

“The Office” - by Marta Casey

A sticky staircase winds past a juice shop on the first floor, past a smoky internet cafe, a bookstore, and a Mexican restaurant on the second floor, up to the third floor, where a sign for La Playa bar blares gaudy seafoam colors. The only bathroom in the building sits around the corner and a sign taped to the women's bathroom warns of a "peeper" in a black shirt who was caught looking under the doors. The sink faucet works quite well, but there is no drainage pipe, so water splashes all over the floor if someone forgets and tries to use it. Windows to the outside show gray basketball courts, which teem with young skinny Chinese men, sweating shirtless in the afternoons. Two old ladies set up shop under the hoops, selling water bottles out of Styrofoam coolers and fanning themselves.

The floor of the hallway is made of synthetic wood that bubbles underfoot. Naked mannequins stand, ghostlike at the farthest end of the hallway, poking around the doorway. Just before their office, a doorframe on the right bumps out of the wall. A certificate from 2012 proclaims this office's affiliation to the Nanjing Labor Union. The door is always locked. A buzzer juts out next to the peephole, and when pressed it makes a tired sound that fades quickly and whines on its way down.

This is the Nanjing University Labor Law Legal Aid Center for Migrant Workers.

The office is both sparse and cluttered. Besides a few large red banners with loud Chinese slogans, the walls are bare. A red mop bucket, always filled with a few inches of black water, sits next to the doorway. To the right there is a cupboard with magazines and labor law literature; generally, the issues date back to the previous few years. A newspaper rack stands next to this – issues of the latest Southern Weekly and local city papers hang, waiting for interns to read them. Stacks of the Center's 2012 research report are piled throughout the front room.

A few couches form a half-circle at the edge of this room. The cloth is peeling off the couches, and tiny pillows rest on the ends. Those pillows are headrests during the office nap time, just after

lunch from about 12:30 - 2 pm. During work hours, workers sit on the couches for initial consultations and discussions. On average, six people come in each day. Across from the couches a lone computer idles - interns sit here to input handwritten records of consultations into an excel spreadsheet.

Behind this, a group of desks clusters next to the window that looks out to Guangzhou Lu and the Nanjing Intermediate Court. Zheng, the leading lawyer of the clinic at 27 years old and newly engaged, sits on the left. Short and smiley, he is full of energy and easily excitable, rather prone to racing with words, but well-intentioned and smart; it is merely that his mouth and our ears cannot keep up with his hopes and thoughts. He has a lazy eye and cannot stare at his computer for too long without eye drops. He is also the most patient listener in the office. While most of the interns and other full-time employees yell at people when they do not understand a clause in Labor Contract Law, Zheng asks simple questions and waits for the person's response.

The workers who come in for help are fraught with distress; they have generally endured conditions at work that they knew were wrong for a long time, but they kept silent until something extreme happened, like cutting a hand on a machine or the company folding and not paying any compensation. It is then, when an extreme situation bursts and companies do not help with medical payments or other compensation that workers feel betrayed and decide to seek legal consul. “My heart is not at ease; I only want my boss to cover my medical expenses, but he won't even do that – after 8 years in the company, and this is how I am treated? My heart is not level with this; that's why I came in,” said Mr. Wang, whose fingers were cut badly at a furniture manufacturing factory. He voiced the emotions of many of the other workers who come in, especially the older ones who lived through the Cultural Revolution and who do not have any education. They are aware of the many ways their bosses undercut them – skimping on overtime pay and social security – but these workers willingly put up with these infractions as long as everything else is smooth and relations are harmonious.

When workers come in, I greet them and pour some boiling water into paper cups as they insist that is too much, and I ask them what has happened. For me, it is a conversation. I'm not technically advising them, though I record their concerns and tell them a few preliminary issues related to the law, and after getting an idea about their general situation, I ask about the forms of proof and evidence they might be able to produce. For workers who come into the Legal Aid Center, this is the biggest issue – finding evidence that can be used in court. I ask what motivated them to finally come in, and if they have colleagues or family members helping, or even a union. “A union....? Ha!” they always laugh. I ask: “Is saying 'union' like '纸上谈兵' - talking about military moves on paper and completely useless in real life?” and they nod in complete agreement. “This is the way China is,” they say, shrugging their shoulders.

One man, angry that he knew exactly how his company had been cheating him of money and how the different labor bureaus he'd already visited did not help him, told me in a heated discussion: “China has no union – what kind of socialist government do we have? It's not for the people; it's not for the workers. Is that socialism? No! We're in a laughable situation where we call things one way and they are something completely different in reality. Dog farts - ridiculous! This country is not for workers. It's just going after GDP growth, and the leaders are corrupt. Socialism? I bet America is more socialist than this, even though we say it is capitalist!” Many other workers express similar views, in more or less articulate ways. But their ideas are not spread or connected to other workers; opinions and grievances remain on an individualized and atomized level, unable to connect and amalgamate into something more powerful that might be able to change the system. Seeing this disconnect is frustrating; the written labor law is quite comprehensive, but it leaves out rights that are fundamental for collective action. It is saddening to see how disputes are diffused into singular events and to see the same frustration manifested in many different workers and then, finally, to see how efficiently labor issues are individualized and scattered.

