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**Protecting Mobile Livelihoods: Actors' Responses to the Emerging Health
Challenges in Beijing and Tianjin**

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Abstract

Drawing on extensive fieldwork in Beijing and Tianjin, and applying a livelihood framework combined with a well-being perspective, this study examines an important aspect of rural-urban migrants' social protection in China, namely migrants' health, in particular work safety and occupational health. It argues that migrant workers' social rights to health and livelihoods are one of the fiercely contested domains of citizenship entailing aspects of exclusion, inclusion, and control and allocation of economic, social and political resources. The study shows that in spite of the accelerated pace of legislation and consolidated efforts to reconstruct the welfare system in China in recent years, the new social security schemes have thus far, by and large, failed to protect migrant workers in a systematic manner. The issues raised in the study therefore call for greater academic attention and more effective public policy responses.

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In recent years, the need to rebuild social safety nets in China has drawn increasing attention from academics and policy makers because the erosion of the traditional social support system and the state's long-term neglect in welfare investment have severely affected China's social development. The effort to find solutions to the issue has gained momentum since the 2008 global financial crisis, which exposed the weakness of the Chinese system in its capacity to protect Chinese citizens under adverse global and domestic economic conditions. A growing body of research in English and Chinese has emerged on China's social welfare reforms paying particular attention to the social protection of rural-urban migrants.¹ This has arisen in part from the very magnitude of rural-urban migration. Recent official statistics estimates that the number of migrant workers in Chinese cities, including those in township and village enterprises, reached 225 million in 2008 (National Bureau of Statistics of China, 2009, cited in Chan, 2010: 362), and there are around 300 million migrants' family members in urban or rural settings (Zheng and Huang-Li, 2007: 18). Together they account for some 40 percent of China's population of 1.3 billion, suggesting that two fifths of Chinese people are directly affected by migration and its related issues. Moreover, there has been increasing media coverage of the horrific treatment of migrant workers by urban employers, labor brokers and contractors, the exploitation and social injustice that migrant workers experience, the growing numbers of organized labor protests by migrant workers in factories owned by domestic and global capital, and occasional extreme and desperate actions taken by migrants, including individual or collective suicidal attempts in public and organized violent protests as "weapons of the weak" (Chan and Pun, 2009; Pun and Lu, 2010a).

Given the scale and seriousness of the migrant workers' issue and its economic, social and political ramifications, research in the field, despite the recent

increase, is far from sufficient. Existing research published in English requires more micro-level fieldwork-based empirical evidence. The growing body of literature published in Chinese, while showing greater importance attached to the issue, either remains at the macro-level policy analysis, or dominated by quantitative survey methods (see Judd, 2009). This approach, despite its merits, is unable to provide details of local processes and practices reflected in the voices and perceptions of the key actors involved, and deep insights into individual and collective experiences – aspects that are equally vital for advancing knowledge and informing policies.

In a wider context, the international development community since the turn of the century has given high priority to the enhancement of social protection mechanisms and its role in poverty reduction against the backdrop of a global concerted effort to meet the UN Millennium Development Goals. However, much of the debate tends to focus on the “poor” and the “poorest” (see Barrientos and Hulme, 2008). The “poor-centeredness” of research and policy making has posed particular difficulties in analyzing the subject of this study, namely rural-urban migrants in China. Migrants, due to the mobile nature of their livelihoods crossing geographical and administrative boundaries, are often missed out from the various commonly used categories of the “poor,” such as the *urban* or *rural* poor, the *absolute* or *relative* poor, and we do not have a category of the “mobile poor.” While the omission could have been tackled by livelihood research that has gained increasing prominence since the mid-1990s, particularly with regard to its envisaged positive nexus between migration and livelihoods (de Haan, 1999; Long, 2008), this literature has thus far paid scant attention to the problems of migrants’ social protection while the current debate around the theme tends to be overwhelmingly concerned with international migration (see Avato, et al., 2010; McMichael and Gifford, 2010; Sabates-Wheeler

and Macauslan, 2007). Moreover, the relatively small though increasing body of research on internal migration, livelihoods and development often overlooks the high risks involved in rural-urban migration and the vulnerabilities of migrants to a wide range of hazards and threats to their livelihoods, health and well-being.

This study seeks to contribute to the growing scholarship on migrants' social protection in China by focusing on their health issues through a livelihoods analysis. Drawing on fieldwork conducted in Beijing and Tianjin between 2005-9, it attempts to identify some of the major risks and threats to migrants' health, which is conceptualized as essential for livelihood and its sustainability (Zhang, 2007). The analysis of the qualitative data allows the marginalized voices of rural migrants about their experiences and perspectives to be heard. It enables a nuanced understanding of the structural barriers that migrants face to the realization of citizenship on the one hand, and agency, negotiations and livelihood struggles on the other. In the following, I first introduce the methodology and analytical framework employed in the study. I then set the scene for the research by outlining the current state of affairs with regard to migrants' social protection. Applying the analytical framework and with a focus on work-related safety and occupational health within a wider and multifaceted issue, I go on to examine the major health hazards for migrants, and the access problem that they face in urban settings. In these sections, I also analyze the strategies that migrants utilize to deal with such health challenges, as well as recent institutional responses. I conclude by summarizing the key arguments and suggesting possible ways forward in policy and practice.

Methodology and Analytical Framework

The primary data on which the article draws derives from extensive fieldwork conducted in 2005 in Beijing and Tianjin, North China, Further field trips undertaken between 2006-9 to in the two and other cities in the South and Southeast provide supplementary data. The fieldwork investigated issues related to migration and health in urban settings, which is considered an important dimension of livelihood and its sustainability. It employed a number of qualitative research methods, including semi-structured and unstructured interviews with migrant workers, local NGO representatives, private entrepreneurs employing migrants, and academics, participant and non-participant observations, site visits, documentary research and so forth. More than 60 interviews were conducted, and those with migrant workers lasted between three to four hours in single or separate sessions. These methods allowed the gathering of detailed, in-depth data. Site visits to migrant workplaces were made where interviews, conversations and observations were conducted. These visits included construction sites, university campuses, factories and so forth where migrants performed diverse types of manual work; migrants' residences, to include construction sites where unfinished buildings were used as their temporary housing; and migrant communities in the outskirts of large cities. Secondary data were gathered in fieldwork to include original Chinese documents, and newspaper and Internet materials. Such data help provide an understanding of the broader context and allow us to keep track of the latest development of a highly dynamic landscape in China's social policy making affecting migrants' social protection.

