



THE POLITICS OF BETTER WORK FOR WOMEN: VIETNAM'S GARMENT INDUSTRY



ALICE EVANS

FEBRUARY 2018

ABOUT THE GENDER AND POLITICS IN PRACTICE RESEARCH PROJECT

How can a gendered understanding of power and politics make development work more effective? Many development programs tend to look at gender issues and politics separately. Through a series of case studies, this research asks what we can learn from more integrated approaches. It includes:

- a literature review on thinking and working politically and gender equality
- a context paper, and three in-depth studies that examine how gender and politics came together in social change processes
 - women political leaders in the Pacific
 - labour reform in Vietnam's garment industry
 - transgender empowerment and social inclusion in Indonesia
- 14 short case studies of development programs that aim to be both politically informed and gender aware, and a synthesis of their key insights

GAPP is led by the Developmental Leadership Program, which involves the University of Birmingham and La Trobe University, in collaboration with the Australian Government. Partner organisations include The Asia Foundation, Palladium, RMIT, Kings College London, UCL and the University of Southampton.

GAPP is supported by the Australian Government through the Department of Foreign Affairs and Trade's Gender Equality Fund and DFAT's partnership with The Asia Foundation.

ACKNOWLEDGEMENTS

I am extremely grateful to my American, Australian and Vietnamese participants, who shared their reflections with me and provided very useful comments on earlier drafts. This paper has also benefited from the constructive criticism of Matt Andrews, Yuen Yuen Ang, Niheer Dasandi, Greg Distelhorst, Do Quynh Chi, Pilar Domingo, Naomi Hossain, David Hudson, Layna Mosley, Chikako Oka, Lant Pritchett, and Arianna Rossi. The deficits are mine.



This publication has been funded by the Australian Government through the Department of Foreign Affairs and Trade. The views expressed in this publication are the authors' alone and are not necessarily the views of the Australian Government, the Developmental Leadership Program or other GAPP partner organisations.

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SUMMARY

Development programming can be improved by taking a politically informed approach. But so far much work has been quite narrow: focusing on aid, and neglecting gender inequalities. This paper explores how politically informed programming interacts with international processes and elite priorities to improve women workers' rights, voice and pay in Vietnam's largely female garment sector. Key drivers of reform include: strikes, pressure from reputation-conscious buyers, trade deals such as the Trans-Pacific Partnership (TPP), and geopolitics.

FOUR LESSONS

1. TO SUPPORT WOMEN'S RIGHTS, VOICE AND PAY, LOOK BEYOND GENDER PROGRAMMING

Gender and development interventions are often relatively small-scale: training, financing, raising awareness or supporting collaborative problem-solving among relatively small segments of society. These projects may lack longevity and breadth, and may therefore struggle to coordinate transformative social change.

It may be more transformative to support institutional reforms in predominantly female industries, such as the garment sector. This could involve creating a more enabling environment for women's activism and voices, and potentially enhancing women's earnings, self-esteem, status, public visibility and collective strength.

2. CHANGE IS POSSIBLE THROUGH INCLUSIVE COALITIONS

Rather than railroading radical change, Better Work Vietnam (BWV, an ILO-IFC collaboration to improve working conditions in the garment industry) secured broad support by working with diverse stakeholders: government, the trade union, manufacturers, and buyers. BWV allayed concerns about worker representatives in social dialogue through gradual familiarisation, diplomatic phrasing, incremental adjustments, and inviting government research. Working with the grain and building inclusive coalitions may aid women's voice and rights at work.

This impact might be strengthened by tackling gender norms more explicitly: supporting more inclusive unions, for instance. Asian garment workers have secured important gains through organising collectively, but Asian trade unions are often patriarchal and authoritarian. Given widespread expectations of assertive men and acquiescent women, male leaders may lecture women, rather than listening to them. If women perceive unions as unresponsive, they may be reluctant to approach representatives and engage in union activities.

Social change accelerates when people see that others are changing, when they know they will be supported. Unfortunately, very few development programs address our 'norm perceptions' (our beliefs about what others think and do). This is particularly true for gender. Most programs focus on women workers' deficits: assuming that inequalities persist because women lack confidence, or knowledge of their rights. So programs to address sexual harassment try to 'raise awareness'. However, if women do not expect management to take their concerns seriously, they are unlikely to report harassment. Norm perceptions matter, hugely, yet are often ignored by development programming.

3. DONOR-SUPPORTED PILOTS CAN ENABLE REFORMISTS TO EXPLORE NEW IDEAS

Over the past decade, wildcat strikes have disrupted Vietnam's garment industry, triggering government concerns about regime legitimacy and therefore boosting support for reform. Manufacturers are also keen to resolve strikes, smooth productivity and reassure reputation-conscious buyers. Economic and geopolitical incentives to join the TPP agreement and the TPP's stipulation of freedom of association also encouraged reform.

These have all stimulated debate, and exploration of different policy options. In this context, donor pilots (such as Better Work) can enable reformists to explore new ideas, and see what works for them. Through experimentation and adaptation, pilots enable elites to gauge how different stakeholders will react. This reduces anxieties about the unknown.

In this way, Better Work Vietnam (alongside many other ongoing experiments) showed the Government a way of advancing its objectives. Reformists then used evidence of its effectiveness to win over conservative colleagues.

4. BUILD A MORE ENABLING ENVIRONMENT FOR WOMEN'S ACTIVISM AT THE INTERNATIONAL LEVEL

Too much politically informed work has focused only on local and domestic drivers of change. This paper emphasises the importance of transnational politics and commerce. This reveals a much wider scope of influence than many politically informed analyses have so far acknowledged.

To provide a more enabling environment for women workers' activism, donors might support their engagement with lead buyers and trade negotiators. Opportunities here include strengthening corporate accountability to women workers overseas (via the Australian National Contact Point) and stipulating freedom of association in free trade agreements.

INTRODUCTION

Being politically informed and gender aware means supporting a mix of locally legitimate actors to promote change, including greater gender equality.

This paper explores gender and the politics of labour reform in Vietnam's largely female garment sector. It investigates how politically informed programming interacts with domestic priorities and international processes to improve women garment workers' rights, voice and pay.

There is a growing consensus that development programming can be more effective by working in politically informed ways; that is, by appealing to elite interests and ideologies (Levy, 2014; TWP Community, 2015). But there are two limitations of research on politically informed aid. First, it tends to downplay or ignore gender relations and the difficulties of challenging inequalities while 'working with the grain' (Browne, 2014; Koester, 2015). Second, it narrowly focuses on aid. Yet, Organization for Economic Cooperation and Development (OECD) governments are increasingly using a broader range of foreign policy tools to achieve development outcomes. For example, the Australian Government seeks to promote gender equality and women's empowerment through 'advocacy, trade negotiations, economic diplomacy and aid investments' (DFAT, 2017).

Gender and development interventions are often relatively small-scale: training, financing, sensitising or workshopping with relatively small segments of society (Cronin-Furman et al., 2017; Radcliffe, 2015). Lacking longevity and breadth, these projects may struggle to motivate and coordinate collective deviation from gender norms.

It may be more transformative to support institutional reforms in predominantly female industries: creating a more enabling environment for women's activism, voice and pay, and potentially enhancing women's earnings, self-esteem, status, public visibility and collective strength (Kabeer and Mahmud, 2004; Khosla, 2009). The Vietnamese garment industry is an ideal case study here; 80% of its workforce is female, and these women are concentrated in low-paid, precarious work and routinely disadvantaged in promotions (Fontana and Silberman 2013).

