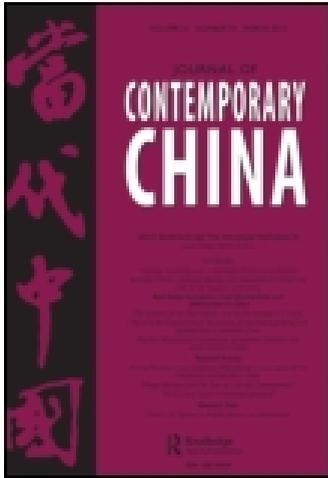


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# Bashing ‘the Chinese’: contextualizing Zambia’s Collum Coal Mine shooting

BARRY SAUTMAN and YAN HAIRONG\*

*The 2010 shooting of 13 miners at Zambia’s small, privately-owned ‘Chinese’ Collum Coal Mine (CCM) has been represented by Western and Zambian politicians and media as exemplifying the ‘neo-colonial’ and ‘amoral’ practices of ‘China’ and ‘the Chinese’ in Africa. CCM has been used to provide a sharp contrast to the supposed ways of the Western firms that own most of Zambia’s mines. Embedded in racial hierarchy and notions of strategic competition between the West and China, the discourse of the CCM shootings further shapes conceptions of global China and Chinese overseas. While examining all the oppressive conditions that have given rise to protest at the mine, we contextualize the shooting and subsequent conflicts. In analyzing CCM’s marginal and troubled development, we discuss aspects of the 2010 shooting incident known to miners and union leaders, but ignored by politicians and media. We look at the shooting’s political fallout, focus also on the epilogue that was the 2012 CCM riot—in which one Chinese person was murdered and several others seriously injured—and trace the sometimes violent discontent manifested at other foreign-owned mines in Zambia since their privatization in the late 1990s. The empirical data for this detailed study derive from hundreds of documentary sources and interviews with union leaders, workers, officials and others in Zambia from 2011 to 2013.*

The Chinese don’t care about human life and do just what they want. (Leonard Kapwizi, father of a miner wounded in the 2010 CCM shooting)<sup>1</sup>

Collum Coal Mine (CCM) lies down a rutted, unpaved road, scores of kilometers from the highway into Southern Province, five hour’s drive from Zambia’s capital Lusaka, in a hilly area with no Internet access. A 1966 article averred that ‘Perhaps there’s a more remote or hotter spot in Zambia, though it’s hard to imagine’.<sup>2</sup> CCM is small and highly exploitative, resembling private mines in China that its government has closed. Conditions for Zambian and Chinese workers are much worse than at Zambia’s medium-sized, Chinese state-owned copper mines. Yet, since 2010, when supervisors Xiao Lishan and Wu Jiuhua wounded 13 protesting Zambian miners, CCM has been central to global controversies of China-in-Africa.

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1. Bivan Saluseki, ‘The dark side of coal’, *The Post*, Zambia, (15 November 2010).  
2. Jon Miller, ‘Nkandabwe Coal Mine’, *Zambia Magazine*, (April 1966), pp. 24–26.

Global media depict the CCM shooting as a crime of ‘China’ or ‘the Chinese’. A US government broadcast put it that ‘[T]he miners staged a spontaneous but non-violent protest. Instead of negotiating with their staff, Chinese managers fired on them with shotguns’.<sup>3</sup> Such articles neglect the fact that CCM’s founder is not ‘China’, but an Australian with a ‘Chinese face’; that the shooters had reason to fear for their lives; that only two of those shot were hospitalized; and that several Chinese were hurt. At the insistence of the Chinese Embassy, CCM compensated the victims, deplorable aspects of work were improved (although oppressive conditions remained) and CCM had to apologize to its Zambian workers and to Zambia’s Chinese-owned firms.

Large-scale violence occurs in many parts of Africa and beyond; yet the CCM incident where no-one died has often featured in discourse, both in anti-Chinese incitement by the Patriotic Front (PF)—Zambia’s main opposition party until 2011 and now its ruling party—and the Western-generated narrative of China-in-Africa. It jibes with longstanding Western tropes of Chinese cruelty and disregard for human life and with implications that Western investors practice corporate social responsibility (CSR) and have a sense of decency that obviates reputational risks, while venal, ‘mercantilist’ Chinese spurn such standards. These notions mesh with assertions by politicians such as Hillary Clinton and David Cameron that the Chinese state’s authoritarian capitalism fosters a neo-colonialism that subjugates Africans and negates Western democracy promotion and philanthropy.<sup>4</sup>

Most recountings of the CCM incident are de-contextualized, Manichean morality tales of powerful Chinese attacking defenseless Africans. We contextualize the shooting by viewing the development of this marginal mine as part of neoliberal Zambia and examine aspects of the incident known to miners, union heads and Chinese community leaders, but ignored by politicians and media, including the discontent at *most* mines in Zambia in the decade between their privatization and the CCM shooting. Our alternative interpretation of the shooting contends that singling out Chinese deflects attention away from neoliberal structural ills and says more about racial and ideological pre-conceptions that politicians and media bring to bear in bashing ‘the Chinese’ than about the actual Chinese presence in Africa.

### **Zambia’s neoliberal reform and CCM’s troubled marginality**

Neoliberal reform created CCM as a small private mine in Zambia. Under World Bank and IMF pressure from the late 1990s to early 2000s, the Government of the Republic of Zambia (GRZ) privatized through a corrupt process 280 parastatals that accounted for 85% of Zambia’s formal economy, with 29% sold to foreign firms, especially to those from Britain, Zambia’s former colonial master. Outcomes for Zambians were highly negative. For example, privatized mining firm workers were divided into casuals, contract workers and permanents, and conditions of service

3. ‘Chinese, African leaders gather in Beijing for talks’, *Voice of America*, (18 July 2012).

4. Suisheng Zhao, ‘A neo-colonialist predator or development partner? China’s engagement and rebalance in Africa’, *Journal of Contemporary China* 23(90), (2014), doi: [10.1080/10670564.2014.898893](https://doi.org/10.1080/10670564.2014.898893).

deteriorated, even as the larger multinationals made huge profits when copper prices doubled and tripled.

CCM is far different: an abandoned mine made into a struggling one that uses crude technology and has unreliable customers, it is a private, Zambian-registered firm, with no parent in China, limiting the Chinese state's ability to influence it.<sup>5</sup> The GRZ and private firms created the mine as an open-pit in 1965,<sup>6</sup> but it closed in 1968 due to flooding and better quality coal from nearby Maamba Collieries. It was a reservoir to irrigate small farms until 2002, when sole bidder and naturalized Australian Xu Jianxue created CCM *ex nihilo* as an underground mine. Xu, from Leping, Jiangxi, came as a Chinese construction aid team translator to Zambia in 1991, when there were only 300 Chinese there.<sup>7</sup> He later founded Yangts Jiang Enterprise, which has done many public construction projects. His four brothers came later, bringing money and becoming CCM managers.