It is worth noting that utilizing the range of qualitative research methods, this study, instead of seeking to provide a statistically representative picture as is the case

for most large-scale quantitative surveys, aims to offer a contextualized understanding of and deep insights into the complexities of micro-level processes, negotiations and struggles. It emphasizes agency, and offers a snapshot of how agency has simultaneously been exercised and constrained by the wider social and political structures, as well as the ways in which they together shape the experiences, perspectives and well-being outcomes of individuals and social groups.

The research employs an analytic framework of a livelihood approach. Livelihood studies, unlike the conventional negative conceptualization of migration as caused by devastating events, such as natural disasters and civil strife, emphasizes the positive linkages between migration and development in terms of livelihood diversification and poverty reduction with a particular focus on the role of remittances (Cai, 2003; Li, 2001; Murphy, 2002, 2009b; UNDP, 2009). Migration in this approach is considered a rural household strategy and manifestation of individual agency (see Bebbington, 2000; Ellis and H. Ade, 2004; Zhang, et al., 2006). Despite this, livelihood studies have thus far largely focused on agricultural and rural settings with insufficient attention being paid to the livelihoods of rural migrants and their urban experiences (Zhang, 2007). In this article, I extend the existing focus by looking at the security and sustainability of mobile livelihoods, and the negotiations and struggles surrounding them against a complex backdrop of drastic socio-economic and political changes in Chinese cities.

The research adopts the commonly used definition of livelihood proposed by Ellis: “A livelihood comprises the assets (natural, physical, human, financial and social capital), activities, and the *access* to these (mediated by *institutions* and *social relations*) that together determine the living gained by the individual or household”

(2000: 10, my emphasis). In applying this concept, however, the existing livelihood approach needs to incorporate a health and well-being perspective by broadening an understanding of “human capital” (not just education as generally interpreted but also health as an essential constitute of livelihood), of “sustainability” (not only environmental but also social) and of “access” (more than just to economic opportunities) (Zhang, 2007). The article therefore is an initial attempt to apply the livelihood framework in this broader sense, paying particular attention to *access to institutions, resources and power, such as public goods, and legal and social justice*, in its investigation of the issues relating to migrants’ health, and more broadly their citizenship rights.

Social Protection of Mobile Livelihoods: Current State of Affairs

Changing Patterns and Trends in China’s Rural-Urban Migration

Large-scale rural-urban migration emerged in China in the mid-1980s and has since then sustained its momentum, and therefore the attention of academic and policy arenas domestically and worldwide. In the early years most migrants tended to be younger – typically in their early-late 20s (Davin, 1999; Li, 2004). Migration was initially a male dominated phenomenon with women “catching up” since the mid-late 1990s (Judd, 2009; Pun, 2005; Zhang, 1999). Migrants tended to be seasonal and circular, and because of the restrictions of the household registration (hukou) system and the extreme difficulties in converting one’s hukou status from the rural to the urban, only a better-off minority managed to settle permanently in the city (Chan and Buckingham, 2008; Fan, 2008). In the early- to mid-1990s most migrants were working in the non-state sector, and female migrants were frequently found in

domestic and other service industries, as well as factory work in joint ventures, foreign-owned companies, and so forth (Jacka, 2005; Lee, 1998; Sun, 2009).

New trends in rural-urban migration in terms of the attributes of migrants, their marital and residential arrangements and their employment sectors were observed in my 2005-9 fieldwork. Among the most noticeable is age and marital status: these are much more varied with many older migrants working in the city for prolonged periods. About half of the migrant interviewees were aged between late 20s to early 60s, and two-thirds married with diverse post-nuptial residential and child-rearing arrangements (Image 1). These observations are in keeping with research findings based on statistically representative data. Yang and Hu (n.d.), drawing on their survey of 423 migrant workers in Beijing's Chaoyang District in late 2005, found that migrants' age ranged from 16-68 with an average age of 28.3, about half of them (49.2 percent) were married, and more than 40 percent were living with family members. Along with the increased age of the first generation of migrant workers is the emergence of the so-called "new generation of migrants" (*xinshengdai nongmingong*), who, born in the 1980s and 1990s, have either grown up in urban areas with their migratory parents or left the village on finishing secondary education (Hua, 2010; Judd, 2009). Unlike their parents, the younger generation are more eager to settle and integrate themselves into the urban economy and society (CCP Central Committee and State Council, 2010). All this has raised new issues and concerns in respect of employment, social inclusion and integration of migrants at the urban destination (Pun and Lu, 2010b).

Image 1: An Older Migrant Construction Worker in Tianjin (September 2005)

POSITION OF IMAGE 1 HERE

Migrant-concentrated residential areas in the outskirts of large cities like Beijing, Tianjin and Guangzhou have become much more established nowadays (Image 2; Wang, 2011; Wu and Wu, 2005). In addition to inter-provincial and inter-regional migration, there have been more short-distance migration and commuting between downtown and suburbs of large cities. I observed in my fieldwork that in Beijing and Hangzhou, the commuters included those who worked as taxi drivers (while in Tianjin laid-off workers from state-owned enterprises [SOEs] often took taxi driving as a livelihood), as well as in other services and industries, such as retailing, catering and construction.² With the deepening of the urban industrial restructuring since the second half of the 1990s, many state organizations have started employing non-locals (*chengshi wailai renkou*) as contract workers,³ which has led to a growing number of migrants being employed in the public sector on a temporary basis, such as in universities, hospitals, SOEs or other governmental organizations, as cleaners, carers, kitchen assistants, and so forth (Anon 2008a). More recent policy changes and disparities in policy implementation with regard to migrants' social entitlements in the public and private sectors will be examined later.