The Government of Vietnam has become more supportive of higher minimum wages, social dialogue and freedom of association. This paper explores the domestic and geopolitical drivers of this reform. In brief, widespread strikes disrupted productivity and alarmed the government, triggering concerns about regime legitimacy. The Trans-Pacific Partnership's (TPP) promise of greater market access and stipulation of freedom of association (FOA) cultivated policy debate. China's aggression in the South China Sea bolstered commitment to the TPP, strengthening Vietnam's desire for wider international ties. These macro-level crises cumulatively shifted perceived interests, leading to policy experimentation and continual adaptation – such as the ILO-IFC Better Work program.

CONTEXT

The global garment industry is a major generator of jobs, exports and economic growth. But factory work is often poorly paid, precarious and dangerous. Overt resistance is deterred by the prevalence of insecure short-term contracts, fear of job loss and management intimidation. Even if female workers do protest for higher pay, firms and governments are often unresponsive for fear that price-competitive buyers will relocate to countries with lower labour costs. Improving these jobs and protecting workers' safety is a major challenge for the international development community.¹ So, what could enable more inclusive industrialisation? How might governments and manufacturers come to promote and uphold decent work? And how can rich countries support overseas workers' activism, voice and pay?

¹ The devastating collapse of the Rana Plaza building in Bangladesh in 2013 destroyed five garment factories, killing 1,135 people.

Vietnam is an informative case study here. It has achieved rapid economic growth, job creation and poverty reduction through economic liberalisation and industrialisation, becoming the world's fourth-largest garment exporter (World Bank, 2016: 152).² But the government remains cautious, anxious about further governance reforms. It permits only one union body: the Vietnam General Confederation of Labour (VGCL). Subordinated to the Party, VGCL is a top-down organisation that provides services for its members and advocates on their behalf (e.g. on minimum wages). VGCL is not directly accountable to workers; the Communist Party appoints its national leaders, while factory-level union leaders are often employed as senior managers (Anner, 2017; Arnold, 2013; Do, 2011; Kerkvliet, 2011: 173; Khanh, 2014: 590–593; Lee, 2006: 422; Pham, 2010: 341, 2017).³ Under Vietnam's centrally planned economy, independent unions were not permitted. But the government appears to be increasingly supportive of independent unions, a progressively higher minimum wage, social dialogue between management and workers and collective bargaining.

To enhance our understanding of the politics of inclusive development, this paper explores why the government has undertaken a series of labour reforms, and the significant implications of these for women's economic empowerment.

Over the past decade, wildcat strikes have disrupted Vietnam's garment industry, alarming the government by triggering concerns about regime legitimacy and amplifying support for reform. Manufacturers are also keen to resolve strikes, smooth productivity and reassure reputation-conscious buyers. Economic and geopolitical incentives to join the TPP agreement and the TPP's stipulation of FOA also incentivised reform.

In contrast, donor-supported pilots (a form of aid) do not appear to have *motivated* reform, although they remain important; they provide a valuable space for reformists to explore new ideas, continually adapt and gather evidence of what furthers their perceived interests and beliefs, with which they can persuade anxious, conservative colleagues. None of these forces are deterministic; they stimulate debate and authorise experimentation, and coalitions use them to push for reform, but their effects depend on pre-existing interests in reform and careful efforts to build country ownership.

By tracing the politics of labour reform in Vietnam, this study draws attention to drivers that research on politically informed programming often overlooks: strikes and foreign policy tools besides aid (e.g. commerce and trade). It also suggests how to scale up pilot programs so as to create positive synergies with the aforementioned large-scale pressures.

The paper is divided into three main sections. Section 1 discusses key literatures on the politics of labour reform, the gendered garment industry and politically informed aid. Section 2 outlines the qualitative research methodology and method of data collection. Drawing on this data, Section 3 traces the major drivers of industrial relations reform in Vietnam – domestic unrest; pressure from buyers; experimentation (the ILO Better Work program); trade negotiations, geopolitical concerns and faltering economic growth – and charts how these created pressures for reform.

The paper concludes by suggesting that pressure from strikes, buyers and trade agreements could motivate more enabling environments for decent work, while aid programs can enable middle-income governments to iteratively experiment with desired reforms.

2 Reform (doimoi) commenced in December 1986. GDP growth has since averaged 7%. Between 1993 and 2012, the proportion of people living in extreme poverty (\$1 a day) fell from 59% to 15% (World Bank, 2012). Vietnam's garment industry employs 2.5 million people in 6,000 enterprises: 59% are private domestic, 36% foreign and 3% state-owned (Do, 2017).

3 The Vietnamese trade union system comprises four levels: (1) VGCL at national level (whose leaders are chosen by the Party); (2) provincial trade unions and national sectoral trade unions (such as the Vietnam Garment and Textile Union); (3) upper-level unions, local sectoral unions and industrial zone unions; and (4) enterprise-level unions.

1 LITERATURE REVIEW

This section details how this case study of Vietnam builds on the existing literature on global production networks, the gendered garment industry, the politics of inclusive development and the shift towards politically informed donor programming.

As recognised by the International Labour Organization (ILO) (2013), '[i]n the garment sector, [wage] adjustments are usually adopted only after mass protests and strikes that disrupt the industry'. In South East Asia, mass strikes and demonstrations have enabled concerted increases in minimum wages. Furthermore, when unions mobilise, labour inspectors can better enforce legal compliance (Amengual and Chiro, forthcoming; Amengual and Fine, forthcoming; Anner, 2015; Hughes, 2007; Siddiqi, 2009; Tràn, 2007, 2013; Yoon, 2009: 22). Successful activism also seems to galvanise further mobilisation, as other workers learn that they *can* influence wage negotiations (Arnold, 2013; Cox, 2015; Do, 2011; Kerkvliet, 2011: 175 on Cambodia and Vietnam). Improvements in state capacity only appear to improve labour rights when workers gain political strength via high union density, left-wing political parties in the executive and legislature, and democratisation (Berliner et al., 2015a; Mosley, 2010).

Though garment workers have secured important gains through organising collectively, they are severely hindered by gender beliefs, precarity, authoritarianism and global competition. Across Asia, the garment workforce is predominantly female. Widespread expectations of assertive men and acquiescent women may foster patriarchal, authoritarian unions, in which male leaders lecture women rather than listening to them. If women perceive unions as unresponsive, they may be reluctant to approach representatives and engage in union activities. Such disengagement weakens the collective power of labour (Evans, 2017). Collective organising is further impeded by short-term, insecure contracts, fear of job loss and intimidation by factories. These labour abuses are incentivised by buyers' short-term contracts, low prices and late penalties. For example, 'the real dollar price paid per blouse imported from Vietnam to the United States from 2005 to 2016 declined by 29.09 per cent' (Anner, forthcoming: 11). Buyers may be reluctant to reform individually, given price competition within the garment industry. Governments are also often reluctant to uphold workers' rights, for fear of price-competitive buyers relocating overseas. This mobility of capital (and immobility of labour) creates a global race to the bottom (Davies and Vadlamannati, 2013; HRW, 2015; ILO, 2012: 16). Financial crises may exacerbate such pressures: credit-constrained governments appear to permit a deterioration of labour practices (Blanton et al., 2015), perhaps using cheap labour to improve their global competitiveness.

Low wages in the garment industry can also be understood as a collective action problem. Unilateral deviation from the status quo is individually costly – for workers, manufacturers, retailers and governments alike. Overcoming this collective action problem requires transnational collaboration and coordination between diverse stakeholders (Posthuma and Rossi, 2017). Aid and trade agreements are potentially important avenues here (and rich countries are increasingly keen to promote international policy coherence), but we know relatively little about their comparative and complementary strengths.⁴ As Lim et al. (2015) note, 'scholars [tend] to treat "aid" and "trade" as existing in silos: scholarship which examines the effects of trade on developing countries does not consider how these effects might be moderated by inflows of foreign aid, and vice versa'. So, where are the potential synergies in rich countries' foreign policy toolkits?

