are on a small scale, their actions are seen as threats to public security by the local authorities and factory employers.

In both cases, brokers play decisive roles in actions of collective resistance, even though they are not always successful in their stated goals. In the following section, I will outline the multiple roles that brokers play in the collective resistance of Yi migrant workers.

6.3 The Roles of Brokers in Collective Resistance

6.3.1 Instigators

In fact, it is true that some Yi composed of Yi brokers and workers do “extort” money from factories and make profit from the labour disputes. Mr. Xie, a staff member from the Labour Bureau, showed me the records of mass incidents that were internally documented by the Bureau. The following case is one of the five incidents that took place within his assigned area in just one season.

On the 25 April 2013, twenty Yi workers were taken to X factory by their Yi bosses. Two days after the group of ethnic Yi workers had arrived at the factory, the manager decided that they were both unqualified and disobedient. Many of them were unable, or unwilling, to follow the instructions of their production-line managers. Probably a manager had said something unpleasant to a Yi worker, and this was taken as an offense by the whole group of ethnic Yi; in retaliation they began a fight. Fed up with their recalcitrance, the factory-owner decided to dismiss the Yi workers as a group. The Yi brokers asked the employer to apologize and pay 300,000 RMB in compensation.

Two days’ bargaining in the factory manager’s office proved inconclusive. The Yi workers refused to leave and threatened to call in more Yi people to back them up. At this point, the factory-manager had to call on

officials from the Labour Bureau, the Bureau for Stability Maintenance and the police for help... They still refused to accept mediation... On the fourth day, 29 April, riot policemen came to the factory and arrested the four Yi foremen in an effort to prevent the situation spiraling out of control. Eventually, X factory paid the Yi workers a total of 20,000 RMB to cover workers' wages and travel expenses and sent all twenty workers out of X township on a big bus. Ultimately, most of the payment ended up in the brokers' pockets, not those of the workers.

These reports usually contain only a brief summary of the reasons for, processes involved in and results of the collective disputes. When government officials refer to these collective actions involving Yi labour migrants, they usually express some biased attitudes. In spite of the bias, the aforementioned case reveals a phenomenon that has taken place in the area of Pearl River Delta—Yi migrants can gain profits from making disputes. Usually, it is the Yi brokers who instigate the labour disputes with the side of factory managers and after the dust has subsided, they require the factory to pay their workers compensation.

Through these processes, owing in part to their special ethnic minority status, the Yi migrants in the brokerage system have earned themselves a bad name in the labour market over time, labelled as “trouble-makers” and “extortionists.” They have become notorious both in the local factories and with the local government. In its earliest attempts to circumvent Yi migrant “extortion,” the Labour Bureau took the easy way out and privately instructed employers not to employ ethnic Yi workers. After these sorts of cases had occurred in a range of cities in the Pearl River Delta area, the local government bureau issued a formal notification: factories that employed Yi temporary workers would be fined. The case summary above is phrased to confirm what the officials from the ethnic Yi bureaus said: “These ethnic minorities are just used to make money.” Even those employers who have never recruited ethnic Yi workers blame and demonize ethnic Yi migrants.

The assertion of the Labour Bureau is soundly backed up by an incident organized by a Yi broker in Lanmei factory. Lanmei is a large factory with around 2,000 workers, among whom were fifty Yi workers under a ten-month oral contract made between the brokers and the factory. After they had been working in the factory for about six months, the new managers wanted to dismiss Yi workers because they had caused some small

conflicts with the formally employed Han Chinese. The managers claimed that this friction contravened the oral contract that the Yi labour brokers had agreed upon with the factory managers. The Yi brokers argued that this was just an excuse: the truth was that the factory had recruited new Han workers and the manager wanted to kick the Yi workers out. This treatment, he claimed not without reason, was unjust. “Not only are they discriminating against ethnic minority workers, they have one standard for temporary and one for formal workers.” Outraged, Ayou, the Yi labour broker, spilled his frustration out to me. “What the factory did is completely forbidden under the labour law,” he said. Obviously, what he failed to mention was that he was also part of the employment structure that facilitated the illegal employment.

Continuing this conversation, Ayou told me that, in an effort to defend the ethnic minority workers’ rights, he organized a group of workers to bargain with the factory managers in the latter’s office. The male workers followed him into the manager’s office, while the female workers stayed put in their dorms and refused to leave. “After two days, with the mediation of the police, the Labour Bureau and the Ethnic and Religious Bureau, the employer paid 600,000 RMB compensation.” As he described how he had organized his workers and earned this large compensation, he was triumphant and proud of the successful deal that he had made.