Image 2: Migrant Families and Community in Suburban Beijing (August 2005)

POSITION OF IMAGE 2 HERE

While migrants' age is now much more varied and in many cases older and with longer migratory experiences, their average wage has remained low and failed to keep up with inflation or the rise of the average wage in urban areas (Chan, 2002; Ministry of Labor and Social Security Research Team, 2006). Hua (2010: 194) shows that in 2006 their annual average wage was only 55.2 percent of that earned by urban workers. In short, despite higher geographical mobility and frequent job change, the

occupational mobility of migrants, as observed in my fieldwork and consistent with other research findings (Li, 2004; Lu, 2004), is largely horizontal in respect of the socio-economic status and associated remuneration. Moreover, rural-urban migration in China has started showing shared features with those observed in other developing countries and regions, such as Latin America, where migrants are frequently found living at the edge of large metropolises, establishing their informal institutions, such as schools and medical clinics, and developing their communities separate from the mainstream urban society (Image 3).⁴

Image 3. A “Black Medical Clinic” (hei zhensuo) in a Migrant Residential Community in Suburban Beijing (August 2005)

POSITION OF IMAGE 3 HERE

Welfare and Social Security for Rural Migrants: The Unmet Needs

Despite their large numbers and longer stays in the city, rural migrants nowadays are experiencing increased economic, social and political marginalization, relative poverty and deprivation in Chinese cities, which renders them vulnerable to a wide range of risks and threats to livelihood and its sustainability. Let us now examine how social security schemes are designed and developed, and whether they are able to tackle this vulnerability and protect migrants.

Generally speaking, China’s social policy development since the onset of the market reforms has undergone two phases. In the first phase, which lasted up until the early 2000s, the overwhelming emphasis was on economic growth. This, combined with the earlier experience of relatively high welfare provision but ineffective growth, resulted in a predominant perception that opposed social welfare to economic growth

(see Feng, 2007; Gong, et al. 2007). Guided by such thinking, state-promoted growth channelled most available resources to economic development while systematically minimizing “unproductive” welfare expenditures. Stress was placed on “producing a larger pie” as opposed to the pre-reform policies accentuating “redistribution” issues. This “growth-led welfare model” or the “developmental welfare system,” as termed by Gordon White and Roger Goodman (1998) – though highlighting the role of the state as the paramount institutional actor in managing economic growth and market according to its perceived priorities as against the neo-liberal, state’s hands-off approach – shares similar assumptions with neo-liberalism in respect of social policy and welfare provision. Both models share a faith in the market’s ability automatically to allocate resources in an optimal manner, and to redress inequality and uneven development through “trickle down” (from the rich to the poor) and “spill-over” (from the urban core to the rural periphery) effects.

The consequence was a serious erosion of the existing social security system, prolonged neglect of and under-investment in developing new welfare schemes, and the failure to protect Chinese citizens against a plethora of emerging uncertainties and risks associated with the market economy. For example, once a model of equitable healthcare provision for its large population in the developing world, China was rated 144th out of 191 countries in terms of healthcare performance, and 188th, or third from the bottom, with regard to the fairness of healthcare provision according to an assessment by the World Health Organization in 2000 (WHO, 2000). The events surrounding the outbreak of Severe Acute Respiratory Syndrome (SARS) in spring-summer 2003 first in China and then beyond suggested a growing public health crisis in the country (Duckett, 2003; 2010). All this further exacerbated inequality, vulnerability and livelihood insecurity by the turn of the twenty-first century.

The second phase started following Hu Jintao and Wen Jiabao assumed office in 2003. Faced with mounting development challenges, and growing social tension and discontent, the new leadership has begun paying greater attention to equity and social justice by giving higher priority to wider human development issues, in particular building social safety nets and improving welfare. New discourses stressing “people-centered development” (*yirenweiben*), “building a harmonious society” (*goujian hexie shehui*), “urban-rural integration” (*cheng xiang yitihua*), and so forth have signalled a new emphasis on resource (re)distribution to address the problems of wealth polarization and uneven development through central government fiscal support and improving public services. This phase has witnessed an accelerated pace of establishing, expanding and enhancing a wide range of social security programs. These include new social insurance schemes with combined contributions from employers and employees, such as pension, healthcare, unemployment, maternity and work- injury insurances; and means-tested social assistance programs, such as the Minimum Living Standards (MLS) guarantee or *dibao*, medical assistance, housing subsidies, legal aid, disaster or social relief, and so forth.

This ongoing phase has been marked by greater importance attached to statutory social protection and institutionalization of the various welfare schemes. For instance, 2004 is termed China’s “social security year” with social security as citizens’ basic rights formally incorporated in the country’s Constitution. In the same year, the State Council published a white paper entitled China’s Social Security and Its Policy detailing the state responsibilities for supporting and improving a range of social insurance and welfare schemes under its evolving social security system (State Council, 2004). The effort to improve these schemes has been further strengthened since late 2008 in response to the serious challenges posed by the severe global

financial crisis and the shocks it caused to Chinese economy, which has become heavily reliant on export.⁵ In October 2010 the Chinese government promulgated the Social Insurance Law (Central People's Government of the PRC, 2010). Yet, despite the more determined efforts, most of the new social security programs – embedded in the extant urban-rural dichotomy – remain urban-centered. Schemes such as work injury, unemployment and maternity insurances, minimum wage, and so forth have only had limited extensions to the rural population.

While it is too early to evaluate the actual effects of these policy initiatives, a closer look at the picture of the latest developments reveals some continuities in respect of protecting mobile livelihoods: rural migrants have not featured prominently in the new discourse, nor in the institutional design for policy and practice despite their large numbers and their status as one of the most vulnerable social groups. This state of affairs is in part attributable to the institutionalized urban-rural divide in welfare production, financing and provision (in terms of quantity, quality and coverage), and to the dualistic citizenship embedded in and reinforced by the hukou system. It is also related to the mode of migrants' livelihoods, which involves frequent movement across geographical and administrative boundaries (hence posing challenges in the absence of universal entitlement and to the current practice of fragmented administration and management of welfare provision), and to the often bureaucratic and discriminatory attitudes of urban local officials and residents towards migrants. I now turn to examine a specific aspect of social protection for mobile livelihoods, namely, migrants' health through firstly identifying the health risks as perceived by various actors concerned.

Risks and Threats to Migrants' Health and Livelihoods

Employing a livelihood framework in studying China's rural-urban migration from a well-being perspective suggests a focus on migrants' health, particularly in relation to *access* as discussed above. This may initially point attention to migrants' access to healthcare services in urban settings. In effect, my 2005 fieldwork was originally designed to address the central research problem entailing mainly this aspect. The field study, however, turned out to be an unfolding process, during which new issues and sub-themes related to the core theme emerged and were identified. Accordingly the dimension and scope of the investigation were adjusted and broadened. For example, my interviews with the director of a migrant NGO and the deputy director of a non-profit organization (NPO) in Beijing revealed that there were a wide range of issues affecting migrants' health, some were acute and caused severe shocks due to their highly visible character, while others may be hidden or latent but can lead to potentially devastating impacts on health and livelihoods. Moreover, *access* in the Chinese context should take into account access to *institutional resources*, in particular those provided by the *state* such as *law* and *legal justice*.