Given the widespread reality of poor working conditions in global production networks, research tends to be rather negative, highlighting inadequacies of existing public and private regulation. While such literature reveals the urgent need for reform, it does not really help us to understand how to get there. Instead, we need to learn from progress towards inclusive industrialisation: the political drivers, incentives and mechanisms of change of not only 'cocooned' donor-supported projects⁵ but also nationwide reforms (as Berliner et al. (2015b) also call for).

⁴ Though see DiCaprio, 2013: 111; Polaski, 2006: 929 on the US-Cambodia trade deal and Better Factories Cambodia.

⁵ This excellent term is borrowed from Andrews et al. (2017).

Parallel studies on overseas development assistance also emphasise the centrality of politics. They increasingly recognise that politicians and civil servants with countervailing interests and beliefs may not heed policy recommendations for inclusive development. Desire to placate donors may yield 'isomorphic mimicry': the façade, but not function, of good governance (Andrews et al., 2017). So, rather than prescribe more 'best practice' reforms, donors are increasingly urged to 'work with the grain': engage with elite interests and beliefs, address collective action problems and ensure aid programs are 'politically smart, and locally led' (Booth and Unsworth, 2014; World Bank, 2017). But can appealing to (and potentially reinforcing) elite interests, hierarchies and beliefs promote *inclusive* development – such as in the garment industry, where many politicians own factories and have vested interests in low wages (see e.g. Berliner et al. 2015a)?

Such uncertainty has spawned two sets of research on aid, politics and development. One set investigates the uptake, implementation and impact of politically informed, locally led collaborations (e.g. Booth and Unsworth, 2014; Levy, 2014; TWP Community, 2015). But, in focusing on aid, these program evaluations may be blinkered to more powerful drivers of reform. Another set of research takes a more macro, longer-term view, charting the political struggles and coalitions by which socioeconomic and political resources come to be redistributed more equitably – across classes, genders, ethnicities and spaces. These studies illustrate the historical importance of crises; critical junctures; conflict and disruption; state–society reform coalitions, local beliefs and perceived interests (Grindle and Thomas, 1991; Heller, 2001; Hickey et al., 2015; Sandbrook et al., 2007; Teichman, 2016; Dasandi and Hudson, 2017). They inform the aforementioned shift in donor practices. But how do these large-scale, long-term political processes interact with 'politically smart, locally led' aid interventions? We do not really know. As Grindle (2017: 22) emphasises:

[S]cholars considering pathways toward change have not given due attention to how these analytic lenses might interact ... Doing so would bring them to a familiar conundrum: Should reformers seek to make incremental adjustments to improve ongoing performance or is it necessary to recreate or significantly modify major institutions of power?

In response to Grindle, this paper examines the interactions and synergies enabled by: (i) major domestic and transnational pressures to modify institutions of power (widespread strikes, commercial pressures, trade deals and geopolitical threats), and (ii) incremental adjustments (supported by the ILO–IFC's piloted Better Work program). In so doing, it explores their particular contributions and relative importance to governance reform.

Studies of sociopolitical change and continuity often refer to 'social norms', which are conceptualised as aggregate features of a given society: widespread discourses, conventions and practices (Acemoglu and Jackson, 2017; Pearce and Connell, 2016). Others refer to 'ideas' in the abstract. But how do these discourses and practices actually influence people's behaviour, motivate compliance and thereby perpetuate continuity? To investigate the causes of sociopolitical change, this study focuses not on aggregate norms but rather on people's reasons for acting: their beliefs and desires, internalised ideologies, perceived interests and – particularly – norm perceptions (beliefs about what others think and do) (see also Bicchieri, 2017). People (politicians, civil servants, factory owners, citizens) develop beliefs about what others will tolerate, endorse, abhor or resist through observation, interaction, peers' narratives and media consumption. If everyone else complies, we assume collective approval – not recognising that others may be privately critical. We only revise our norm perceptions when we witness behavioural change (or hear of it from trusted sources). Further, we conform with these norm perceptions because we think deviation will be unsupported and fear being reprimanded, reproached or violently repressed.

So, even if female garment workers privately champion gender equality, they may doubt whether men will ever respect them as equals, as Pangsapa (2007) found in Thailand. In one Thai factory, '[t]hese women were not unaware of their exploitation, but they felt powerless to do anything about it and thus conformed to the complacent woman assembler stereotype' (Pangsapa, 2007: 77). This creates a collective action problem, requiring a large-scale and coordinated change in beliefs and behaviour (Bicchieri, 2017: 111). This helps explain why norm perceptions and practices persist over time. By contrast, conceptualisations of 'norms' as aggregate features of a given society struggle to explain how such norms influence individual behaviour and perpetuate path dependency.

While individuals have idiosyncratic encounters and interactions, these experiences are shaped by wider political and economic structures. For example, under an authoritarian regime, people may be scared to speak out and be openly critical. Accordingly, their compatriots (both civil servants in government and workers in factories) may not realise there is widespread dissatisfaction. Although workers' organisations could provide spaces to hear alternative perspectives and realise workers' collective strength, they may be hampered by political repression and precarity (i.e. informalisation, short-term contracts, turnover and instability).

This emphasis on norm perceptions also contrasts with the assumptions underlying major donor programs in the garment industry. For example, gender-focused interventions often focus on women workers' deficits, especially their internalised ideologies and limited knowledge of their rights. For instance, ILO (2012) attributes the paucity of women's leaders in the garment industry to women's lack of experience and confidence. Similarly, to curb the trafficking of Bangladeshi, Indian and Nepalese women into the garment industries of India, Jordan and Lebanon, DFID-ILO seek 'to strengthen both migrants' and aspiring migrants' understanding of their own rights in the context of patriarchy, mobility and work' (UKaid and ILO, 2016). Likewise, a DFAT-funded, AUS \$5.4 million project by CARE ('Enhancing Women's Voice to STOP Sexual Harassment') seeks to tackle sexual harassment by raising management and workers' awareness of 'sexual harassment'. This research design does not try to shift norm perceptions. But if management or government do not anticipate any repercussions or accountability, they may not be motivated to reform. Likewise, if workers do not expect management to take their concerns seriously, they are unlikely to report harassment. Telling women workers that they have abstract 'rights' may not necessarily shift their norm perceptions (that others will support resistance), and so may not be sufficient to galvanise mobilisation. In Malaysia, for instance, '[d]espite sustained efforts by both NGOs to transform women's consciousness, there appeared to be great reticence on the part of the women themselves to believe that they can challenge the very system ... to them it is part of their lives to be exploited, they simply accept it' (Miles, 2016: 13-14; see also Evans, 2015).

Echoing this emphasis on norm perceptions (rather than internalised ideologies), Joshi and Moore (2000) argue that people living in poverty will mobilise when the state is tolerant, credible and acknowledges their rights. They further claim that people are more likely to invest their time in learning and activism when programs are predictable (not limited to a single project cycle). Joshi and Moore suggest that development cooperation should merely build an enabling environment for poor people's autonomous collective organisations. But there is a further question here: How can rich countries use aid, trade and commerce to foster enabling environments for garment workers' activism?

'Perceived interests' are whatever an individual or group considers instrumental to achieving their desires, e.g. for economic growth, political legitimacy or geopolitical security. Understood in this way, interests are subjective and cannot be assumed (Hay, 2011; Blyth, 2011; Hudson and Leftwich 2014). Perceived interests are shaped by not only material circumstances but also norm perceptions, i.e. how people expect others to perceive and treat them.