Often people come back after their initial consultation with fruit or bottles of juice. They are exceedingly grateful. Most do not know how to articulate what has happened to them in terms of the law, but they do need someone to listen to what has happened to them. A few have already gone to bookstores to read the Labor Law, and they see how their employers have evaded the system and have rigged the game in their favor, and that redress will be extremely convoluted. Others adeptly refer to the history of other countries and echo the language that newspapers propagate - that China is in the process of establishing rule of law, but that it is not there yet.

These are the poorest people in the city of Nanjing and they form the base of much of the city's economic success. Most have only a middle or partial-high school education, but many are extremely articulate and savvy, just overlooked and ignored and in a rigid class system. Whether or not they will be able to collectivize and make a broader impact relies largely on their ability to make their voices heard and to spread awareness of their situation across different classes and groups in society. Weibo, the Chinese version of Twitter, has seen a proliferation of labor rights groups and online petitioners, but the Supreme People's Court also just reinterpreted article 246 of the Criminal Law, allowing much broader interpretations of slander and spreading rumors. Now, if someone is accused of spreading rumors, their original post need only be reposted 500 times for authorities to arrest that person. Everyone in my office told me that they were extremely worried about this crackdown on internet expression, and that this seems to be worse than other crackdowns in the past. For workers who are arrested after striking, it is now harder to get the word out and let others know what is happening. Online reports about companies abusing workers can now more easily be categorized and dealt with as slander, too.

Two mornings a week, a few people from the office go out to employment fairs on the outskirts of the city, near the factories. We set up a table stacked with pamphlets about work injuries, maternity

leave, and labor contracts, and pass out literature. After a few minutes, people start to swarm the table, listening as questions about labor disputes, employment contracts, overtime pay, and social security pop up. A few people come prepared with a folder of documents to show us what has happened and the proof that they have already procured. We record those who have specific questions, and give them initial feedback. People who see me in the middle of the table only take half a second to say, “You're a foreigner,” before asking, “Do you speak Chinese and understand Labor Law? Good – well, here's my situation!” These workers who are generally seen by the rest of Chinese society as uncouth, low in character - “素质” - and uneducated are the most open to me, an outsider, and they open up immediately, telling me about their problems, and all in dialect. I struggle to keep up, but listen and wait for an intern next to me to ask about phrases that I don't understand; sometimes the interns don't understand the phrases either though – the dialects can be overwhelming at first.

Aside from labor issues, people see us at the employment fair and come over to talk to us about other parts of their lives. This is a common feature of legal aid in China; our office doubles as a psychological help center. One day at the employment fair, a man came over, hissing at the table: “They won't hire me! No one will – he has threatened everyone, and now they will not hire me!”

“Who is this?” one of my coworkers asked.

“Him! He's here. I can't point him out, but he's been following me around telling everyone not to hire me. He's threatening them.”

“Did you report this to the police?” we asked.

“No! No one else sees him! But he is in this room now. He is stopping me from getting a job.”

We listened to the man for a while and tried to help, but saying anything too directly made him burst out and yell.

“This is what happens to some people,” Mu, one of the lawyers told me. “He's been unemployed for so long that it's affected his psychological state, and there is no place for him to get

help, really.” Another woman came over after him, asking about property rights and pension plans in a hypothetical divorce. Under the new Marriage Law, she would not have any rights to property, in her case. Her face crumbled, and she looked at me. “Maybe I can go abroad...I could apply to be a student...” She was probably about 40 years old, way past university age, and her eyes began to look beyond us. “I don't need a house, I could live in a dorm...” It was a heartbreaking look at someone who has no viable options for getting out of a bad situation, and who seemingly is alone in it.

“China is developing, and people just want stability and to get by, to pass the days and have a job. That's all. We aren't worried about politics – that does not concern us common people. We just want to get by and do alright,” said one of my fellow interns in the middle of a debate about rights and the general direction of China. The argument that China is developing and can ignore many things like human rights, the environment, the *hukou* system, and corruption high up in the Party is a common thread to justify the status quo. “But I'm not an optimist,” he continued. “I am skeptical about what will happen, and things have been closing down more. I think that the life of NGOs is about to end – this office will be short-lived.” While he expressed doubt, the intern also emphasized that in general things are ok and asking for too much reform or trying to protest issues as a common person would simply be making trouble. Just “be happy with growth and stability” is a common refrain when people voice their hopes and their dreams for China. But at the same time, a sinister tone underlies this superficial optimism, which is powerlessness. “There is no way,” is one of the most common phrases used in China to describe why things do not change - “没办法” - there is no way. For those who come through our office, they find that there is a way, but generally only as an individual.

In the afternoon during a spell of quiet, two interns run to McDonald's for an ice cream special. Zheng wanders out to smoke by the windows and watch basketball, and then the beeping of a QQ

online message chirps and news about Bo Xilai comes out on Weibo. Everyone scurries over to read the screen. Outside, clouds are reflected in the windows of the building across the street.

The sky hangs blue, fringed in gray.