CCM has low quality coal and large mines dropped it as they replaced coal-fired smelter furnaces with electric ones, leaving a customer base of irregularly-operating breweries and cement factories that can also buy from Zimbabwean mines.<sup>8</sup> A Zambian scholar reported in 2007 that CCM 'operate[s] with only rudimentary equipment, the shaft was dug with picks and shovels, and ore was brought to the surface in buckets. Workers lacked safety equipment and clothes'.<sup>9</sup> Before 2011, CCM kept going only due to strikes at Maamba Collieries.<sup>10</sup>

Chinese journalists who have reported on CCM have observed that

Unlike major state-owned enterprises, private Chinese companies are often forced to scrape bones for meat. They operate in areas with weak profitability and low added value. They often have a hard time avoiding risk and their operational problems can revolve around disputes over wages, workplace conditions and benefits.<sup>11</sup>

CCM has had poorly-paid casual workers and shuts down often. Worker numbers have fluctuated wildly, with many miners working only when demand is high: in October 2010, there were 600 Zambians and 70 Chinese; the next month, 855, including 62 Chinese; in June 2012, 489 locals and 49 Chinese, etc. Recruited locally, they are aged 16–30 and mainly low-skilled.<sup>12</sup> Most have no formal education or an education that lasted for only a few years. Many speak only Tonga, a local language,

5. Interview, Pan Wenxiu, Chinese Chamber of Commerce in Zambia head, Lusaka, 11 August 2012.

6. Chen Zhu and Zhang Boling, 'Zanbiya Kelan Meikuang qiangji shijian' ['The Zambia Collum Coal Mine shooting incident'], *Xin Shiji Zhoukan* no. 42, (27 October 2010).

7. *Ibid.*; Interview, Ambassador Zhou Yuxiao, Lusaka, 9 August 2011.

8. Interview, Mooya Lumamba, Director, Mine Safety Department, Kitwe, 19 August 2011.

9. Neo Simutanyi, *Copper Mining in Zambia: the Development of Privatization*, ISS Paper no. 165 [Institute for Security Studies (S. Africa), July 2008], p. 9, available at: [www.iss.co.za/uploads/PAPER165.PDF](http://www.iss.co.za/uploads/PAPER165.PDF).

10. Interview, Charles Mukuka, President Mineworkers Union of Zambia (MUZ), Lusaka, 15 August 2011; Saluseki, 'The dark side of coal'.

11. Zhang Boling and He Xin, 'The killing of a miner in Zambia', *Caixin*, (20 August 2012), available at: <http://english.caixin.com/2012-08-20/100426275.html>.

12. See also 'ZCCM IH to appoint evaluator for Collum Coal Mine', *Zambian Mining Magazine*, (15 January 2014) ('500 workers'), available at: <http://www.miningnewszambia.com/zccm-ih-to-appoint-evaluator-over-collum-coal-mine/>. The approximately 90 percent share of locals in CCM's workforce indicates that it is not only in Chinese state-owned enterprises in Africa, but even in some family-owned ones, that there is a modicum of localization. Antoine Kernan and Katy Nganting Lam, 'Workforce localization among Chinese state-owned enterprises (SOEs) in Ghana', *Journal of Contemporary China* 23(90), (2014), doi: 10.1080/10670564.2014.898894.

and most cannot read or write. Their production quota varies day to day, depending on how much coal is needed and how many miners show up for work. They have a fixed daily, non-production based wage, because Chinese supervisors say Zambian workers do not know how to calculate.<sup>13</sup> Like Xu, Chinese staff are mostly from Leping, on three-year contracts, paid US\$1,000–1,500 a month, and live in a mine site residential compound. Being expensive to bring over, they are not laid off mid-contract. Mining teams contain 20–30 Zambians and one Chinese, who uses simple Tonga mixed with English to communicate with the Zambians. Many Chinese supervisors have low education levels; the 2010 shooters had seven years.<sup>14</sup>

Beatings have occurred at CCM, as elsewhere. The Gemstone & Allied Workers Union of Zambia (GAWUZ) has complained, but victims take money to withdraw their charges.<sup>15</sup> On such beatings, a CCM union activist related,

These happened when Chinese tell Zambians to do certain things, but maybe Zambians didn't understand or maybe they didn't want to do it. So Chinese beat them. This tended to happen with new guys (Zambians). Some Zambians only speak Tonga and there are times when Chinese workers and Zambian workers thought that each was insulting the other.<sup>16</sup>

CCM efforts to get officials to suppress illegal mining on its property have led to conflicts with local people. Safety issues have been aggravated by lack of first aid and failure to pay into workers' compensation funds. Officials shut the mine in 2005 for not issuing miners with protective clothing. Southern Province Minister Alice Simango, visiting in 2006, wept on seeing most workers without shoes or shirts. The GRZ declared CCM unsafe and shut it until it supplied protective clothing and hired Zambian foremen and safety personnel. CCM later 'issue[d] workers protective clothing, but workers often sell it for beer, so managers allow them to go underground in casual clothes'.<sup>17</sup>

An outbreak of cholera hit the mine in 2009 and villagers complained in 2010 that coal effluents had polluted streams and a lake. A visiting official described unsound sanitary conditions at CCM and nearby areas, including drinking water unfit for consumption. A CCM miner stated in 2010 that because workers had no masks, they cough, 'spit black' and have chest pains. Housing for miners is highly deficient. GAWUZ's president noted that

Among the Chinese workers, some don't have toilets in their quarters. Among the black workers, they have even less. They generally have six or seven people living in a room, with cooking done outside . . . . It's as if they live in a village.<sup>18</sup>

In the run-up to the shooting in 2010, CCM was closed again for not providing workers with structures for changing clothes and underground toilets and 22 miners were injured when an oxygen machine burst underground, although that equipment

13. Interview, Chinese CCM workers, Nkandabwe, 23 August 2011.

14. Interview, President Nyumbu, Lusaka, 12 July 2013.

15. Interview, Sifuniso Nyumbu, President, Gemstone & Allied Workers Union of Zambia, Lusaka, 22 August 2011.

16. Interview, CCM worker and GAWUZ branch secretary Moddy Chigonke, Nkandabwe, 23 August 2011.

17. Lumamba interview.

18. Interview, GAWUZ President Sifuniso Nyumbu, Lusaka, 23 August 2011.

was not under CCM control. Three more miners were injured at CCM in a 2010 accident.