This paper explores how different socioeconomic and geopolitical processes motivate reforms by influencing different stakeholders' norm perceptions and perceived interests. By illustrating workers' and managers' reactions in the Vietnamese context, it suggests that aid (in the form of workshops and pilot programs) has not shifted perceived interests, but has shifted norm perceptions. By alleviating anxieties, program reformists can use such programs to push for change. But any such effects depend on pre-existing interests in reform and careful efforts to build country ownership. Further, while aid programs have not shifted interests, other foreign policy tools have. These include pressure from buyers and trade agreements.

2 METHODOLOGY

This paper draws on in-depth interviews with government officials (both senior and junior); domestic business associations; foreign investors; trade union leaders; ILO advisors; Better Work Vietnam (BWV) staff; personnel of international non-governmental organisations; bilateral and multilateral cooperating partners; international brands, factory managers and workers (totalling 35 participants). This research was undertaken between March and May 2017 in Hanoi, Ho Chi Minh City and via Skype (with North American participants).

Some interviews were facilitated by a translator, who was well-versed in sensitive sociopolitical research. To understand participants' perspectives and priorities, the interviewer always asked open questions, and avoided leading the discussion and mentioning possible influences.

Given the highly sensitive context, some participants may have presented a carefully curated, strategic narrative. Cooperating partners, for example, may have exaggerated their organisations' contributions to ongoing reforms or downplayed wider influences (of which they might be less aware). As one ILO advisor remarked, 'It's hard for any of us on the outside – and we are on the outside – to understand what's going on'. Meanwhile, Vietnamese officials may have downplayed foreign influences so as to present themselves as sovereign. Further, as an outsider, the author may have misinterpreted their statements, or failed to recognise cultural allusions or indirect references.

To address these challenges, it was imperative to cultivate trust, shared understanding and empathy. This was easiest when conversing in English, harder when mediated by a translator and challenging when interviewing factory workers (who had possibly been advised on how to engage with outsiders; see Hoang and Jones, 2012: 78).

Cross-checking the information and undertaking repeat interviews with a range of actors and institutions helped to validate the perspectives gathered. Spending time with participants, chatting and joking in cafes, also helped build rapport. Interviews were recorded, translated, transcribed and manually coded. For accuracy and accountability, the author circulated the full paper to participants, ILO staff and Vietnamese industrial relations experts, and revised it in light of their comments.

3 REFORMING INDUSTRIAL RELATIONS IN VIETNAM

This section traces the slow, incremental, acrimonious processes and drivers of the reforms. Structured chronologically, it charts how interests and norm perceptions have been shaped by wildcat strikes, pressure from buyers, donor-facilitated pilot programs, free trade agreements and geopolitical threats. By examining the entire process of change, it seeks to illustrate the relative importance, interactions and complementary strengths of different dynamics.

WILDCAT STRIKES

Dissatisfied by their wages and working conditions, Vietnamese factory workers have expressed discontent by go-slows, attrition and wildcat strikes (unauthorised by VGCL, so not considered legal) (Do, 2011). This is not a new phenomenon; it is partly inspired by historical strikes in South Vietnam (1950s to early 1970s: Kerkvliet, 2011). Strikes and attrition are also enabled by tightening labour markets in industrial zones, companies' desire to maintain production and state tolerance (of both strikes and positive media coverage). In this context, strikes generally secure material gains, at least in the short term. By spreading news of successful activism, showing photographs and statistical data, pro-labour journalists shift norm perceptions: other workers learn that they *will* have state support and *can* influence wage negotiations. This galvanises further mobilisation (Chan, 2011; Cox, 2015; Do, 2011; Kerkvliet, 2011: 175; Lee, 2006; Siu and Chan, 2015; Trần, 2007). It also alarms manufacturers, which are concerned about productivity and buyers' deadlines. Sustained media attention shifted government's norm perceptions, revealing the extent of domestic discontent and threatening regime legitimacy. People's expectations of garment workers may also be influenced by collective memories of the American War, in which women defiantly fought for the Vietnamese People's Army and Viet Cong, provided extensive logistical support across mountains, jungle and rainforests on the Ho Chi Minh Trail and were publicly celebrated for these contributions to the resistance (Taylor, 1999). While governments elsewhere may presume that garment workers are docile, unlikely to riot or easily repressed, these gender norms and stereotypes are perhaps less prevalent in Vietnam.

Importantly, strikes do not entail reform. Given pressure from foreign investors, the government *could* have violently suppressed strikes or quashed media reporting – as in Bangladesh and China.⁶ But the government permits positive media coverage of strikes, and local authorities berate investors for non-compliance with the labour code (Siu and Chan, 2015). Further, even if the state did wish to support workers, it could have just penalised employers for non-compliance rather than revise industrial relations and strengthen workers' voices. To evade such sanctions, companies could have just relocated to provinces with surplus labour (which sometimes happens: Do, 2011: 132–133) or refused to budge (Nguyen, 2017: 272). So, why has the government chosen to reform industrial relations? Why has it made iterative, incremental revisions to the labour code and trade union law?

Initial attempts to reform industrial relations were thwarted by visceral resistance – from VGCL. In 2009, the National Assembly proposed labour councils at national and enterprise levels, including unions or workers' representatives. The Ministry of Labour (MOLISA) promised they would 'not replace enterprise unions'.⁷ Despite this strategic framing, VGCL reacted angrily: running aggressive newspaper articles publicly accusing MOLISA of trying to undermine the working class, union movement, Party leadership and nation as a whole. MOLISA backed down, stalling the reform process (Do, 2011). To promote dialogue, MOLISA also established tripartite labour councils at national and provincial levels – clearly excluding non-union workers' representatives. Similarly, the first draft of the 2012 Labour Code allowed workers to form independent organisations in enterprises without trade union representation, and to engage in collective bargaining agreements.⁸ These clauses were removed (Pham, 2010: 367).

⁶ While the Government of Vietnam does not arrest and seldom beats peaceful workers who protest factory conditions, it has harassed, intimidated, arrested and convicted prominent leaders of Vietnam's independent labour movement and other pro-democracy campaigners who make political demands of national government (Chan, 2011; HRW, 2015; Kerkvliet, 2011: 179–180; Lee, 2006).

⁷ Sai Gon Tiep Thi, 27 September 2009, cited in Do, 2011.

⁸ Article 206 of the first draft of the 2012 Labour Code.

For their part, VGCL leaders tried to ameliorate labour conflicts while maintaining the status quo: mandating greater support from district and industrial zone unions to weak enterprise unions⁹ (Arnold, 2012; Do and van den Broek, 2013). They also used top-down authoritarian power to push for improvements within the existing system. VGCL initially set targets for numbers of unionised enterprises and collective bargaining agreements,¹⁰ but these agreements merely repeated the law (rather than securing greater gains for workers), thus failing to quell strikes. VGCL then sought to improve the quality of collective bargaining agreements,¹¹ shifting from 'form' to 'function', to use Andrews et al.'s (2017) terminology. It launched a pilot program with Friedrich-Ebert-Stiftung (a German NGO and long-term partner): developing a database of CBAs. VGCL then funded nationwide scale up. Here, VGCL was trying to both preserve its monopoly and improve effectiveness.

Incrementalism notwithstanding, many within MOLISA, VGCL and business associations responded to strikes through proactive reform. In 2006, wildcat strikes comprising 200,000 workers – immediately publicised by pro-labour newspapers – led to a 30% increase in the minimum wage and inflation-adjusted nationwide annual increases thereafter. Many enterprises are also actively exploring alternative forms of industrial relations – such as social dialogue (managers meeting workers to address concerns before they escalate), dispute resolution and collective bargaining – as surmised below:

There were lots of unresolved conflicts ... The only way to reduce disputes is through dialogue. The idea stemmed from the enterprise level, then VGCL pushed for it [at national level] ... Larger enterprises and experiencing strikes felt great necessity to hold regular dialogue. Experiments at local level led to national pressure for reform.