Work Safety and Occupational Health

The fieldwork interviews revealed that one of the most acute problems with regard to migrants' health was related to health and safety at work, particularly for those in high risk occupations, such as construction, where 80 percent of the workforce are migrants (State Council, 2006a: 12), and mining, where migrants account for almost the entire workforce in township- and village-run small coalmines (TVCMs) (Li, 2005: 52). Employers' neglect of safety measures and of workers' training in this aspect (to minimize production cost) led to low awareness of the risks, inadequate or no preventative measures and frequent industrial accidents, causing

injuries, disabilities and even deaths. These, together with occupational illness suffered by migrant workers have seriously threatened their rights to health, livelihoods and, in some cases, life, and therefore are among the gravest health hazards and risks. In September 2008 alone, three disastrous mining accidents happened. The most serious occurred on 8 September in an iron mine in Shanxi Province causing 265 fatalities (Xinhua Net, 2008). On 20 September a fire accident happened at a coalmine in Heilongjiang Province leading to the death of 31 miners (Anon., 2009). On 21 September 37 miners died in an explosion at a coalmine in Henan Province (Beijing Youth, 2008).

According to official statistics, nationwide fatalities and disabilities caused by industrial accidents of all sorts reached around 140,000 and 700,000 per year, respectively, and migrant workers are disproportionately represented among the victims (Zhao, 2005: 5). This is partly due to their concentration in the officially classified highly dangerous enterprises (*gaowei qiye*), including mining, construction and manufacturing using hazardous chemical materials (State Council, 2006a). A report by the State Administration of Work Safety (SAWS) shows that in the first four months in 2004, nationally there were 586 reported accidents in the construction industry, causing 605 fatalities, of which around 90 percent were migrant workers (Zhao, 2005: 5). Fatalities in coal production alone reached over 6,000 per year on average in the decade 1996-2005, of which about three quarters occurred in migrant-concentrated TVCMs (Andrews-Speed, 2007: 63).

While coalmine accidents and their fatalities have frequently hit the media headlines in China and beyond, much less attention has been paid to occupational illness, which is also closely related to the mining industry. This health problem,

albeit more hidden, is equally crippling. An SAWS report indicated that occupational illness had seen continued increase in recent years with pneumoconiosis accounting for 83 percent, or an accumulated 580,000 of the reported cases in 2002 (Figure 1; Li, 2005: 52). Among those diagnosed, 140,000 had already died by 2002, and nearly half, 250,000, were estimated to be suffering from coalmine pneumoconiosis. Moreover, a trend of decreasing age, that is, among younger age cohorts, of those suffering from pneumoconiosis has been identified in recent years. For example, those under the age of 40 who were diagnosed at work represented 8.1 percent of the total diagnosed in 1997, while by 2002 the figure rose to 11.2 percent. Patients' average length of work as miners was shortened from 15 years before showing symptoms to three to five years (Li, 2005: 52), suggesting migrant miners' intensified exposure to occupational health hazards, paucity of information on risks and employers' (public but mostly private mine owners) serious neglect of health, safety, and protection measures. All this points to inadequacies in systematically regulating and supervising the mining industry, as well as enforcing health and safety regulations and laws. The consequence is livelihood unsustainability and increased vulnerability to poverty and destitution for migrant miners and their families.

POSITION OF FIGURE 1 HERE

Figure 1. Proportions of Major Occupational Illnesses in China, 2002 (Source: Su, 2005: 15)

It should be noted that the above statistics, collected by the Ministry of Health, were based only on the reported cases by large state-owned coalmines employing migrants as contract or temporary workers. Therefore, the situation can be far worse if those working in TVCMs were tested, reported and included. Based on this, it is

feared that occupational illness among migrant miners may emerge as a serious epidemic in many rural areas (Figure 1; Li, 2005), disabling people in their prime age, crippling livelihoods and exacerbating poverty for hundreds and thousands of individuals and families. The serious threat it has posed to migrants' health and livelihoods is shown in the following case:

Forty-two young farmers from Shanyang County, Shaanxi Province went to work in Chen'er Gold Mine in Luonan County on a seasonal basis starting from the early 1990s. In the years that follow many became very ill showing shared symptoms of difficulty in breathing and some died of suffocation... In 2000 advised by a fellow villager, the ex-miners visited a hospital in Xi'an, the provincial capital, to take a test. The result showed that they caught pneumoconiosis while working in the gold mine... By 2005, 13 of the ex-miners had died because the employer refused to pay any compensation and the miners couldn't afford proper treatment, and a few committed suicide after years of suffering and futile attempts in having their case redressed... Among those already dead, the oldest was 39 and the youngest in their late 20s... They died or lost the ability to work in their prime age leaving behind their wives, elderly parents and young children... As a result, their surviving families are in destitution... (Interview with the deputy director of the NPO in Beijing, September 2005).

Occupational health concerns were expressed by migrant workers in my interviews, in particular for those who worked in certain industries, such as construction and internal renovation. This is evidenced in the following account of a

woman interviewee working in domestic service in Beijing, whose husband was an internal renovator:

The internal renovation (*zhuangxiu*) work is harmful to his body. The work environment is heavily polluted. There is a lot of dust coming from stone, marble and hard floor materials. The dust is so heavy that you can hardly see things around you, and this harms your lungs and eyes. In winter you can cover your mouth with a mask and wear glasses, but it's too hot to do so in summer and you're fully exposed. Also noise pollution is serious. It is so loud that if you talk to him while at work, he could hardly hear you. The third type comes from the poisonous materials used, such as industrial glues and paints, all have a strong unpleasant smell ... We don't know how to reduce the risks, except my husband doesn't intend to be in the trade for too long. Now he feels all right and wants to carry on working for another few years, and then change to a less harmful job ... (Interview with Wu, female, 28, August 2005).