Not surprisingly, there have been strikes at CCM. In 2006, workers received only K150,000 (US\$35) a month, but that did not result in notable strikes. The first major walkout was a five-day strike in 2008, after an accident in which a miner was killed and three others injured. Wages were also a factor, the lowest was K10,040 (less than US\$3) a day and the highest K15,000. CCM pledged to raise the monthly salaries to K600,000, but failed to do so. When workers struck, police held three for the duration. GAWUZ said that police threatened to shoot strikers and helped CCM evict those fired for 'mentioning the collective agreement should be honored'.<sup>19</sup> Managers stated that strikers 'threw stones, broke the windows of vehicles and threatened violence', forcing Chinese to hide in buildings.<sup>20</sup> GAWUZ's president affirmed that stoning occurred after a Chinese shot into the air. The strike failed, although the Mine Safety Department (MSD) did close the shaft where the worker died.<sup>21</sup>

In another strike over pay and safety in 2009, workers 'threw missiles at Chinese managers'. Shaft manager Xu Jianrui said '300 miners opened the doors and entered the Chinese premises to fight them ... about 10 people were injured and their aim was to kill Chinese managers ...'.<sup>22</sup> Workers chased managers into the hills. CCM negotiated with GAWUZ and workers got raises, protective gear and a promise of supervisory courtesy. A half-year later however, when the 22 miners were injured, workers tried to lynch a Chinese CCM employee arranging for them to get medical care. A group of Chinese workers told us

Once *lao hei* [blacks] think they have money, they don't come to work; when they think they have no money, they come to work. Thus, if you raise their wages, you can't count on them coming to work. When they have money, they spend it on beer; they don't save money. [Workers] *nao yi ci, you yi ci* 'each time they make noise, they get something, i. e. a raise' ... *Lao hei* are afraid of the British, but not of Chinese ... when *lao hei naoqilai* [blacks come to make noise, i.e. protest], they use stones, spades and other tools and that it is terrifying. They will attack the walls and roofs. There's no safety here; you don't know whether you can keep your life.<sup>23</sup>

CCM was, in short, seen as almost irretrievably troubled. Soon after the shooting, the Home Affairs Minister formed a committee to investigate the plight of miners and consider setting up a fast-track court to deal with it, although a Labor Ministry official recalled that this was done 'to protect the company's interest'.<sup>24</sup>

Chinese journalists termed CCM management culture '*jiang hu*'—marked by informality, irregularity and crudeness regarding the use of force and ethical questions and based on low profit, low value-added, low problem-solving capacities as a small private firm. Unlike Chinese SOEs, CCM is unregulated by China's

19. Letter from Nyumbu to Inspector General of Police, 4 March 2008; letter from Nyumbu to managing director, CCM, re 'Post-mortem of labor withdrawal which took place 28 February to 4 March, 2008 and unlawful detention of employees', 13 March 2008 (letters in GAWUZ office).

20. 'Chinese mine operates with no safety measures', *Lusaka Times*, (28 February 2008).

21. Chen and Zhang, 'Zanbiya Kelan Meikuang qiangji shijian'; Nyumbu interview, 22 August 2011.

22. 'Chinese coal mine employees down tools', *Lusaka Times*, (2 December 2009).

23. Chinese CCM workers interview.

24. Interview with Assistant Commission of Labor Venus Seti, Ministry of Labor, Lusaka, 12 August 2011.

Ministry of Commerce and can only be exhorted to adopt CSR principles. The mine, the journalists argued, continues due to the need for local jobs and bribery.<sup>25</sup> Doubtless too, CCM is one of those firms a Chinese newspaper said does ‘not quite understand [African] culture or customs, particularly the legal system’.<sup>26</sup>

After the shooting, grave problems remained, with no MSD inspectors within 100 km, inspections only every three–four months, no qualified managers, engineers or Zambian managers. In 2012, a miner was killed and two injured by a rock fall after blasting, allegedly due to a lack of qualified explosives personnel. The Minister of Mines ordered CCM to implement safety measures or lose its licenses. Miners, who said they earned K20,000 (US\$4) a day, threatened to strike unless safety and pay improved. When the Engineering Institute of Zambia (EIZ) found no registered engineers at CCM in 2012, it fined the firm and sought an injunction against the mine’s operation. A few months later, the GRZ also threatened to close it. Brian Kashimu, a new mine manager and 2011 election PF parliamentary candidate, came to CCM in August 2012, labeled most underground managers as incompetent, urged a GRZ investigation, and called on China’s ambassador for assistance. The Minister of Mines stated he would bring the CCM issue to the Cabinet. The four Xu brother mine managers then fired Kashimu and, a few weeks later, another miner died accidentally. Miners reportedly ‘blam[ed] their Chinese bosses’ for his death and demanded Kashimu’s reinstatement.

In February 2013 the GRZ, citing safety conditions and CCM’s refusal to declare its production and pay royalties, finally cancelled CCM’s mining licenses. The Chinese ambassador and Zambian parties, unions and NGOs endorsed the takeover and shutdown. The GRZ said there was no nationalization and the Minister of Mines claimed ‘We have received a lot of companies, both local and foreign firms, interested to run the mine’.<sup>27</sup> Yet, in quick succession, three shafts were flooded, the mine warehouse looted, and two caretaker workers severely burned in another shaft’s fire that may have been set and raged for weeks. Eldest brother Xu Jianxue sued to recover the mine and China’s ambassador averred that he might succeed, given that at least this Xu was well-liked and well-connected and the GRZ needed the mine to reopen. A quarrel over the value of the mine’s assets prevented their transfer to the GRZ.<sup>28</sup> Thus, even after being shut down, CCM remained troubled.

### **Bashing the Chinese, shooting the Zambians: violence at the mines**

CCM miners did not see the increase in their October 2010 pay they expected from a CCM/GAWUZ agreement. Many Shaft 3 miners accepted that, but Shaft 2 miners did not and marched to Shaft 3, where the three shifts totaled 150 workers, only 17–18 of them Chinese.<sup>29</sup> Due to poor English, managers were unable to communicate with the

25. Chen and Zhang, ‘Zanbiya Kelan Meikuang qiangji shijian’.

26. ‘Local people are key to firms’ success in Africa’, *China Daily*, (9 December 2011).

27. ‘Investors keen to run Collum Coal Mine’, *Daily Mail*, Zambia, (2 April 2013).

28. ‘State suspects sabotage in Collum Mine fire’, *Daily Mail*, Zambia, (22 July 2013); Interview with Ambassador Zhou Yuxiao, Lusaka, 10 July 2013; ‘State to reassess Collum Mine’, *Times of Zambia*, (4 December 2013).