(VGCL official)

The main driver in Vietnam for reform is wildcat strikes. The Government blames VGCL for not stopping them ... In the south, where they're dealing with a lot of strikes, they understand system isn't working very well.

(ILO, senior advisor)

These are nervous times. Many within the government are keen to attract Foreign Direct Investment (FDI), harmonise industrial relations, reduce strikes and improve economic growth. Strikes threaten their economic interests in growth. They also spark concerns about wider unrest and disharmony, potentially jeopardising the perceived legitimacy of the VGCL and VCP, as the as guardians of workers' interests (Do and van den Broek, 2013). But doing nothing is also politically risky. The government and VGCL are well aware that independent trade unions have undermined other Communist regimes (as also noted by Pham, 2017: 23). Besides self-interested concerns for survival, many within VGCL worry about workers' collective power being fragmented through multiple competing unions, as in Cambodia. Regime stability and credibility are paramount (as also emphasised by Vu-Thanh, 2017).

Importantly, no institution has a homogeneous set of norm perceptions or interests; each is internally diverse, comprising conservatives, gradualists and reformists. This partly reflects diverse norm perceptions: different players in different parts of the country have different beliefs about how others are likely to react to new initiatives.

Strikes have incentivised small-scale experimentation ('learning by doing'), study trips abroad¹² and workshops to explore suitable possibilities and gather evidence before embarking on large-scale reforms (Bartholomew et al., 2005; Do and van den Broek, 2013; Khanh, 2014: 591; Malesky and London, 2014). Ideas, initiatives and individuals are invited to the extent that they serve existing interests – though these interests are by no means uniform within the Party, VGCL or business. Nor are they fixed in time; they are contested, and evolve, through experimentation:

Everything is learning by doing: testing. The idea sounds brilliant but the question is how workers react to the change

(VGCL official) [expressing concerns about maintaining social stability and political legitimacy]

9 Decision No. 1693 (2007); and the 2008 Union Statute, Articles 26(4) and 27(3a).

10 VGCL and MOLISA, 2007, cited in Do, 2011; 2008, Union Statute, Article 20.

11 VGCL issued Resolution No. 1 on improving the quality of CBAs (2009) and reiterated this push at their 11th Congress (2013) (Do, 2011; 2016: 44). The first sectoral CBA pilot covered the textile and garment sector. First signed in 2010, it covers 69 enterprises and 90,000 workers (Artus et al., 2016: 275).

12 Keen to explore alternative possibilities, VGCL has funded study trips to Australia, Singapore, Indonesia, Japan and South Korea (see also Chan and Wang, 2004: 642). Mosley (2010: 163) also emphasises the importance of regional peers and social learning: '[w]here regional peers have stronger legal protections, a country is significantly more likely also to have such protections'.

To reduce workers' discontent, the government has permitted experimental initiatives – especially in southern provinces, where strikes and attrition threaten FDI-led economic growth. Large companies (especially those suffering from strikes and supplying foreign buyers) have trialled different forms of dialogue: bypassing enterprise unions, listening to rank-and-file workers and addressing concerns before they escalate (Do and van den Broek, 789; van der Loop, 2015). These initiatives are shared and continually improved upon through networking in business associations (see Do, 2011: 155, 209; Malesky et al., 2014; Nguyen, 2017: 269; Vinh and Le, 2016: 20–27). Provincial governments in the south encourage such dialogue. For example, in 2008, Ho Chi Minh City's Department of Labour, Invalids and Social Affairs wrote to employers, urging them to reduce strikes by embarking on two-way communication with workers and collective bargaining agreements. HCMC also increased labour inspectors from seven in 2006 to 100 by 2010 (Do, 2011: 208).

Strikes and attrition have thus incentivised gradual reform at national level, and authorised small-scale experimentation in industrialised provinces. But worker activism is not the only driver of change. Another incentive is pressure from buyers: overseas orders often come with labour standards requirements attached.

WORKING WITH THE GRAIN: THE BETTER WORK PROGRAM

To improve compliance and industry reputation, the Government of Vietnam invited the ILO and the World Bank's International Finance Corporation (IFC) to establish Better Work (BW) in 2009. BW monitors and advises garment factories on how to improve their compliance with national and ILO international core labour standards. To support this process, BW also trains workers, union leaders and factory managers.

Now a multi-country program, BW first began in Cambodia. Following international consumers' and national unions' outrage about poor labour conditions, the US government offered annual increases in Cambodia's export quota if ILO factory inspections recorded an improvement in factory conditions (DiCaprio, 2013: 111; Polaski, 2006: 929). BW has since been established in Bangladesh, Cambodia, Haiti, Indonesia, Jordan, Nicaragua and Vietnam because governments perceive it as advantageous: cultivating legitimacy and placating reputation-conscious buyers (like Disney, Gap and Nike), who pressure factories to join (Alois, 2016: 125, 138; DiCaprio, 2013: 111; World Bank, 2015: 23, 40).

BW is thus a useful example of donors supporting local stakeholders, carefully working with the grain and making 'incremental adjustments'. This section explores BW's contribution to governance reform and how macro-level pressures mediate this.

By strategically addressing the self-interested concerns of various stakeholders, BWV has improved working conditions. Over time, non-compliance has reduced for child labour and compensation. There has been less improvement in overtime: 80 percent of firms remain non-compliant (Brown et al., 2016). Most research on BW explores 'program effectiveness', i.e. the gains made within this intervention.¹³ However, this study's findings suggest that any such 'effects' are actually conditional symptoms of the broader political economy, which (a) incentivised support from government, business and VGCL, and (b) circumscribed what was possible in order to secure their cooperation. We cannot understand the gains, limitations or apparent effects of BW without recognising the wider enabling/restraining environment. It is only because of pre-existing interests in reducing strikes and increasing exports, orders and economic growth, while restricting the possibility of autonomous power bases, that ILO was invited to establish BW. This political context obviously affects the results achieved.

Given these political difficulties, BW worked strategically to build support and ownership in Vietnam – at national, provincial and factory levels. Bringing in more stakeholders had a short-term cost, however: weakening attempted radicalism. Notwithstanding widespread consensus about the need for some kind of reform, many were sceptical and reluctant. 'They [factories] think management knows everything. They worry about having more channels. They don't know what concerns workers will raise', explained a BW senior manager (see also BWV, 2016). Such resistance was overcome via pressure from buyers as opposed to donor-facilitated coaxing and cajoling.

¹³ Concerns have been raised about feigned compliance, limited enforcement and depoliticisation. Recorded improvements in compliance with labour standards may be superficial, as managers often prepare for inspections and intimidate workers (HRW, 2015). Further, BW has little independent power to sanction factories that violate labour laws or ignore industrial tribunal rulings – especially in the absence of government support and/or union mobilisation (Alois, 2016: 170; Amengua and Chiro, forthcoming). These box-ticking codes of conduct seldom amplify workers' collective strength (Anner, 2012; Bartley and Egels-Zanden, 2015; Barrientos and Smith, 2007). Although the BWP's Partnership Agreement asks buyers to revise practices that incentivise labour abuses, this is neither monitored nor enforced.

Conservatives within VGCL were also anxious about BW's proposed Performance Improvement Consultative Committees (PICCs), in which management and workers' elected representatives discuss non-compliance issues identified in BW assessments. 'VGCL was very sceptical about BW. They were worried it would undermine the trade union [by including production workers]', explained a senior manager in BW. A senior advisor at ILO explained this meant that 'MOLISA had to withdraw [support for the original PICC proposal], and only keep worker representation in dialogue [not in bargaining or strike negotiations]'. PICCs were thus a pilot form of what had been rejected at national level.