A migrant construction worker in Beijing described his experience as follows:

I left my home village in Hebei Province 16 years ago ... Before I learnt the skills of masonry and tiling (*wagong*), I initially worked as an unskilled laborer (*xiaogong*) in a construction company. My job was to apply cement on the outside walls of high buildings. It was very strenuous. I was only a teenager, but had to work for more than ten hours every day. It was very dangerous too. We stood on the high scaffold and applied the heavy materials on the external wall. Accidents were quite

common, and on average, completion of a construction project would claim one-to-two lives ... (Interview with Gu, male, 33, September 2005).

Institutions, social relations and power have shaped responses to such acute health hazards and risks as well as their outcomes. Individual migrant workers employ rather simple tactics, like the internal renovator who covered himself seasonally by a mask to deal with the heavy pollution produced by industrial dust and poisonous chemicals, or the construction worker who shifted jobs through learning a skill in order to reduce the risk associated with non-skilled work in the industry. Such tactics, though a manifestation of migrants' agency in respect of self-managing and minimizing exposure to risks, will not be able to systematically address the problem, and hence the protective effects are rather limited. When suffering from work- injury-caused ill health, disabilities and poverty, or from serious stress – a potential threat to mental health – caused by other types of institutional deficiencies, including for example the prolonged delay or default on migrants' wages),⁶ migrants and their families could potentially seek justice and appropriate compensation through one of the institutional channels, namely the labor dispute resolution and arbitration (*laodong zhongcai*) organizations, going to law or through the “petition” mechanism⁷ set up by the government.

Access to State and Law

When migrants' health is damaged and livelihoods broken (in the case of work injury or occupational disease-caused ill health, disabilities or deaths), and their rights violated (in the case of delayed or unpaid wages), livelihood struggles are sometimes fought on the legal front. Theoretically, there are a number of formal avenues available for migrants to seek justice; in reality there are daunting obstacles to

realizing these. This study is not a systematic analysis of the relevant legislation, the labor dispute resolution system and how these in reality have discriminated against migrant workers but in favor of employers and sometimes local authorities. Here it suffices to say that currently the procedure of addressing labor disputes, such as seeking insurance payment or compensation for work injuries or for delayed or embezzled wages, that migrant workers must go through is extremely complex, time-consuming, financially costly and practically ineffective. This was particularly pointed out in my interview with the deputy director of the NPO in Beijing:

According to the Labor Law, in order to receive medical treatment and work injury insurance or compensation paid by the employer, a harmed migrant worker must first obtain an official work injury classification certificate (*gongshang rending*). The application for this certificate however must be made by the employer within one month of the injury. If the employer doesn't apply, then the injured worker must apply within one year of the injury or in the case of occupational illness, of the designated hospital's diagnosis. Following this the organization in charge of the injury classification should make a decision within 60 days of receiving the application. In practice, however, if an injury occurs, the work safety department can fine the employer, and the social insurance department will also increase the insurance premium paid by the enterprise. Thus, the employer usually tries every means to conceal the injury and attempts to settle privately (*si liao*) by paying a little to the injured migrant rather than applying for the classification certificate on behalf of him or her... in many cases, when a migrant is injured and hospitalized, the employer only contributes a little to the medical expenses

before driving him or her out of the hospital [due to unpaid hospital fees].

No matter how serious the injury is, only little money is paid by the employer with the aim to get rid of the injured worker, and some employers even deny any labor relations with him or her.

Another problem lies in the fact that in order to obtain the injury classification certificate, the injured worker must produce evidence of the existence of industrial relations. However because of the delayed legislation and underdevelopment of the employment contract system, many employers don't sign contracts with migrant workers, and therefore the harmed migrant worker cannot produce such evidence. As a result they're faced with great difficulty in obtaining such a certificate. Without the classification certificate, the labor arbitration committee won't accept the application of the injured migrant for dispute resolution... In order to just obtain the classification certificate, the injured workers or their families must go through prolonged legal and administrative procedures frequently traveling between their home villages and the city. Some cases lasted three-four years while others seven-eight years. In the end, the injured migrants are effectively denied timely medical treatment and appropriate compensation... many migrants and their families, on top of the injuries or disabilities they sustained, suffer from extreme stress, financial hardships and destitution (interview, September 2005).

Despite the enormous difficulties, some migrant workers did manage to redress the injustice through seeking legal aid, a constituent of the social assistance programs introduced with the promulgation of the Legal Aid Regulation in July 2003. Others would resort to law, using their limited resources to hire a lawyer in their

negotiations and struggles about livelihood in respect of its security and sustainability.

A migrant interviewee working as a cleaner in a university in Beijing recounted his experience:

My son [who was also a migrant working in the university's catering center] was seriously injured at work early this year... I was very worried since he was not yet 18. If he's made disabled, he'd lose the ability to work for the rest of his life. I was so stressed that I haven't fully recovered yet. We're outsiders here and don't know whom we'd go to for useful information. When we were at home, we had friends and relatives to consult but in Beijing we've got nobody to go to. One day, I happened to pass a legal service center, so I entered and asked for advice. Legal advice centers charge fees variably from RMB50-100 per visit. But the lawyers told me that the catering center had the responsibility for my son's injury. I've consulted about ten legal firms spending almost RMB1,000 [nearly doubling his monthly net wage of RMB550]. My lawyer lodged a lawsuit against the catering center: they employed two lawyers. In the end, the case was settled out of court through mediation and the catering center paid us RMB20,000 in compensation (interview with Yan, 48, September 2005).

These examples illustrate that migrant workers, instead of pure victims of discrimination and exploitation, are social actors: they exercised agency through actively seeking to redress the injustice that they experienced. Despite the unfavourable conditions and structural constraints that they face, some do manage to obtain useful information formally or informally and actively seek legal protection. In

Mr Yan's case, the employer failed to follow the regulations and law emphasized by the central and Beijing municipal governments when the accident occurred in that they did not contribute to the social insurances, including work injury and medical insurances that his son was entitled to. During the interview, Mr Yan commented that health for a migrant worker was extremely important because without it one could not make a living and support the family. The conceptual link between migration, health and livelihood was also shown in his fear that his son might lose "the ability to work" due to the injury. His experience also suggests that migrant workers' entitlements to social security and their rights to health and livelihoods are one of the fiercely contested domains of citizenship entailing aspects of exclusion, inclusion, and control and allocation of economic, social and political resources. Despite the huge power and resource imbalance, those migrants who are more aware of their rights, more active in seeking relevant information and hence more resourceful like Mr Yan could use the law to protect themselves in different ways. During the interview, Mr Yan pointed to a construction site on campus saying that nowadays he kept newspapers carrying government documents on protecting migrant workers' rights, and often advised the migrant construction workers about using the law as a tool to demand timely pay or claim back their overdue wages.