29. Interview with CCM Shaft 3 foreman, Nkandabwe, 23 August 2011.

200–400 protestors. Home Affairs Minister Mhkondo Lungu said miners ‘advanced as a mob’ toward the managers<sup>30</sup> and ‘After protracted arguments, the managers fled and the Zambians gave chase’.<sup>31</sup> Described as shouting and cursing, they pushed toward the shaft area entry gate, behind which stood Chinese employees. A manager claimed ‘The miners attacked the employees [who] had no other choice but to shoot in the air’.<sup>32</sup> A Zambian eyewitness reported that day that protestors stoned Chinese supervisors. That morning, workers had rocks in their hands as they gathered. They ‘said to the Chinese, “We’ll beat you if you don’t increase the salary”’. Two supervisors first shot into the air and then

Zambians got fear and started to throw stones. Then the Chinese started to shoot in the crowd and people started to run. The Chinese were also very scared and didn’t intend to shoot at first. But that’s what happened. The Chinese had the fear that these blacks might kill us.<sup>33</sup>

Inspector General of Police Francis Kabonde said miners went to the management office and threatened to ‘manhandle’ and ‘beat up’ managers. Police commanders stated supervisors feared for their lives.<sup>34</sup> It was unclear whether they shot at the crowd or near it.

A wounded CCM miner later said that ‘We weren’t going to hurt them, but maybe the Chinese didn’t understand that’.<sup>35</sup> That is because violence is not uncommon in Zambian miners’ strikes and protests.<sup>36</sup> From 2005 to mid-2008, Swiss-based Enya’s Chambishi Metals had three strikes and Swiss-based Mopani Copper Mines (MCM) had two.<sup>37</sup> Canada-based First Quantum’s Kansanshi mine had one, Enya’s Luanshya Copper Mine (LCM) had two and UK-based Konkola Copper Mine (KCM) had one. From mid-2008 to mid-2011, besides two strikes at the Chinese Chambishi Mine and one at the small Chinese–Australian Albidon nickel mine, workers at (white) South African-owned Chibuluma mine also struck, as did miners at Australian-owned Lumwana mine. There was a strike at KCM and two at MCM. Workers at Maamba and GRZ-owned Ndola Lime demanded managers be fired.

Strike violence is never against whites and Chinese industry managers view Zambian miners as deferential to white, but not Chinese bosses, with violent protests against Chinese and Indians, the groups the PF has attacked.<sup>38</sup> CCM supervisors would have known about violence in strikes. Thousands of redundant miners who

30. Daily Parliamentary Debates, Zambia, 20 October 2011.

31. ‘Opposition politicians lambast the Lusaka government’s timidity after Chinese managers shoot local mine workers’, *Africa–Asia Confidential*, (25 October 2010).

32. ‘Zambians riot after miners are shot’, *Wall Street Journal*, (18 October 2010).

33. Chigonke interview. A Chinese source stated that wounded miner Bowas Syapwaya said supervisors shot after miners threw stones. ‘Zambia police to charge Chinese mine managers with attempted murder’, *Global Times*, (18 October 2010).

34. ‘Chinese mine managers face arrest’, *Daily Mail*, Zambia, (18 October 2010); ‘11 Miners injured at Chinese run Collum Mine in Southern Zambia’, *Steel Guru*, (18 October 2010).

35. Barry Bearak, ‘Zambia Uneasily Balances Chinese Investment and Workers’ Resentment’, *New York Times*, (20 November, 2010).

36. There is also a larger context of violence against Chinese in Africa, of which most Chinese there are aware. Shaio H. Zerba, ‘China’s Libya evacuation operation: a new diplomatic imperative—overseas citizen protection’, *Journal of Contemporary China* 23(90), (2014), doi: [10.1080/10670564.2014.898900](https://doi.org/10.1080/10670564.2014.898900).

37. Interview with Rayford Mbulu, President, MUZ, 26 August 2008.

38. Interview, Mr Wang, Shandong Zhengyuan Geology & Resource Exploration Co., Lusaka, 1 August 2012.

worked for the Indian firm Binani, Luanshya Mine's owner from 1997 to 2000, rioted in 2002, firebombed government offices and beat local officials. That riot came after Zambian police killed several Luanshya miners during protests in 1998, 1999 and 2002. In 2005, KCM strikers planted explosives that damaged a mine with miners in it, smashed the cars of managers and stoned one, trashed a school and looted offices. In 2006, rumors of delayed wages triggered a riot. Workers attacked the residences of the Chinese managers and destroyed cars and other property. Several miners were shot, either by police, private guards or a Chinese construction contractor's manager. After the incident, rioters attacked Chinese and their businesses in Lusaka.

In 2008, 500 workers building Chinese-owned Chambishi Copper Smelter struck. They chanted anti-Chinese slogans, blocked roads, set ablaze a hostel for Chinese workers, held Chinese managers hostage and threw stones at them, leaving one toothless. In a 2009 riot at KCM, miners stoned and looted India Villa, where Indian employees live, attacked students at a KCM-run high school, burnt property belonging to Yangts Jiang, which was building houses for KCM miners, torched the firm's housing for its Zambian workers, looted food from a miners' union storehouse, tried to burn KCM vehicles, blocked roads, broke windows at a court house and allegedly attacked Chinese and Indians. CCM supervisors would also have heard that in January 2010, at the nearby GRZ-owned Maamba Collieries

police saved [Managing Director Stephen] Mutambo from being killed by workers, who had metals and stones ready to harm him . . . [P]olice guarded Mutambo and whisked him out of the mine area from the workers who were ready to lynch him.<sup>39</sup>

There was also Pythias Chinene's murder of his Chinese supervisor Zhong Tinghui in February 2010 at CCM's 'mine farm' at Chongwe, Lusaka province. Chinene was sentenced to death and Chinese at CCM would have known about this. China's ambassador has stated that another, unreported killing of a Chinese supervisor happened at CCM itself: 'Two weeks before the [shooting] incident, CCM workers had called away a Chinese and said they wanted to talk to him about something. He was beaten to death with hoes'.<sup>40</sup>

A Chinese community leader stated that on the day of the CCM shooting, 300 protestors pushed down a wall separating them from supervisors and were charging at them when the latter, fearing for their lives, shot.<sup>41</sup> After the shooting, miners vandalized the site. GAWUZ President Nyumbu noted that 'the idea [was] to kill anything Chinese', that CCM lost a lot of property, and that people from villages where miners live joined in while Chinese at CCM 'went underground and hid'.<sup>42</sup> Protestors destroyed the roof of a mine shaft, took away water pumps, generator batteries and electrical appliances, and pushed coal buckets into the shaft. Several Chinese sustained head and thigh injuries, apparently from stonings.

39. 'Maamba Collieries director survives lynching from miners', *The Post*, Zambia, 22 January 2010.