Framing thus became important: PICCs are always presented as 'complementary', 'capacity building for union', 'strengthening the union' (to quote interviews with those involved). But framing was not sufficient to placate anxieties. Substantive revisions were also needed. It was initially agreed that the PICCs would comprise a subcommittee of the union, nominated by the union: five rank-and-file workers and five union representatives/management. Further, PICCs would only discuss gaps in compliance; not wages, not collective bargaining, not dispute resolution.¹⁴ To secure approval, BW had to accept these conditions. While this reduced their transformative potential (see footnote 10), the conservatism and incrementalism of this pilot helped alleviate VGCL's anxieties.

By working in ILO's tripartite style, BW has been able to progressively evolve over time. Rather than present their own data in workshops, they invite MOLISA and VGCL to conduct their own qualitative research on PICCs. Besides building state capacity, government-led research also increases ownership. Having interviewed factory managers, workers and enterprise advisors, state officials see the situation for themselves and trust their own research findings (rather than abstract data). In 2011, having become familiar with this non-threatening pilot, two senior leaders within VGCL approached BW to try something new. They wanted to change the guidelines so that workers would directly elect 50% of PICC members. This was another experiment to inform ongoing discussions about the new labour code, as highlighted below:

A lot of things in Vietnam, people assume it can't work, because it's a Communist country. But then they see it in action. VGCL support for regular dialogue partly emerged through Better Work.

(ILO, senior advisor)

BW serves as a showcase for some ideas, in terms of dialogue ... I'm very familiar with BW, I've visited several times. We refer to PICCs when we talk about the new model. It works, we have evidence.

Question: Were you sceptical before Better Work?

No, I knew it works in other countries: Germany, South Korea. But PICC gave us more likely experience and evidence, for Vietnam. And we see the reaction from workers and employers. If you try to introduce something without checking ... [tone of voice implied there would be problems]. PICC is test. PICC enabled me to convince others in Vietnam.

(MOLISA, senior official)

The demand comes from their side. We just showcased good practice. Our experiences are good material for their debate.

(BW, senior manager)

Reformists within the government, MOLISA and VGCL thus used effective pilots (including but not limited to BW) to shift conservatives' norm perceptions about the likely effects of workers engaging dialogue, and to lobby for change (see also Do, 2011; Turley and Womack, 1998). Learning by doing is important for not only top leaders (who authorise and push for reform at national level) but also enterprise and provincial union leaders (who BW engage in their advisory services and trainings). Even in authoritarian contexts, which could simply mandate top-down compliance, it seems important to build ownership throughout and across multiple organisations.

BW's impact should be qualified, however: (a) regular dialogue is merely an incremental reform within the existing system; (b) BW enriched but did not incentivise debate or reform – at government or factory level; (c) there were other complementary pilots – as detailed below.

¹⁴ As Anner (2017) notes, the PICCs only address compliance, but most strikes are about concerns that go above the law (e.g. wages, bonuses and food). This limits their capacity to resolve workers' grievances.

First, the PICC model does not enable autonomous worker organisations; it merely enables communication. This communication is limited to compliance, not wages or strike disputes. There is also a risk that, by securing buy-in from established elites (namely VGCL leadership), the international legitimacy of the BW's PICC model is crowding out more progressive, transformative models for worker voice – such as those developed in southern Vietnam (Do, 2012).

Secondly, the BW trainings, workshops and pilots do not appear to have incentivised factory management or government commitment to dialogue. The pressures of strikes and Corporate Social Responsibility (CSR) appear to exert far greater pressure for reform. This study's qualitative (non-representative) research suggests that responsive dialogue is more common in large companies that supply foreign buyers and: (i) are experienced in wildcat strikes and keen to address grievances; (ii) have strong, confident, articulate worker representatives who are emboldened by their collective strength; (iii) understand workers' concerns and can articulate these without fear of repercussions from management; and (iv) have management whom believe grievances can be resolved through dialogue, having learnt from peers' successful initiatives in the southern industrialised provinces. Whether and how factory managers facilitate dialogue depends on their perceived interests, ideologies and evolving relationship with workers (see also Anner, 2017).

To increase factories' responsiveness, several cooperating partners facilitated two-day workshops for union representatives and management.¹⁵ These participatory discussions were carefully designed to help workers' representatives recognise the importance of listening to workers, collect information from thousands of workers, prioritise their concerns and then communicate and negotiate with management. These are all valuable skills. However, it is not obvious that workers lack technical capacity; many have covertly coordinated large-scale wildcat strikes, which is no easy feat (Lee, 2006; Trần, 2007). Furthermore, providing information about rights and responsibilities does not address managers' interests and norm perceptions in responsive dialogue. Without strong collective power, workers may fear recriminations for speaking out. Such autonomy is arguably impeded by VGCL's affiliation with management, and its persistent monopoly – as emphasised below. This may help explain why a recent quantitative study of BW found that trainings have a rather small effect on working conditions (Brown et al., 2016).¹⁶ Participants also widely downplayed these trainings:

This [training] is not an incentive [to change] ... They [union officials] are paid by the employer. They know the rights of the workers, but how can they be against the employer? They will lose their job. Because of the system, some issues cannot be solved.

(NGO worker)

[We] need workers' power for PICC to work. When person come to PICC without worker power, he just voice... He don't have power back up ... You need to build workers' movement.

(VGCL official)

The trade union is on side of owners, so cannot protect workers... In a company with PICC, workers sometimes don't raise their voice ... Sometimes they just keep silent because they afraid. So dialogue isn't real, it's not effective.

(Vietnam Chamber of Commerce and Industry, manager)

BW trainings do not appear to have incentivised responsive factory dialogue. Nor does BW appear to have incentivised government reform. As a Vietnamese industrial relations researcher explained: 'Technical projects bring in new ideas, but it does not mean they'll be implemented. It creates internal debate. After long internal debate, [the government] comes up with a solution which has nothing to do with original ILO idea'. Indeed, MOLISA had already proposed workers' representatives in labour councils; BW's PICCs were just a small-scale pilot of this pre-existing idea. Such experimentation was nonetheless useful in securing wider support and alleviating anxieties within the Party, business and VGCL about norm perceptions. After many discussions, workshops and factory visits, the government mandated dialogue between workers and management every three months.

¹⁵ Project evaluations of training for VCCI suggest ineffectual rote learning rather than participatory discussions. Horizontal learning seems much more valuable (Vinh and Le, 2016: 18).

¹⁶ That said, training for production supervisors has improved working conditions and business outcomes.

However, strikes persist. None have been settled by Arbitration Councils (VnExpress, 2017b), since these are premised on VGCL representation (which plays no part in wildcat strikes). Notwithstanding incremental adjustments, major institutions of power remained unreformed (Do and van den Broek, 2013). This was to change.

FREE TRADE AGREEMENTS REQUIRING FOA

The TPP offered greater market access (ameliorating a trade deficit with China and enabling greater economic growth) and stronger international partnerships and military security.¹⁷ From the outset, few could predict likely TPP outcomes. It was all to be negotiated. But there was growing recognition of pre-ratification conditionalities (compliance with international labour standards) for TPP and other free trade agreements (FTAs).¹⁸ In November 2012, over lunch with senior ILO figures from Geneva, VGCL's vice president made an important announcement (as recounted by a former ILO advisor):¹⁹

'We are now recommending to government that Vietnam ratifies [ILO] Conventions 87 and 98 conventions'. They saw TPP coming. And they wanted to be clear they were running the agenda, not international. ... That allowed things to move. ILO got very excited. We had two national workshops: closed workshops, for vice ministers and National Assembly members; VGCL and VCCI [Vietnam Chamber of Commerce and Industry] ... They were really hot. It was changing so fast. We had experts from Beijing and Geneva ... It was a good, open discussion. All parties asked ILO for mass roll out for understanding ... By November 2015, Vietnam signed off on final TPP negotiation. Everything changed ... Because of TPP, the pilots became more and more.