ACCESS TO SOCIAL INSURANCE AND ENTITLEMENT

As mentioned above, social security as citizens' basic social rights was formally incorporated in the Constitution in 2004. While new initiatives aimed at improving and strengthening a wide range of social protection programs are introduced, and new schemes especially targeting rural migrants being designed and piloted, particularly since 2006, when the central government issued the No. 5

document on resolving the problems for migrant workers (State Council, 2006b; Watson, 2009), they are yet to adequately accommodate the interests and needs of migrants. There are a number of problems involved. To start with, most schemes are still urban-centered: not only have they had limited extension to rural areas, but also excluded migrant workers in urban settings.

The unemployment insurance scheme only covers urban workers (*chengzhen zhigong*). The Regulations on Unemployment Insurance introduced at the beginning of 1999 excludes migrant workers from entitlements by defining eligibility as urban workers, namely permanent urban hukou holders (see State Council, 1999). The exclusion is reinforced by other government regulations at the central and local levels. For example, the Methods of Application for and Distribution of Unemployment Benefits issued by the Ministry of Labor and Social Security (MoLSS, which changed name to Ministry of Human Resources and Social Security in late 2008) at the beginning of 2001 reiterates several conditions of eligibility for unemployment benefits, including city and town workers, evidence of termination of a formal labor contract, and evidence of contributing to the unemployment insurance scheme by both the employer and the employee for at least one year, and so forth (MoLSS, 2001). As discussed above, such conditions effectively exclude migrant workers from the scheme. These regulations also ignore the fact that most migrant workers have experienced periodic unemployment in the city and thus their needs for support, as I found in my fieldwork as well as documented by other researchers. Yang and Hu (n.d.), based on their 2005 survey of migrants in Beijing, reported that 40 percent of the respondents experienced unemployment lasting longer than a month. Maternity insurance, which provides a range of benefits, including paid maternity and paternity leaves following child birth (90 days for women, 10 days for men), prenatal health

checks, reimbursement of hospital delivery fees, and so on, is confined entirely to urban hukou holders (Anon., 2008). This is in keeping with my fieldwork findings: none of the female migrant interviewees was aware of this scheme, to say nothing of being covered.

The MLS or *dibao*, a means-tested social assistance scheme providing support for low income families, only targeted the poor with urban hukou until late 2007 when *dibao* was extended to rural areas.⁸ In either settings, however, the “mobile poor” have not been taken into account. And minimum wage, despite the recent implementation and enforcement efforts through establishing the Minimum Wage Regulation in December 2003 (MoLSS, 2004), has limited coverage of migrant workers. Du and Pan’s (2009) investigation into China’s minimum wage shows that while there has been significant progress in adjusting and implementing a minimum wage across the country since 2004, coverage of migrant workers as of 2005 was only about one fifth of the surveyed samples with coverage of males nearly doubling that of females. They consider problematic the design of the scheme which is predominantly monthly minimum wages (varied by region) rather than hourly rates, disregarding that migrants work much longer hours per day and more work days per week than local urban workers. It is also recognized that even the one-fifth figure could be an overestimation of the actual coverage rate given the fact that China’s statistical reporting system frequently excludes employment and wage information in the informal economy, where most migrant workers, particularly females are employed (Du and Pan, 2009).

For the few schemes that should have included migrant workers according to specific government policies and regulations, such as work injury insurance, basic

medical insurance and pension, compliance by employers is highly uneven. My fieldwork revealed that in Beijing and Tianjin, particularly since 2004, the city governments have placed greater emphasis on employers to abide by the law and extend such insurance schemes to migrant workers, which is also evidenced in the city authorities' websites (see Beijing Municipal Government, 2006; Tianjin Municipal Government, 2006). My fieldwork interviews, however, revealed considerable discrepancies between the public and private sector employers in this regard with the former more willing to comply. The interviewees working in the public sector, including hospitals and universities, were aware of the major social insurance schemes, particularly medical and pension insurances, and said that these were recently extended to cover them. Data from quantitative surveys conducted in Beijing further confirm this. Lu and Qin (2007: 132) reported that SOEs in the city topped the performance ranking of all the seven social protection indicators for migrant workers in their 2005 survey. In the informal economy dominated by private capital, where the majority of my interviewees worked, migrant workers were rarely aware of the insurance schemes. Furthermore, enforcement of the relevant laws and regulations was ineffective and coverage patchy at best.

Institutionalized discrimination against migrants underpinned by the dual urban-rural labor market and hukou system, deep-rooted social prejudice (including stereotyping and scapegoating migrants for exacerbated social problems in urban areas like increased crime and urban unemployment), and unequal social power all serve to further undermine migrant workers' statutory rights and livelihoods. Moreover, more powerful, vested interests formed through a close alliance between global and domestic capital, and between capital and local political power are at play, as their profits and revenues have derived, to a considerable measure, from migrant

workers' "cheap labor" at the expense of their decent wage and social welfare rights. This, combined with a continued policy priority placed by many local authorities on economic growth through attracting more external investments with cheap labor as a "comparative advantage" (Dong, 2008), has further disadvantaged and disempowered migrant workers. One example is provided by a private entrepreneur in Tianjin who employed about 20 migrant workers. He said in the interview that following the enactment of the government's Regulation on Work Injury Insurance at the beginning of 2004, the city government required all private businesses to contribute to employees' social insurance disregarding their hukou status. If an employer was found non-compliant, his or her business license would be revoked. This, combined with an earlier experience of a worker being injured in an accident, made the entrepreneur especially serious about the new rule. He visited one government department after another in an attempt to pay the insurances for his migrant employees, but wherever he went he was told that he was in the wrong department. In the end he was "like a ball kicked back and forth (*ti piqiu*) and no department really cared." Finally he told an official that he must buy the insurance for the migrants, otherwise he would risk losing his business license. To his surprise the official replied, "they're outsiders, who would bother? Nobody will check and you forget it and go home!"