40. Interview with Ambassador Zhang Yuxiao, Lusaka, 9 August 2011. There had been at least one other murder of a Chinese by a Zambian fellow-employee, in 2009; both worked at a Lusaka hotel construction project. 'China expresses serious concerns about safety of its nationals', *Lusaka Times*, (6 August 2009).

41. Interview with Li Weixiang, head, China/Africa Chamber of Commerce, Lusaka, 8 August 2011.

42. Nyumbu interview, 22 August 2011.

### The CCM shooting made simplistic

The shooters were charged with attempted murder and CCM was given two weeks to clear up labor problems or face government action. Two 'ring leaders' of the assault on the Chinese were also arrested, but not prosecuted. The two supervisors were released on bailed and the trial was set to begin in January 2011. The accused failed to appear at that point, but days later they showed up and were arrested, confounding Zambian diaspora bloggers who claimed that the GRZ had smuggled them out of Zambia to placate 'the Chinese'. A court later declared the re-arrests unlawful, so the accused were again bailed and a trial set for March 2011.

The Chinese Embassy urged the GRZ to punish both the shooters and the 'inciters of the riot'. It advised CCM to pay medical bills for the wounded, compensate them and meet workers' pay demands. The ambassador stated that 'our people need to learn the labor laws of your country to avoid situations like what happened [and] learn your culture'.<sup>43</sup> An Embassy official said that 'After the incident, we invited all Chinese companies in Zambia to come in for meetings and rethink what can be improved at their operations'.<sup>44</sup> The Chinese embassy had learned that Xu Jianxue was an Australian citizen, but as media presented him as only Chinese, China's ambassador said 'The lesson to be drawn is that we should pay attention to labor relations ... No matter whether he's Chinese Chinese or Chinese Australian, all people who bear a Chinese face should do things reasonably'.<sup>45</sup> A Chinese community leader described the public self-criticism that Xu was made to give:

After the incident the Embassy had a meeting with 200 enterprises and demanded that Xu Jianxue make a public admission of wrongdoing and that he should do it both at the meeting and with the media. The Ambassador said at the meeting, 'CCM, your gunshot had wiped out the good relationship that we have won through hard work in those years'.<sup>46</sup>

CCM owners also apologized to workers. One recalled that 'there was a meeting. All the workers came. A manager came out to apologize to the workers. Officials were present, big officials from Lusaka and the Chinese ambassador'.<sup>47</sup> Shaft 3 manager Xu Jianrui apologized to Zambians at a meeting with the Southern Province minister. CCM pledged to compensate victims. It met with the Mineworkers Union of Zambia (MUZ), agreed to recognize it, provide safety gear and underground toilets, and hire a human resources manager and interpreter. The lowest monthly basic wage was doubled to K450,000—the highest wage before the shooting—with monthly housing, transport, meal and underground allowances raising the total lowest pay to K970,000. Miners received back pay for days not worked.<sup>48</sup> At a meeting the Labor Commissioner called, CCM and injured miners agreed to compensation of K375m, about US\$80,000. The seriously injured worker got K45m, plus school fees for five

43. 'Chinese investors should respect Zambia's laws', *The Post*, Zambia, (28 November 2010).

44. Simon Mundy, 'Zambian workers alienated by cultural and linguistic divide', *Financial Times*, (21 January 2011).

45. Ambassador Zhou interview, 9 August 2011.

46. Li Weixiang interview.

47. Chigonke interview.

48. Interview, Shaft 3 miner, 23 August 2011.

years; the others got K20m–35m and all agreed that the supervisors should not be prosecuted.

While the controversy about the shooting raged in early 2011, Mary Musyalike, a heroin trafficker under death sentence in China, was returned to Zambia. Critics of ‘the Chinese’ claimed that was a quid-pro-quo for the release of the CCM shooters and launched an online torrent of racial invective against Chinese and Musyalike, an ethnic Lozi. Mercy Agness Mwale, another Zambian heroin smuggler sentenced to death in China, was also returned. These actions likely responded to GRZ requests, but belied a claim by the MUZ’s president that if a Zambian were to shoot a Chinese in China, he would be instantly killed. The released Zambians had committed a crime for which drug smugglers of diverse nationalities have been executed in China, but the Zambians were not ‘instantly killed’.

When the trial of the two Chinese supervisors was about to begin, the GRZ’s Director of Public Prosecutions (DPP) entered a *nolle prosequi* (‘unwilling to pursue’), due to the lack of witnesses. As the wounded miners had agreed that the shooters should not be prosecuted, it would have been anomalous to testify against them, while at least one eye witness had said miners stoned Chinese just before the shooting, several Chinese were injured and great damage was done to CCM property. These factors, together with earlier stonings and other violence at CCM and elsewhere, plus the murder of one or more Chinese supervisors at CCM facilities, arguably influenced the shooters’ state of mind. Their use of shotguns, lethal only at short range, was also relevant. Arguments that the supervisors lacked intent to murder and acted in self-defense thus would have made it hard to prove a case of attempted murder beyond a reasonable doubt.

In fact, before the *nolle prosequi*, the charges had already been reduced to ‘attempt to cause grievous bodily harm with intent to maim’.<sup>49</sup> If the shooters first fired in the air and then not directly at miners, that would negate intent to inflict grievous bodily harm.<sup>50</sup> Even if the shots were direct, self-defense applied, based on the shooters’ fearful state; indeed, the then-Minister of Labor said the supervisors ‘used guns to defend themselves’.<sup>51</sup> After a 2012 riot at CCM (see below), Ambassador Zhou stated that ‘The Chinese employees [said] that, if we did not do something previously [in 2010] in self-defense, we could have been killed [in the 2012 riot]’.<sup>52</sup> What is legally allowed is not necessarily what is politically or morally warranted and thus the Chinese Embassy regarded CCM as culpable for the shooting,<sup>53</sup> but it is likely that given a fair trial the shooters would have been acquitted no matter who testified.

The Chinese in Zambia hold views on the CCM incident that contrast with those of Zambian and Western elites. The Chinese ambassador perceived it to be a labor

49. Barry Bearak, ‘Zambia drops case of shooting by Chinese mine bosses’, *New York Times*, (5 April 2011).

50. See M. K. Magistad, ‘Chinese investment at the cost of respect in Zambia?’, *PRI’s The World*, (4 October 2011), available at: [www.theworld.org/2011/10/chinese-investment-respect-zambia-collum/](http://www.theworld.org/2011/10/chinese-investment-respect-zambia-collum/).

51. ‘Zambia orders Chinese Collum Mine managers to compensate the victims’, *Steel Guru*, (2 November 2011).