In contrast to Ayou’s triumphant account of the incident, the workers provided me with another version of the dismissal. Directly after the interview with the Yi boss (brokers), I came across ten workers outside the labour agency. They were those dismissed from Lanmei factory and, after having lost their jobs, they were anxiously waiting for their brokers. Ayou, to assign them to another factory. On behalf of the other workers, Mei, a seventeen-year-old girl, told me that she regretted losing her job.

“Lanmei is a very good factory. Almost the best one I have worked in the past three years.” She pointed to a few men standing on the other side of the square. “I hate those guys now—they are the ones who made the trouble that meant that all of us lost our jobs!” Mei said that the workers, including herself, did not know how much compensation their boss had received from the company. They only knew that each of them was paid roughly one month’s wages—about 2,000 RMB—each. It was not a bad outcome but, left without jobs, Mei and her peers were growing increasingly anxious about getting new employment, especially as the compensation would soon be

eaten up by rent and the daily expenses of living outside the factory.

This event had been quite “successful” in the eyes of the broker Ayou. At this point it should be mentioned that, under pressure to maintain social stability and prevent ethnic disputes, the Labour Bureau is often very willing to transfer the responsibility of ensuring social stability to factories that have actually violated the Labour Law. The usual tactic of the Labour Bureau is to persuade the managers of these small factories to take the easiest way out and give in to ethnic minorities. Needless to say, those factories that do employ temporary workers contravene the “Equal Work, Equal Payment Act” enshrined in the Labour Contract Law. Managers in these factories have no option but to heed the government officials, as refusal would mean a penalty.

Well aware of the high profits to be made by organizing workers to participate in collective actions, these shortsighted agencies and brokers have seized the opportunity to make money across the region. Squeezing compensation from companies is a lucrative economic niche, by which they can make money more easily and faster than by simply earning agency fees from supplying workers to factories. The inevitable upshot is that some brokers deliberately create opportunities to gain compensation illegally, thereby confirming their label of “extortive” in the labour market. The bulk of the intermediary fees, ranging from a few thousand to millions of RMB, go to the brokers, whose incomes depend on the amount of money they can make from collective bargaining. Generally speaking, the more payment they can make from factories the more money they can ultimately earn.

The upshot of this situation is that the Yi migrant workers find themselves in the proverbial cleft stick: they lose their jobs on account of collective resistance while brokers embezzle most of the compensation paid out to them. Over time, the shortsighted Yi who have set themselves up as brokers have earned themselves a bad name as “extortioners” and this stigma is extended to all the Yi workers in cities. In the short term, brokers do make money from such business but, in the long run, this type of collective actions has damaged Yi workers’ reputations.

6.3.2 Intermediaries

Although the extortive practices of brokers cannot be denied, this does not mean that Yi workers’ collective actions are entirely without foundation. In

fact, the concept of mediators earning money by helping resolve disputes is a generally accepted principal among Yi people. This is partly because, prior to workers' migrations, workers and brokers have already reached a consensus that brokers will act as the delegates for the workers in cities. Helping workers resolve disputes are both a promise and an obligation that brokers are expected to fulfill. It should also not be forgotten that there is an element of prestige involved. Resolving labour disputes successfully on the behalf of workers signifies brokers' capability. Those brokers who help workers to solve disputes successfully and enable workers to take money back home at the end of the year will have little difficulty finding followers.

In Liangshan, over the last few years, these mediators have begun to appear in larger numbers, offering to bargain with Han Chinese on behalf of the family members of workers. These mediators are usually acknowledged "intellectuals" who have some knowledge of the customary law that is still a strong factor in Yi folk society plus some insight into the legal framework of the state. Jiqu, whom I met in the Meigu prefecture of Liangshan, was a mediator actively engaged in resolving labour disputes. His chief job was as a civil servant in a township. However, besides his official job, he also worked as "a citizen's delegate" (*gongmin daili ren* 公民代理人), meaning a professional dispute-resolver on behalf of Yi workers. Once every few weeks or months, he traveled to the Han-dominated areas to provide his services to Yi workers who were caught up in disputes with Han employers. He had worked in a number of sectors, including construction, manufacturing, brick-making and coal-mining. Of course, he was not an altruist and did not work for nothing. His fees included traveling expenses, board and lodging and other sundry expenses. The more compensation he gained on behalf of workers through his bargaining and negotiation skills, the higher the bonus he could expect. The illiterate Yi workers were happy to delegate their labour problems to these "capable" intermediaries who were at home in the worlds of both the ethnic Han and the Yi. It therefore stands to reason that they were content for them to make a profit.