This narrative was widely supported:

TPP served as a starting point, to kick off the process of industrial relations reform in Vietnam. Many things before TPP, you couldn't be able to be open, to talk. But with TPP, people became free to talk ... public debate and discussion. Before TPP, there was no 'reform' ... no radical changes to the fundamental principles. The key principle of IR [industrial relations] reform is workers organisation. Regular dialogue isn't 'reform'. It's just improvement. It's the same system; the union system. TPP meant fundamental change. Workers to have own organisation, then that leads to changes in dialogue, strike negotiation.

(MOLISA, senior official)

In the past no one can talk about the word [FOA]. Now you can talk about it openly. But not too openly! Without TPP, I think everything would be slow. Some change their mind [i.e. were privately supportive], but feel they cannot do because of the system. So this group they want TPP, so their idea can be implemented.

(VGCL official)

This political context – growing support for TPP, recognising the inevitability of reforms to industrial relations and a need to reduce unrest – incentivised exploration, in the form of workshops on international labour standards and practical experimentation.

There was a growing cohort of reformers at national and local levels, within MOLISA, the Party and manufacturers. The previous leader of VGCL supported FOA and talked about it openly, thereby licensing and legitimising open discussion. His support enabled another series of ILO industrial relations pilots. Again, there were many creative processes (elected representatives in VGCL, collective bargaining), though radicalism was often reduced to secure the broadest possible buy-in. BW also encouraged factories to support elected unions by appealing to their self-interested concerns in preparing for TPP.

17 TPP would comprise Australia; Brunei Darussalam; Canada; Chile; Japan; Malaysia; Mexico; New Zealand; Peru; Singapore, the United States and Vietnam. Through TPP, Vietnam was estimated to gain 8–10% in GDP: a 28% increase in garment exports and a 14% increase in real wages for unskilled labourers by 2030 (World Bank, 2016). The EU Free Trade Agreement was predicted to increase Vietnam's GDP by 7–8% (Baker et al., 2014).

18 The Government of Vietnam knew congressional support for Vietnam's inclusion in TPP was conditional on labour reforms (Hiebert et al., 2014). As of April 2017, there have been 20 rounds of US–Vietnam Human Rights Dialogue (US Embassy in Hanoi, 2016). Other FTAs include the EU–FTA.

19 On MOLISA and VGCL appealing for ILO support and trainings in preparation for TPP and other FTAs, see also Arroyo (2015: 30–33).

This narrative is contested, however. Some Vietnamese leaders downplay foreign influence and present themselves as sovereign (reflecting long-standing resistance to US imperialism). For example, the Deputy Minister of Labour insisted that TPP merely accelerated the government's pre-existing plan (VietNam News, 2016). It may help that FTA discussions refer to 'international standards', and so can be neutrally framed as joining the international community (see also Ford et al., forthcoming).

Notwithstanding its prospective economic benefits, many within the government were nervous about the prospect and pace of reform required by TPP, especially concerning FOA (ILO Convention 87) (as also noted by Pham, 2017). Such concerns have lessened due to geopolitical developments, domestic unrest, unwavering strikes and faltering economic growth. There have also been workshops and more pilots, though these seem less catalytic – as suggested below.

Though playing a relatively marginal role, workshops *have* helped to familiarise and embed new concepts, as one VGCL official explained:

Without awareness, VGCL will be against it more. If union don't know about it, they will be afraid. They will protest. They will say 'NO! It threatens the position of VGCL'. And the government will be considerate, as VGCL is in the political system ... Generally we talk about international labour standards, broadly. Not having a talk specifically on FOA [since that would be too overtly radical].

At the start, VGCL they don't know [about FOA]. They afraid [of mentioning it]. They don't talk. Then this topic start to be discussed in workshop, in seminar, repeat, every day, it's normal. The first year, I come to [this] department, the people are afraid, you will be accused for something, [but] then many people talk about it. We are not afraid of it anymore. Every day it[s] normal.

But workshops' existence and effectiveness depend on pre-existing interests in reform – as galvanised by TPP and strikes.

While interviewees downplayed ILO's influence, this study suggests that its perceived impartiality is actually an intentional, politically informed strategy. Any prescriptive language can trigger resistance and backlash, so the ILO works strategically, detailing the international standards and their implications for Vietnam and sharing useful insights from regional peers. This enables Vietnamese stakeholders to perceive themselves as driving the process, not being dictated to.

The ILO also facilitates pilots (supporting bottom-up organising, multi-employer organising and the BW program). Through continual adaptation, pilots can expand horizons about what might be possible in Vietnam (i.e. shifting norm perceptions). But none of these benefits are envisaged at the outset, before experimentation. Thus, any deviation from familiar practice and authorised protocol can be fraught with tensions – 'angry words, storming out' – even for mild acts like surveying workers. 'They always cried out, "this is really hard, this is really new ... No one understands the new forms of bargaining"', as one ILO senior advisor recounted. Building local commitment to reform is critical, since in the authoritarian system, top-down mandates only ensure the form – not the function – of reform.²⁰ To build support and shift norm perceptions about the possibility of social change, recent ILO pilots have supported horizontal learning between factories and provinces, enabling workers and union representatives to learn from each other's innovations.

Horizontal learning can also foster mutual accountability between provincial union leaders: 'they have to report, and get attacked by other groups' (ILO advisor). If (after prolonged struggle) pilots are eventually successful, they may shift norm perceptions. Top leaders as well as provincial unionists learn how workers and employers are likely to react in the Vietnamese context. They may show win-win benefits, such as reduced strikes and turnover, as well as improved worker satisfaction. But there were no pilots of FOA or independent worker organisations (unaffiliated to the VGCL). Hence, pilots did not motivate the leaders of VGCL or the Party to support such reform.²¹

20 As one senior official in MOLISA commented about a collective-bargaining initiative: 'This effort was done in top-down manner ... They [local unions] just do it to meet the goal: to have multi-employer bargaining. One of these was worse than what they had at one company. [To get other enterprises to join, they had to lower the collective bargaining agreement below what already existed at one company]. Their understanding is that they have by all means to get something done ... [Projects] must always come from the interests of parties involved.'

21 As a senior manager in MOLISA said: 'During TPP negotiations, we didn't refer much to the [ILO collective bargaining] pilot. We didn't refer to it as evidence. There were a number of studies reported to high level. These weren't public. There's a think tank for politburo: the Central Theoretical Council. It did a lot of study. Quietly. That was more important than the pilots. Pilots were zero. Not used ... I know what references we used. There's no connection between the issues we're talking about [pilots and reform]: for the Party and the leaders of VGCL.'

Question: These ILO pilot projects had no effect on convincing leaders about workers' association? [Shakes his head in confirmation].

An ILO advisor similarly said: 'Generally, policy here isn't based on evidence. And that's an understatement. It's very rare that there's a conversation around evidence.'

In 2014, China deployed an oil rig in a disputed region of the South China Sea. This triggered widespread and violent anti-China protests throughout Vietnam. Rather than quash dissent, the government actually lessened past restrictions on media commentary about China, permitting extensive coverage of the demonstrations and open critique (Do, 2016; Nhung 2017). Preserving its legitimacy in the face of virulent anger, the Government of Vietnam implicitly sided with its people, rather than the aggressor.