Bureaucratic irresponsibility, institutional apathy and inertia can also impede institutional innovation, targeted design and creative action required for protecting mobile livelihoods. The latest official emphasis is placed on urban-rural integration particularly in social welfare provisioning as a necessary step to render obsolete the hukou regime by hollowing out its essential function of dividing urban and rural societies through unequal social entitlements, rights and access to welfare resources

(Interview with Professor Peng Huamin, Nankai University, September 2008). This initiative has been piloted since 2007 in Chengdu and Chongqing followed by other large cities, including Beijing, Shanghai and Tianjin in their suburban areas. In addition, it is reported that 13 provincial authorities after 2009 are considering abolishing the hukou system by allowing all citizens to register as “residents” (*jumin*) disregarding their origins. Such initiatives hopefully would facilitate the inclusion of migrant workers in the still evolving social security system (Hua, 2010: 190).⁹

Yet despite the policy dynamics in recent years, the needs of the mobile population have not been systematically targeted or seriously considered in the new initiatives and practices. In my interviews with migrant workers employed in the public sector, some expressed the concern that even though they were now entitled to join certain welfare schemes, they were unsure about how they could eventually benefit given that the current schemes were not portable (thus unsuitable to their mode of livelihoods) and there was a lack of trust in the bureaucracy, as echoed in Mr Yan’s concerns below:

Since the beginning of this year I’ve joined a few insurance schemes, including medical, unemployment and pension insurances. Each month RMB43.3 is deducted from my monthly wage of RMB598 and the employer contributes to these too. However, except the medical insurance, for which I’ve been given an insurance booklet (*yiliao baoxian ben*), I don’t have any proof (*ziju*) for other schemes. I’ve made a query to the employer, but told that nobody had been provided with such a proof and all my contribution was recorded in my personal file kept by the university... The explanation hasn’t convinced me though... It’s like

going to the bank to withdraw money we must present our account booklets (*cunzhe*), but we don't have any proof for the social insurances that we've contributed to. I'm thus not so assured and don't feel secure. Joining the medical insurance scheme guarantees healthcare for us migrants and I'm quite happy with the new policy. However, this is a good thing in principle and I don't know whether it really works when we need it. I also don't have an account number or any other evidence for the pension insurance: how could I withdraw a pension when I retire? Also, the home of a migrant worker like myself is not in Beijing, how could I get my pension when I return to the home village after retirement?... In my home village, villagers are reluctant to join the rural New Cooperative Medical System (NCMS) mainly because the scheme is often useless when you really need it. If you fall seriously ill and need help, then you'd find nobody is actually in charge. You go from the lowest to the upper level authorities but nobody takes the responsibility to cover your medical expenses... I wish the government could further do something about this (Interview with Yan, Beijing September 2005).

While the NCMS has considerably expanded since 2007 with substantial fiscal support from the central and provincial government, the situation where migrants frequently fall into a vacuum of coverage between urban and rural societies has not been fundamentally altered. This shows that translating access and equity into practice is still often based on a lack of understanding or even indifference to the needs of the mobile population, which in turn reinforces social exclusion and marginalization. The process of recognizing and dealing with migrant workers' needs has too often been hindered by segregated and fragmented programs differentiated by the sector where

migrants work and subject to the vagaries of local political will and budgetary conditions, and to implementation by people embedded in societal prejudice or lacking awareness, sensitivity and/or a sense of responsibility. In the end, the uneven process of extending the social security schemes to migrant workers in the city becomes one of making the mobile population fit the system, rather than the other way round.

CONCLUSION

This study addresses the problem of migrants' social protection focusing on the linkage between health and livelihoods. It aims to contribute to a growing body of research on the evolution and reform of China's social policy and welfare schemes particularly targeting rural migrants, who, for the past 30-odd years, have made possible China's rapid and sustained economic growth, unprecedented urbanization and societal transformations while sharing, disproportionately, few of the benefits. Drawing on extensive fieldwork conducted in Beijing, Tianjin and other cities between 2005-9, and applying a livelihood framework combined with a well-being perspective, the study demonstrates that in spite of the accelerated pace of legislation, and the consolidated efforts to reconstruct the social safety net and welfare system in China since the early 2000s, the emerging institutional frameworks entailing a range of social security schemes have thus far, by and large, failed to cover migrant workers in a systematic manner. It reveals that migrant workers continue to confront high risks and threats to their health and livelihoods. Citizenship in the sense of economic and social rights, despite its more recent expansion through official reinterpretation, and new legislation and amendments to existing laws, is still dualistic and exclusive –

defined, applied and acknowledged differentially along the dividing lines of, among other things, individuals' hukou status and their mode of livelihoods.

Migration, health and livelihood sustainability as related to social protection is a complex and multifaceted issue, and this research focuses attention on a specific aspect, namely, migrants' work safety and occupational health. Combining in-depth fieldwork and a livelihood analysis, the article presents the marginalized voices of migrant workers, and a deeper insight into their lived experiences in terms of health, livelihoods and life worlds. It emphasizes access, directing attention to issues relating to institutions, social relations and power that have shaped, controlled and frequently constrained migrants' access to vital resources, including formal institutions such as the state, law and public goods. The study argues that migrant workers are social actors, and they exercise agency through negotiating, managing and dealing with the health risks, and by nurturing and developing informal support mechanisms and institutions, such as kinship- and friendship-based networks, and informal medical clinics, by taking individually devised tactics and strategies, and by mobilizing the limited resources at their command. It further shows that livelihood struggles are sometimes fought in the battlefield of law when mobile livelihoods are seriously harmed. Despite this, however, such individual efforts are unable systematically to tackle the structural deficiencies which generate vulnerabilities, increase risks, undermine entitlements, deny statutory rights of migrant workers to institutional social protection, and which in many cases lead to broken livelihoods, and aggravated poverty and ill-being.