For their part, some Yi brokers see their positions as delegates of the Yi workers as legitimizing their commanding roles in resolving labour disputes. Some brokers even saw themselves as present-day *Ndeggu* and *Suyy*, the mediators in traditional Yi society. Therefore both parties considered it above board for brokers to work as the cultural and social mediators between Yi workers and Han Chinese employers, thereby earning a

mediatory fee. Unfortunately, as I have demonstrated previously, this position was often abused by brokers intent on making a decent profit.

6.3.3 Appeasers

It is important to note that, while acting as intermediaries between Han employers and Yi workers, brokers (and the foremen who work for them supervising workers in factories) were links in the employment chain profiting from the way that employment is structured. In other words, brokers were not able to stand four-square on the side of Yi workers to protect the latter's rights if the interests of the workers happened to be in competition with their own chances to make a profit. Under these circumstances, Yi brokers were often all too prone to settle any potential disputes by making a private deal with the employer.

I was introduced to a factory through my workmate Xiaowei when I visited her during my second fieldwork trip. Xiaowei helped me to take a closer look at the roles of brokers and foremen in factories. Through her introduction, I met Shama, a twenty-one-year-old foreman in her new factory, who showed me around the shop floors he supervised and took me to the manager of the Human Resources Department. Xiaowei said that Shama was a good foreman as he was an honest guy and good at communicating with Yi workers horizontally and Han managers vertically. Probably because of the good work that Shama had been doing in the factory, the manager did not refuse to meet me. He did not criticize the young foreman or his boss, the broker, as I had heard so often before. "Shama is fine, but he should change the way he manages Yi workers. As I have emphasized repeatedly, he should not speak solely for the Yi workers. He should bear in mind that he has been hired by us to manage them." Shama seemed a bit awkward, and apparently this was not the first time that he had been reminded of his ambiguous position.

In fact, just a few days before my arrival, Shama and his Yi boss had made a compromise with the factory managers in connection with an accident. It was a common but nasty accident that often befalls night-shift workers: a Yi worker overcome by exhaustion cut off his fingers while operating a machine. This matter was soon settled without causing any collective dispute between Yi workers and the factory. The ordinary workers, including Xaiwei, had no clue about how their boss (the Yi broker) had

negotiated with the factory-owner behind closed doors; bargaining with the factory boss has never been the business of workers. Nevertheless, Xiaowei did have her suspicions about the fairness of compensation. The young Yi man who had lost two fingers received only 10,000 RMB for medical treatment and was sent back home.⁴ As Yi workers usually have only the vaguest of knowledge about the terms of compensation set out in the Labour Law and have no idea at all about the insurance that they should be paid by the dispatch agencies in the event of injury, when accidents did happen, they usually listen to the brokers and are manipulated to act according to the latter's instructions. Apparently, in this case, the broker made the deal with the factory-owner to suit their mutual business interests and curbed any publicity about this event.

Yi foremen, brokers, labour agencies and factory management are embedded in an employment chain. Although from the workers' perspective, brokers and foremen are expected to represent Yi workers by communicating and negotiating their rights with the employers, the great majority of the brokers and foremen were more loyal to their upstream clients—the factory-managers—than to their workers. In a nutshell, this is the reason that Yi foremen are preferred—they are supposed to help supervise and keep the Yi workers under control, to prevent them from making trouble in factories.

Inevitably, the foreman, Shama, had an ambivalent status in this case. As a foreman responsible to his boss (the Yi broker) and the factory-manager, Shama had to protect the interests of the factory, whereas, as a member of the ethnic Yi group, on moral grounds he should have represented his Yi peers. Were he and his boss to stand solely on the side of the workers, they could run the risk of spoiling the relationship with the factory-owners. Hence, as in the previous case, they agreed to pay a few thousand RMB and shrug off the injury of the worker as a trivial matter.

If they are to establish a long-term relationship with factories, brokers have to make some compromises with them. My discussion with Ziqie, one of my key informants, who had a good reputation among Yi brokers as an

⁴ Workers are supposed to get insurance compensation according to the gravity of the injury. However, most Yi temporary workers do not have injury insurance. Nor are the employers willing to pay the compensation owed to workers under the terms of the Labour Law.

honest person, reflected the position of being a worker. Owing to his reputation and eloquence, he had appeared to help resolve disputes with other workers on a few occasions. Ziqie has tried to keep his distance from the racketeers who have almost ruined the labour market over the past few years.

