

TU PHUONG NGUYEN

*Workplace Justice: Rights and Labour Resistance in Vietnam.*

Singapore: Palgrave Macmillan, 2019. 214 pages. \$109.99 (hardcover), \$99.00 (e-book).

Tu Phuong Nguyen's *Workplace Justice: Rights and Labour Resistance in Vietnam* seeks to understand how workers draw upon law and other discourses and practices to justify their grievances and actions. Nguyen argues that workers have moved toward asking for labor justice rather than simply demanding labor rights under the law. She provides a good elaboration of the role of the Legal Aid Center funded by Đồng Nai Labor Federation to promote legal education to factory workers, continuing the line of argument raised in Trần Ngọc Angie's *Ties That Bind: Cultural Identity, Class, and Law in Vietnam's Labor Resistance* (Cornell University Press, 2013) on the emerging role of labor legal assistance centers which received both financial and technical support from Oxfam-Vietnam and Oxfam Belgium Solidarity in collaboration with the Đồng Nai Labor Federation.

This book argues that it is essential to examine rights consciousness in a broader sense by bringing in moral obligations, moral values, a sense of fairness, workers' broader views and social engagements, and experiences of workplace relationships, instead of relying on their legal understanding or access to the law. What remains less convincing is how socialist values are connected to the workers' claims and actions beyond legal entitlement derived from the Labor Code.

The real strength of this book is the use of mixed methods, with both primary data and secondary data, to examine factory workers' values and ideals of rights and justice. Nguyen interviewed thirty workers from six companies (unclear whether they are state-owned or foreign-owned),

fourteen core workers trained at the Đồng Nai Labor Federation's Legal Aid Center, two managers (of two foreign companies), union officials, labor mediators, and lawyers. She also used complaint letters submitted to the Legal Aid Center and excerpts from fifty-five online articles (summarizing worker grievances) published in *Đồng Nai Labor News*. She provides in-depth analysis of two worker complaint letters submitted to the Department of Labor: one is a Letter of Plea and the other requests urgent intervention. Her in-depth analysis of the petitioning case of Ms. Nguyen, a core worker, demonstrates nicely the connection between legal and moral causes that provides evidence to support her argument on the role of labor justice beyond legal entitlement.

Her data analysis is solid, using content analysis. I especially appreciate her discussion of the inclusive “we” (*chúng ta*: me and you) versus the exclusive “we” (*chúng tôi*: me and them) and an interesting point she makes about how workers made sense of justice using the space outside of the factory where mobile legal sessions took place and legal advice was given. While she insightfully distinguishes among the three notions of rights—legal rights, moral worldviews, and human rights—how moral values underpin all these rights is not always clear. Workers' moral expectations to be treated with dignity as human beings should be simply stated as such at the beginning, not toward the end. Also, it is unclear how moral *worldviews* are different from or similar to moral *values*.

Overall, a more integrative conceptual framework at the beginning would have helped readers think through how moral values inform those rights and the ways in which legal terms can be used to embody norms of reciprocity and fair treatment. In her unpacking of the three focal issues that underlie the book, Nguyen did not clearly distinguish between socialist values and moral values. They are not the same, but she seems to use them interchangeably, employing the same language of fair and reciprocal manner. Moreover, it is unclear how concepts such as legal consciousness, critical consent, and informed disenchantment figure into the legal-moral framework to explain the actions and behaviors of all involved: workers, management, unions, and the socialist state.

There is no class analysis in the discussion of socialist values, which may lead to some confusion in some case studies presented in the book. For

instance, only after some repetitive discussion of Ms. Nguyen's case do readers find out toward the end that it is not a "collective action" case as she claimed, but really a single-person complaint. There is no collective action "nature" because this worker was the sole petitioner, no other workers' signatures were on the petition, and only she was invited to the meeting with management. This self-reported "we" language serves to strengthen her own case. Other case studies with better class treatment, such as the case of Mr. Anh, provide a more effective explanation of how it was successful in raising his fellow workers' awareness and mobilizing them to act.

The argument would be stronger and clearer if it had focused on how these modern-day workers have gravitated from appealing to class-based socialist values (as analyzed in Trần Ngọc Angie, *Ties That Bind*) toward a broader notion of rights, including legal rights, moral worldviews, and human rights, making use of legalistic language. Moreover, Nguyen's claims that labor law serves as a moral resource for workers to judge management's conduct and that moral values are being imbued in management's legal obligations are very ambiguous, especially when readers do not know the ownership type of these six companies under study. Assuming that state-owned companies can project a veneer of caring for workers in the name of a worker-state, privately owned companies have no such "obligations." With a more careful literature review, the author could build on existing studies which analyzed in-depth how workers (in state and private companies) appealed to socialist contract and ideals and ended up winning some short-term concessions from management (Trần Ngọc Angie, *Ties That Bind*; Benedict J. Tria Kerkvliet, "Workers' Protests in Contemporary Vietnam," in *Labour in Vietnam*, edited by Anita Chan, Institute of Southeast Asian Studies, 2011, 160–210). Otherwise, the moral claims are mostly one-way streets, understandably from the worker perspective, and it is hard to see that workers have leverage to demand justice from management.

Overall, this study contributes to the study of labor politics in Vietnam by broadening the notions of rights above and beyond legal rights and including moral worldviews and human rights, with good methodological considerations. However, more evidence is needed to explain the ways in which moral values underpin these rights. One avenue is to explore potential global NGO influences in instilling moral worldviews and human rights, such as

from Oxfam Belgium Solidarity, which had provided support for this provincial legal aid center from 2009 to 2013 and trained over six hundred core workers. In short, a more grounded historical analysis to connect moral values to socialist values and ideals and an analysis of moral worldviews would have strengthened this book's argument.

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