Importantly, critical junctures are not self-fulfilling prophecies. Big events did not in themselves shift perceived interests. Reformists used geopolitical threats and domestic discontent to persuade sceptics that Vietnam could not rely on China's fraternal support, but must diversify and deepen international relationships (see also Do, 2016; Pham, 2017: 18). When asked how Vietnam could preserve sovereignty in the South China Sea, the Deputy Prime Minister replied:

It is necessary to forge strategic trusts with big powers. On the basis of developing economic, trade and investment with big powers, they will have an interest in protecting their own interests in Vietnam.
(Hoang, 2015 [translated]).

Even if TPP had not happened, Vietnam might have embarked upon other, similar geopolitical agreements. Vietnam–American defence cooperation had been carefully cultivated during Obama's 'Asia Pivot'. In 2011, they signed the US–Vietnam Bilateral Defense Cooperation Memorandum of Understanding. In 2013, John Kerry visited Hanoi and Ho Chi Minh City, announcing US \$18 million for Vietnam's maritime security (Hoang and Do, 2016).

A further factor galvanising reform is the persistence of wildcat strikes (notwithstanding incremental adjustments within VGCL). There were 384 strikes in 2013, 303 in 2014, 316 in 2015 and 281 in 2016 (about 40% of these were in the garment industry, according to VGCL). In 2015, 90,000 textile workers went on strike at Pouyuen factory. Unlike all previous strikes, discontent was directed at the government and its new social insurance law. Surprised and alarmed, the government responded instantly, not by violently repressing demonstrations but by amending the law (Tran, 2015). The government is clearly sensitive to public discontent, and can be mobilised by critical journalism. For example, the Center for Development and Integration (a Vietnamese NGO supported by Oxfam) invited familiar journalists²² to discuss MOLISA's proposed revisions to the labour code concerning women workers. These newspaper articles (Phuong, 2017; VietnamNet, 2017) were then shared on social media, triggering public debate and dissent (see also Trần, 2007 and Do, 2011 on the importance of pro-labour strike coverage). These signs of public unrest trigger worries about social instability, incentivise reform and shift norm perceptions about what the public will support.

While many conservatives were concerned about TPP's requirements, reformists could persuade them by framing their arguments in terms of shared interests in military security, sovereignty, boosting faltering economic growth and curbing domestic discontent. Thus, in the final TPP agreement (2015), the Government of Vietnam agreed to:

permit workers ... employed by an enterprise to form a grassroots labour union ... of their own choosing without prior authorisation ... [with] the right [to] autonomously to elect its representatives, adopt its constitution and rules, organize its administration, including managing its finances and assets, bargain collectively, and organize and lead strikes ... [G]rassroots labour unions may ... form or join organizations of workers, including across enterprises and at the levels above the enterprise, including the sectoral and regional levels ... The ILO will be sponsored by the US Department of Labour to set up a Technical Assistance Program (TAP) which supports Vietnam to revise its legislation to comply with the TPP and consistency plan while also reviewing periodically Vietnam's compliance and report to the Vietnam–US Senior Official Committee on Labour (SOC). Violations of the compliance may result in postponement of tariff reductions on Vietnam exports to the US.

On 6 November 2016, the Central Committee issued Resolution 6, permitting 'workers' organizations not affiliated to the Vietnam General Confederation of Labor'.²³ Three days later, Trump was elected. He withdrew from TPP. Would FOA still go ahead? In January 2017, MOLISA, VGCL and VCCI announced that FTAs required reforms to industrial relations, including FOA (TalkVietnam, 2017a). But in May 2017, the National Assembly withdrew the labour code revision from the law-making agenda, putting reform on hold. Meanwhile, independent labour activists were arrested and beaten as part of a wider crackdown on dissidents (Do, 2017: 38; The Economist, 2017; Tostevin, 2017). At the time of writing (Dec 2017), without the US's economic and geopolitical incentive for FOA, the earlier hive of activity appears to have dwindled.

²² With whom they had already worked, and who visited and empathised with workers.

²³ See also Hafner-Burton (2013) on the pre-ratification effects of trade agreements more widely.

4 CONCLUSION

This paper has explored how politically informed programming interacts with domestic priorities and international processes to cultivate labour reform in a largely female industry. To answer Grindle's (2017) question, on whether incremental adjustments or major institutional reform is needed, macro-level pressures and crises appear to have motivated governance reforms in Vietnam. It is in a context of wildcat strikes, pressure from global buyers, trade conditionalities and geopolitical insecurity that the government, VGCL and business became increasingly supportive of wage increases, social dialogue, collective bargaining and independent unions. But none of these forces are deterministic. They merely stimulate debate, authorise experimentation and are used by coalitions to push for reform.

These qualitative insights are important. Had this study traced change by analysing documents (i.e. trade deals, labour chapters and subsequent domestic policy reforms), it might have framed trade-labour conditionalities as 'external pressures', 'forcing change from the outside' (Hafner-Burton, 2013; Tran et al., 2017). Listening to Vietnamese actors, it seems that FTAs can legitimise domestic discussions on hitherto silenced, stigmatised subjects (such as FOA); enable supporters to speak openly and explore these ideas without fear of sanction; realise their views are widely shared, overcome pluralistic ignorance and build reform coalitions.

Factories are more responsive to workers' demands if managers are anxious to prevent wildcat strikes. But although strikes perturbed the government, companies and VGCL (motivating more responsive dialogue, improved compliance and higher wages), they did not catalyse major reform to industrial relations. International economic and geopolitical incentives (from buyers and TPP) seem much more significant in converting sceptical conservatives to support FOA.

Elite interest in exploring alternative possibilities authorised donor-facilitated workshops and pilots. Rather than railroading radical change, such as by directly challenging gender inequalities, BW evolved slowly and incrementally to secure broad support. Through gradual familiarisation, diplomatic phrasing, incremental adjustments, ongoing engagement and inviting government research, BW allayed anxieties and animosities about worker representatives in dialogue.

The experience of BW may be useful for other donors trying to engage politically: recognising that they can provide a space for tripartite actors to explore policy options that address *their* concerns (as shaped by macro-level pressures). By testing new initiatives, pilots may shift 'norm perceptions' about what is feasible in that country and how different stakeholders will react, alleviating anxieties about the unknown. Equally key is the tripartite approach. '[C]oordinated governance' enables 'the interaction and complementary efforts of different public, private and social stakeholders' (Posthuma and Rossi, 2017). But while BW *has* helped familiarise Vietnamese stakeholders with social dialogue, its effectiveness is mediated by interests and norm perceptions (such as the perceived strength of organised labour). Training, however participatory, does not seem to shift these two key drivers of behaviour (see also Anner, 2017; Evans, 2015). This reflects a wider limitation of awareness-raising activities for women's empowerment: their failure to shift norm perceptions about what other people think and do.

Going forwards, research on politically informed ways of working might explore broader drivers of reform, recognising the power of international commerce, trade agreements and geopolitics. More specifically, donors might broaden their engagement with global production networks – from politically informed aid interventions to coordinated global governance – engaging with lead buyers and trade negotiators to support workers' activism, pay and safety. For example, large French companies are legally required to identify and prevent risks to human rights, health, safety and the environment (including sub-contractors). The Netherlands' Senate is considering a similar law on Due Diligence for child labour. The Netherlands has also forged a multi-stakeholder agreement on garments, with companies submitting to full transparency in their supply chains, independent assessments, public disclosure and a grievance mechanism, potentially enabling accountability to workers. This is one of several Dutch agreements on international responsible business conduct. Similar commitments have been developed in Bangladesh and Germany. In November 2017, the UN Human Rights Council prepared a legally binding instrument on business and human rights, legislating due diligence. Countries may also strengthen corporate accountability to organised women workers (e.g. via National Contact Points). For it is these three drivers – buyers, trade deals and organised labour – that appear central to Vietnam's reform process.

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