52. ‘Chinese diplomat hopes Zambian labor violence limited’, *Voice of America*, (10 August 2012), available at: [www.voanews.com/content/zambia-chinese.../1483697.html](http://www.voanews.com/content/zambia-chinese.../1483697.html).

53. The culpability attributed by the Chinese Embassy in this instance resembles that attributed by Chinese officials in Ghana after clashes there between Chinese miners and police. See Fei-Ling Wang and Esi A. Elliot, ‘China in Africa: presence, perceptions and prospects’, *Journal of Contemporary China* 23(90), (2014), doi: 10.1080/10670564.2014.898888.

relations problem. A Chinese community leader in Zambia saw CCM's practices in a business context:

Those Chinese who deal with poor Zambians don't have much themselves. They are not intentionally harming people, but are not generous, as all their money is earned bit by bit through hard labor: [such a Chinese] wants to win the world with his own bare hands (*chi shou kong quan da tian xia*). He's not like a foreigner who already has some kind of accumulation: cars, houses, etc. and who can give you more benefits. But the Chinese who employ poor Zambians had themselves just been '*dagong de*' (working for a boss).<sup>54</sup>

Managers of large Chinese enterprises in Zambia have felt that their differences from smaller private firms are so obvious they did not need to be concerned about the CCM incident's impact.<sup>55</sup> They are 'water from the well that does not mix with water from the river' (*jing shui bu fan he shui*), as Chinese say. PF leader Michael Sata, now GRZ President, did not make such distinctions, however. He stated 'You see the Chinese are above the law'<sup>56</sup> and Zambians are 'shedding more innocent blood at the hands of these merciless so-called investors'.<sup>57</sup> Sata claimed 'the Chinese' would be treated lightly, as they had corrupted the GRZ electoral process, but offered no evidence; in fact, the CCM shooters were at the time still scheduled to be tried for attempted murder. Opposition party youth went to the Chinese Embassy to demand an apology for the shootings, which the PF and the United Party for National Development (UPND) related to the general Chinese presence in Zambia and upcoming elections. Sata decried the GRZ stance that those shot should be compensated, arguing that it was intended to avert criminal prosecution. PF MP Yamfwa Mukanga—who became Minister of Mines in 2012—said that 'the Chinese will continue to shoot people'.<sup>58</sup> The Zambia Federation of Employers (ZFE), which has resisted minimum wage increases and the demands of Zambian unions, stated, with no hint of irony, that 'it is disgraceful to see investors mistreating local workers who fight for their rights'.<sup>59</sup> After Sata won in 2011, the CCM non-prosecution was counted as a reason for his success.<sup>60</sup>

Zambian media stress ethnicity where Chinese are accused of crimes. Soon after the CCM incident, one Bo Khan was arrested for allegedly threatening to shoot his maid and gardener because they wanted to visit a store. The media focused on his assumed Chinese ethnicity. Zambian media identify the ethnicity of Asians arrested or even investigated, while whites are typically only termed 'expatriates'. Chinese convicted

54. Interview, Li Weixiang, President, Association of Chinese Corporations in Zambia, Lusaka, 10 August 2012.

55. Interview with Wang Chunlai, CEO of NFCA, 15 August 2011.

56. 'Chinese investors are above the law: Sata', *The Post*, Zambia, (17 October 2010).

57. 'Rupiah's defence of Sinazongwe Mine crimes is scandalous: Sata', *The Post*, Zambia, (29 October 2010).

58. Zambian Parliament, Debate, 25 November 2010, available at: [www.parliament.gov.zm/index.php?option=com\\_content&task=view&id=1316&Itemid=86&limit=1&limitstart=3](http://www.parliament.gov.zm/index.php?option=com_content&task=view&id=1316&Itemid=86&limit=1&limitstart=3).

59. 'Zambia Federation of Employers disappointed with labor minister over minimum wage announcement', *Lusaka Times*, (12 July 2012); 'Federation of Employers speaks out on Chinese gunmen', *Zambian Watchdog*, (19 October 2010), available at: [www.zambianwatchdog.com/](http://www.zambianwatchdog.com/) > p = 9492.

60. Sata's remarks should be seen in the light of his wide range of attacks on the Asian, particularly Chinese, presence in Zambia, which were obvious from the beginning of his run for the presidency in 2006 and continued until after he captured that office in 2011. See Barry Sautman, 'The Chinese defilement case: racial profiling in an African "model of democracy"', *Rutgers Race and the Law Review* 14(1), (2013), pp. 87–134. In that regard, Sata spurned the idea of South–South cooperation that is often promoted in Africa/China relations. See Sven Grimm, 'China–Africa cooperation: promises, practice and prospects', *Journal of Contemporary China* 23(90), (2014), doi: 10.1080/10670564.2014.898886.

of crimes receive especially long sentences. In 2012, a Chinese engineer and Chinese driver who had worked building Ndola stadium were arrested for possessing a half kilo of ivory bangles. The defendants argued that they did not know such possession was illegal and bought the items as gifts, but got five and seven years hard labor, respectively. There is much online racist abuse and calls for harsh retaliation against Chinese by Zambians, who use anti-Chinese terms such as ‘choncholis’, ‘ching chongs’, ‘squinty eyes’, ‘yellow savages’, ‘Chinese piglets’ and ‘chinks’. Some avow hatred for Chinese and call for mass deportations or ‘xenophobic attacks’.<sup>61</sup> CCM’s private owners are conflated with the Chinese state, although its general manager at the time of the shooting was not an official, but a 24-year-old who, before his recent hiring, worked busing tables at a Lusaka Chinese restaurant.

Diaspora bloggers accused the GRZ of entering the *nolle prosequi* to please ‘the Chinese’ or as a trade for Zambian drug smugglers in China. MUZ President (now Deputy Minister of Labor) Rayford Mbulu said that ‘government was putting its relationship with China ... above its duty to protect workers’.<sup>62</sup> The International Trade Union Confederation (ITUC) conflated privately-owned CCM with ‘China’, blamed the shooting on CCM managers’ language inabilities and, without regard to the legal basis of the *nolle prosequi*, said that ‘the decision ... casts doubt on the independence of the Zambian judiciary when private foreign investors are involved’.<sup>63</sup> PF deputy leader Guy Scott and UPND head Hakainde Hichelma both held that the case involved miners being gratuitously shot. Further afield, the tale became taller. US Congressman Donald Payne (D-NJ) said of the CCM shooting that ‘they have opened fire on workers who protested about poor working conditions in Zambia, Chinese soldiers just fired on them ...’.<sup>64</sup> A US journalism professor claimed ‘Zambians want to know ... whether bribes were paid in order to obtain the exoneration of the Chinese managers’, even though no Zambian media claimed bribery.<sup>65</sup> A Reuters story warned that ‘it remained to be seen what the reaction on the street would be’.<sup>66</sup> No overt street reaction occurred, although many Zambians did fault the Chinese for the incident<sup>67</sup> and Western media cast it as representative of conduct by ‘China’ and ‘the Chinese’ in Africa.