“I have always said that it is not right for bosses (brokers) to make money by extorting (factories). Nor do I do that. I have always said if you do not want to spoil the relationship with the factory, do not extort!” To prove his argument, Ziqie gave me an example. Last time one of his workers was injured by a machine in the factory, the worker’s family and clan members from Zhaojue prefecture came to ask for 100,000 RMB in compensation. In spite of Ziqie’s efforts to negotiate a settlement, the factory owner agreed to pay only 20,000 RMB. To settle the dispute, Ziqie paid the remaining tens of thousands of Yuan himself. He made this decision by carefully weighing the effects on his income in the long and short term. To explain why he had taken the shortfall upon himself, Ziqie told a story that has been encouraging him over the past years:

I believe that if you do not ‘*nao*’ but help the factories minimize their costs, it is very possible to maintain a long-term relationship with the factory. A boss who had met the same problems has inspired me: he just paid the compensation. You know what? The next year, by sending workers to the same factory, he managed to earn 30,000 RMB.

Taking this elder broker as his example, Ziqie has managed to maintain a good relationship with most of the factories with which he collaborates. Talking about the disputes that they encountered, brokers, including Ziqie, often mentioned two different types of disputes: “small events” and “big events.”

As long as there are no big events, it [the business] is always OK. We [brokers] can earn money. It is only a question of a big or small amount of income... However, when these big events do occur, you have absolutely no idea about how much money the workers’ family might ask. Sometimes they demand a ridiculous price, 2,000,000 RMB! People turn greedy when they find themselves in that sort of situation!

Brokers differentiated between “big” and “small” events in terms of the number of people involved in the action. “Small events” usually referred to

minor problems, such as illness and injury, that could be resolved with minimal money, and “big events” referred to death or serious illness which would often bring clan or family members to embroil themselves and demand a collective payment. In the latter cases, workers from big clans usually had more bargaining power and their families consequently asked a higher price than those who came from smaller clans. When big events did happen, if Yi brokers had failed to squeeze a large amount of compensation from the factory owners, they had to take on the responsibility and hand over the payment themselves, sometimes a substantial sum.

While some brokers do make a huge profit from engaging in dispute resolution, it is not an accident that many brokers ruin their business due to their incapability to resolve the collective disputes. I met a female broker, Yehua, twenty-one-years-old, at another broker’s birthday party at which Yehua hoped to establish a network with other brokers. Their business over the past one-and-a-half years had not run smoothly. She recounted her experiences to me.

[Being a broker] is never an easy job. Two big events happened within just a few months. A few years ago, a little guy whom I had brought out to work disappeared. You know, these minority people are quite innocent and they easily trust people. The guy followed a Han person called Manger Hu to a factory and then he disappeared. We could find neither him nor Manger Hu but because it was we who brought the guy out, we had to pay his family 400,000 RMB in compensation. It is not a small sum. We could not lay our hands on the money immediately. In the end, they allowed us to pay in installments.

To make matters worse, a worker attempted to commit suicide after the last event had been rounded off. The guy jumped from the top of the factory building but did not kill himself... About twenty relatives came from his hometown to ask for compensation. His family and relatives were shabbily dressed. Apparently, they were from the poor mountain regions and these people always asked high prices, up to 100,000 RMB. We found some other Yi bosses to help mediate and we ended up paying his relatives 80,000 RMB...

As Yehua’s story makes clear, running a brokerage business is not as easy as it might seem. In addition to strategically mobilizing collective actions for either their personal interest or the collective good, brokers themselves, just like the temporary workers they employ, are likely to find themselves trapped in the pitfalls of precariousness.

6.4 Conclusion

In the previous chapter, I provided ample evidence that Yi workers are subordinated to their co-ethnic brokers. Within the brokerage system, workers are the victims of double exploitation: on the one hand, they suffer exploitation by their co-ethnic brokers in the brokerage system and, on the other hand, they are excluded by the dominant Han people. “*Naoshi*” has become a label for ethnic Yi workers. While Yi people are condemned as troublemakers, the diversity and complexity lurking underneath the “troublemaker” stereotype is often ignored. This chapter has provided a closer look at a few types of collective resistance in which Yi migrants frequently engage. Pertinently, it has shown the heterogeneity of the collective actions viewed so negatively by employers and authorities.

Counter to the stereotype attached to ethnic Yi workers, this chapter has demonstrated that it is the Yi brokers who were the decisive actors in determining whether the disputes discussed turned into collective actions, not Yi workers. An examination of both successful and failed cases has revealed the divergence of the Yi migrants’ collective resistance that is ignored in efforts to govern ethnic minorities in non-autonomous areas. In some cases, the brokers were definitely a positive help to workers in demanding their labour rights by preventing arrears in wages and finding settlements to various disputes. In other cases, however, Yi brokers instigated disputes for their own economic benefit. This chapter suggests that the co-ethnic brokerage is often a substitute for a trade union in circumstances in which formal labour organizations, such as trade unions and labour NGOs, were absent from Yi workers’ lives. However, the co-ethnic brokerage did not simply act to protect labour rights on behalf of workers.