Arguing that the social welfare of the mobile population is essentially a matter of equity and social justice, this article points to an urgent need for addressing more

effectively the issues identified, namely the health and well-being of migrants. This is a challenging program requiring multi-sectoral, multi-ministerial collaboration and a well-coordinated holistic approach engaging diverse actors and stakeholders, such as the central and local state, civil society, migrant workers, and urban, rural and migrant communities. The fact that the majority of migrant workers are gaining their livelihoods in the informal sector together with their relatively high physical mobility also poses special challenges in respect of designing, implementing, enforcing and managing the social security schemes and funds for the group. Migrant workers bore the brunt of the massive impact caused by the global financial crisis on China's economy and labor market: it was estimated that in early 2009 about 12 million migrants had to return to rural areas after losing their urban jobs, accounting for 8.5 percent of the entire migrant workforce (Mo, et al., 2009: 38). I myself observed this in late 2008 during a field trip to Tianjin, where empty residential courtyards in its periurban districts (previously let to migrants and their families and now marked with "to let" signs) evidenced the precariousness, vulnerability and insecurity of mobile livelihoods under such external shocks. Since then a much more dynamic landscape has emerged in the development of China's social security system to protect migrants, in part as a response to the great challenges posed by the global financial crisis. While new experiments and initiatives have been introduced in coastal cities and different regions of the country, as analyzed by several researchers (see Watson, 2009; Hua, 2010),¹⁰ the effects of these and the extent of institutional innovation are, however, still too early to assess. The issues raised in this article therefore call for more empirical and particularly qualitative in-depth research to improve the evidence base for policy making, as well as for more forceful institutional responses to the challenges.

Notes

1. Recent research has investigated the problem from different perspectives. Murphy's volume (2009a) analyzed a range of issues in relation to migration and social development in China, including migrants' housing, children's schooling, and non-governmental organizations (NGOs) working with migrants; Chan (2010) and Tao (2009) linked the migrant social security problems with the hukou reform; Hu, et al. (2008) discussed the main concerns in respect of migrants' health in present-day China. At a theoretical level, Huang's (2009) insightful analysis looked at China's expanding informal economy, where most rural migrants finding employment, and the theoretical and ideological underpinnings of its omission from official statistics and its policy implications. Solinger (1999) did pioneering work on rural migrants' citizenship in China over 10 years ago. Among recent work published in Chinese, the most influential ones include the State Council's (2006a) comprehensive research report on the migrant workers issue, and the subsequent publications on the various aspects of migrants' social security (see Deng and Liu, 2008; Zheng and Huang-Li, 2007).

2. Variations in local policies often explain the different occupational patterns for different social groups. For example, taxi-driving, when profitable, is reserved for residents with urban hukou status especially SOE laid-off workers as is the case in Tianjin: Most taxi drivers own their cars, bought with the municipal government substantially subsidised prices, and business license – thus a profitable, sought-after business. Tianjin city government regulations explicitly barred non-local hukou holders from entering the occupation (Interviews with taxi drivers, 2008). When taxis are owned and business licenses monopolized by big companies, which charge taxi

drivers outrageous fees, and taxi-driving became a hard-to-sustain livelihood, as is the case in Beijing, Hangzhou, etc. (Interviews with taxi drivers, 2005-9), it then became an occupation dominated by commuting migrants and “outsiders.” The latter scenario is also due to differentiated social entitlements: Taxi companies in these cities prefer employing “outsiders” since they are not expected to pay full social insurance contributions for non-local hukou holders (Interviews with taxi drivers, 2005-9; Anon., n.d.; Lu, 2009).

3. Until quite recently public sector employers were not expected to contribute to the social security schemes for temporary workers.

4. Housing difficulties faced by migrants in large cities have only recently been recognized by the Chinese government as indicated in the China Development Report 2008/2009 where it is recommended that China’s urban planning should take account and incorporate the housing needs of migrants to prevent the emergence of the “shanty town” phenomenon (China Development Research Foundation, 2009).

5. Between March 2008 and March 2009 China’s export decreased by about 48 percentage points leading to non-materialization of about 9.5 million export-related jobs expected otherwise. In addition, many people lost their jobs, particularly those employed in small-medium enterprises more vulnerable to external shocks. Between October 2008 and January 2009, total decrease in job growth reached 8.1 percent nationwide (Mo, et al. 2009: 37-38).

6. According to incomplete statistics collected by the All China Federation of Trade Unions, by November 2004 the overdue pay to migrant workers reached around RMB100 billion nationally. A survey of 8,000 migrant workers conducted by Beijing Research Center on Legal Aid for Young People (BRCLAYP) at the end of 2003

showed that nearly half (48.1 percent) experienced unpaid wages, of whom about one third (30.6 percent) lost between RMB100-1,000, 15.7 percent lost RMB1,000-5,000, and 1.6 percent lost more than RMB5,000 (BRCLAYP, 2005). Given that migrants' average monthly wage is between RMB600-1,500, this problem constitutes a serious stressor and threat to migrants' mental and material well-being (see Wong, et al., 2008). While resolving this problem has been continuously emphasized by the central government in, for example, its No. 1 Document issued at the beginning of each year since 2003 it continues to recur (Wu 2006).

7. Xinfang or shangfang means individuals writing petition letters or going in person to the upper level authorities to make a complaint and seek justice until to the top level, namely, the State Council's Office for Dealing with Petitions (Guowuyuan xinfang bangongshi), when most other institutional channels fail.

8. This scheme was introduced in parts of rural China in 2004 with nationwide expansion following the issuing in August 2007 of the State Council's Circular on Establishing a National Rural MLS Guarantee System (State Council, 2007). Yet again, mirroring the great regional and urban-rural inequalities, the level of dibao provision has been hugely different between the city and the countryside, and between the coastal and inland regions. In the first half of 2007 the national monthly rural per capita dibao benefit was 70 yuan as against its urban counterpart of 182.4 yuan (NBSC, 2008: 196). In 2008 the monthly rural per capita dibao in suburban Shanghai on the southeastern seaboard was 263 yuan – almost 7 fold of its 38 yuan counterpart in rural Gansu in the northwestern region (Wang, et al. 2010: 114).

9. Such local plans, however, have triggered heated academic and policy debates, with powerful and vested interests fiercely opposing such a radical measure. It has

also caused apprehensions that without the control of hukou, “chaos” would arise in Chinese metropolises (see Tao and Du, 2009).

10. Hua (2010: 199-200) classifies existing local practices into three different “models,” namely, the “integrated urban model,” by which migrant workers should join urban social security schemes, experimented in Beijing, Guangdong, etc.; the “specially designed model,” whereby the social security schemes are tailored to the needs of migrant workers, experimented in Shanghai, Chengdu, etc.; and the “integrated rural model,” whereby migrants should join rural social security schemes, piloted in parts of Jiangsu where rural industries are more developed.

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