### Bashing the Chinese, literally: the 2012 CCM riot

The 2010 CCM incident’s aftermath was the 2012 CCM riot, in which Chinese were literally bashed, one to death. It came a month after the GRZ’s ‘surprise’ gazetting of

61. The US State Department has also fixed exclusively on Chinese firms and individuals in discussing human rights violations related to working conditions in Zambia. US State Department, *2010 Human Rights Report: Zambia*, (11 April 2011), available at: [www.state.gov/g/drl/rls/hrrpt/2010/af/154376.htm](http://www.state.gov/g/drl/rls/hrrpt/2010/af/154376.htm).

62. ‘Charges dropped against Chinese in Zambia’, *Associated Press*, (5 April 2011). Indian investment in Zambia is also about US\$3b: ‘India’s FDI increase’, *Times of Zambia*, (1 November 2012).

63. ‘Zambia: charges dropped against two Chinese supervisors’, *States News Service*, (6 April 2011).

64. House Committee on Foreign Affairs, ‘Briefing on China and US interests’, (19 January 2011), Financial Markets Regulatory Wire, (19 January 2011).

65. G. Pascal Zachary, *Africa Works*, (10 April 2011), available at: <http://africaworksgpz.com/2011/04/10/in-zambia-china-rules/>.

66. ‘Zambia drops mine shooting charges against Chinese’, *Reuters*, (4 April 2011).

67. See Gerard van Bracht, ‘A survey of Zambian views on Chinese people and their involvement in Zambia’, *African-East Asian Affairs* no. 1, (2012), pp. 54–97 at (pp. 63–64).

a new minimum wage. Employer outcries and requests for delay made it initially unclear whether the new minimum was in force. GRZ officials and union leaders noted also that the new minimum only affected workers not covered by contracts.<sup>68</sup> The Labor Minister added that 'employers, trade union officials and general workers did not understand the new minimum wage implementation'.<sup>69</sup> Some unionized workers did not know the new minimum was legally irrelevant to them; others saw it as creating a moral entitlement to a raise, even if they already earned above it. That was so at CCM. A February 2012 collective bargaining agreement (CBA) provided that most CCM workers earn more than the new minimum wage: 30,000 a day or K780,000 (with allowances, K1.2–1.3m).<sup>70</sup>

Responding to the new minimum, MUZ met with two Xu brothers on 2 August. A 25% wage hike was agreed,<sup>71</sup> the first such agreement with a union since the new minimum decree. MUZ's General Secretary noted that 'the amounts agreed upon by the union and management were far above the minimum wage recently announced and gazetted by the government'.<sup>72</sup> According to MUZ officials, after the 2 August wage hike agreement, CCM's Zambian human resources manager was tasked with briefing workers on it, but he waited.<sup>73</sup> Pay day at CCM was 4 August. That morning, workers learned their July pay checks would not include a raise. Managers knew the new minimum did not affect CCM workers, that under the agreement the raise was to start in August, and that July salary checks were already prepared using the old rate. They nevertheless brought a bag of cash to hand out the wage increase along with pay checks.<sup>74</sup> Workers did not know that and did not come to collect their pay, going instead to the local police to seek a permit to protest. The police demurred and called the CCM managers to come, but they were afraid and refused. Four hours of rioting ensued, after '[T]he miners ... went back to the mine and started beating and throwing stones at anyone they found working, shaft by shaft'.<sup>75</sup>

Starting between noon and 1 pm, some 300 people attacked Shaft 2, injuring two Chinese employees and several Zambian security guards and miners. By 2 pm, miners and villagers had moved on to Shafts 3 and 6, injured two more Chinese and stole their belongings. At about 3 pm, the crowd arrived at Shaft 5. Five Chinese surveyors and constructors working there saw the crowd coming and retreated. Rioters robbed the Chinese residences, looted the mine offices of computers and other

68. Minimum wages are legally relevant to unions only when a CBA expires. Interview, Ministry of Labor Principle Labor Officer Khadija Sakala, Lusaka, 8 August 2012.

69. 'Govt to explain new minimum wage', *Times of Zambia*, (6 August 2012).

70. Interviews, Sifuniso Nyumbu, Lusaka, 3, 5 and 12 August 2012; 'Collective agreement between Collum Coal Mines and Mine Workers Union of Zambia', (20 February 2012).

71. Nyumbu interview, 12 August 2012; Interview, Wang Dong, Chinese Embassy, Economic and Commercial Counsellor's Office, 8 August 2012.

72. 'Collum Mine saga: MUZ condemnation timely', *Times of Zambia*, (7 August 2012). The CCM miners thus did not demand 'salary arrears following the revised minimum wage'. Zhao, 'A neo-colonialist predator or development partner?'. Rather, miners were apparently unaware that the new minimum wage did not apply to them, both because they had a union bargained-for contract and because they already made more than the minimum wage.

73. Interview, Charles Muchimba, director of research, MUZ and Webby Mushota, director of occupational health and safety, MUZ, Kitwe, 16 August 2012.

74. Interview, Ambassador Zhou Yuxiao, Lusaka, 7 August 2012.

75. 'Wu cremated as business continues at Collum Coal Mine', *Daily Mail*, Zambia, (19 August 2012). See also 'Minimum wage to be harmonized', *Tumfweko*, (6 August 2012) ('irate miners mobilized themselves and started beating up fellow miners found working').

valuables, and destroyed facilities. Chinese fled down the 240 meter Shaft 5's 40 degree slope. Rioters did not enter the shaft, but threw stones and bricks and pushed a trolley down the shaft. Four Chinese got out of the trolley's way by hiding in an emergency escape path. Wu Shengzai, who was surveying and had been in Zambia since 2009, was already injured and not fast enough. He was run over by the trolley and died on the spot, his corpse grossly disfigured. Rioters later spread to the furthest shaft, no. 1, where they stoned the Chinese employees' residential area and tried to enter. At 5 pm, the police arrived and rioters dispersed. The Chinese Embassy stated that 'the Chinese were extremely restrained to avoid intense confrontations during the incident':<sup>76</sup> due to CCM orders after the 2010 shooting, none of the Chinese were armed during the 2012 riot.

Besides the one dead, four middle-aged Chinese were hospitalized with serious wounds; four others had lesser wounds. The 30-plus Chinese at CCM barricaded themselves indoors. When Labor Minister Fackson Shamenda visited, Chinese at CCM 'mobbed' him, stating 'their lives were in danger', 'they were gripped with fear' and needed protection. They said 'the mine was experiencing disturbances every three or four months [and] when such occur, a government official is sent to the mine but problems persist'.<sup>77</sup> PF leader Shamenda stated 'I don't know why there is always tension between Chinese investors and workers at Collum'.<sup>78</sup>

Chinese in Zambia were highly agitated. Some wanted to organize a protest, an action that the Embassy opposed and did not take place. Ambassador Zhou stated that 'All Chinese nationals are now frightened'.<sup>79</sup> Because 'many Chinese [were] fearful to leave their homes' and 'Chinese managers were scared that Zambians would harass them again if they resumed operations',<sup>80</sup> CCM shut down. When Shafts 3 and 6 were reopened a week after the riot, the GRZ ordered them closed again.

Police soon arrested 12 alleged rioters including miners and villagers who 'are the people who just went to terrorize the Chinese'.<sup>81</sup> Police continued to look for rioters, including three suspected of killing Wu. A CCM manager asserted that Wu was killed by villagers, likely because initial reports quoted Minister Shamenda as saying Wu's killers were 'ordinary thugs and not miners' and 'just a bunch of criminals who took advantage of the disturbance'.<sup>82</sup> Alex Sindebuka, the first to be charged with murder, turned out to be a CCM miner. Ten weeks later, the 'mastermind', 27-year-old Sylvester Siyanchebani, was arrested. 'Locally known as "Savage"', he was a Shaft 3 miner.

An analyst stated the violence was not directly related to wages, but 'instigated by a vocal minority that insisted on carrying out retaliatory attacks against the Chinese management'. He added that 'Many of these people congregate near mining sites.

76. 'Ambassador visits injured Chinese in Zambia', *China Daily*, (7 August 2012).

77. 'Chinese at Collum Mine call for protection as Shamenda blames MMD', *Lusaka Times*, (7 August 2012).

78. 'Rioting Zambian coal miners at Chinese owned mine kill Chinese manager', *Agence France Presse*, (5 August 2012).

79. 'China's Ambassador to Zambia warns of deteriorating relations', *Zambia Reports*, (7 August 2012); 'Fear grips Chinese', *The Post*, Zambia, (7 August 2012).

80. 'Chinese community in Zambia demands justice following murder of mine manager', *Zambia Reports*, (10 August 2012).

81. 'Fear grips Chinese', *The Post*.

82. 'Chinese mine boss killed', *Daily Mail*, Zambia, (6 August 2012).

Some have been fired from mines. Their motivation is to exploit situations like this for their own gain to loot when they can'.<sup>83</sup> Support for that idea appeared when Zambian workers at Chinese mine construction firm 15 MCC threatened to burn the Chinese SOE-owned Mulyashi Mine they had just built in Luanshya, Copperbelt, if they were not offered jobs there. Two Chinese were also severely beaten in Luanshya by 15 unemployed youths who reportedly resented that Chinese were employed in the mine.

Deputy Minister of Home Affairs Stephen Kampyongo blamed the 2012 CCM riot on rising tempers after the MMD government did not convict the 2010 shooters. A Zambian Oxford University Ph.D. student and *Post* columnist said the riot was 'a culmination of years of workers' frustrations and sea of discontent against the Chinese over alleged low wages and exploitative working conditions'. He implied that the violence was based on accurate perceptions that Chinese are worse employers than other foreigners and Zambians, as well as on Zambians' disappointment that the PF government had not chased away 'the Chinese'.<sup>84</sup>

Such views ignore the role of PF incitement in inflaming miners' violence. A prominent NGO leader pointed to just that as the riot's main cause. Sam Mulafulafu, Zambia Executive Director of the international Catholic charity Caritas stated

[T]he cold relationship between the Chinese and the Zambians was a problem that had been building up from last year's electoral campaign ... Immediately [after] PF came into power, there was an outbreak of conflict between Chinese-owned firms and the workers ... The PF government must admit that they are solely responsible for this problem of Chinese-Zambian workers' [conflict].<sup>85</sup>

Several GRZ ministries reportedly 'consult[ed] various stakeholders to address issues that sparked off the protest'. Police were stationed at the mine, but also ordered 'to hunt down and interrogate [GAWUZ] officials, who may [have been] involved in [the] protest',<sup>86</sup> although no evidence of any such involvement appeared. Expectedly, the government ignored the role of anti-Chinese incitement and a local MP complained, when the mine reopened again six weeks after the riot, that its root cause had not been addressed.

The 2012 riot was presented globally through Western media, which mostly conflated CCM with Chinese firms or Chinese in Zambia/Africa. A *New York Times* article asserted that 'Chinese companies in Zambia have long been accused of mistreating and underpaying their workers'.<sup>87</sup> Nothing was said about contestations of the accuracy of the accusations or who the accusers were and what their political agendas might be.

Western media assumed the murdered Wu Shengzai was an authority figure who lorded it over Zambians, i.e. a manager, supervisor, 'mine boss' or even 'Chinese official', although he was, in reality, surveying to prepare Shaft 5 for operation.

83. Quoted in Zhang and He, 'The killing of a miner in Zambia'.

84. Sishuwa Sishuwa, 'Understanding reactions to Chinese investment in Zambia', *The Post*, Zambia, (14 August 2012).

85. 'Fear grips Chinese', *The Post*.

86. 86. 'Chief Sinazongwe sorry', *Daily Mail*, Zambia, (11 August 2012).

87. Lydia Polgreen, 'Zambia: Chinese supervisor dies during protest at mine', *New York Times*, (6 August 2012).

Reuters wire service claimed ‘animosity towards [Chinese] is growing as Zambian workers accuse firms of abuses and underpaying’ and that ‘critics’ warn Chinese firms ‘are importing their poor track record on workers’ rights’.<sup>88</sup> Yet, no evidence indicates that the riot was part of a trend. It had been three years since Zambians last used violence at a Chinese-owned mine other than CCM, in part because these mines have adapted to Zambia’s labor relations regimen.<sup>89</sup>

An official German radio broadcaster quoted Deputy Labor Minister Rayford Mbulu as stating that the riot was ‘a lesson to employers to respect workers’. It added that in the 2010 CCM incident ‘Chinese managers shot and wounded Zambian workers who were protesting over poor wages’.<sup>90</sup> The report did not indicate how murder might lead to respect and made no mention of the violent context of the 2010 shooting.

A *Wall Street Journal* article asserted that the GRZ was ‘struggling to contain mounting anger among miners, who accuse China of exploiting Zambia’s resources and taking advantage of its workers’. Zambian miners, however, seek to *expand* production and affirm that every foreign-owned mining firm they strike against takes advantage of them. The article however portrayed Chinese firms as uniquely and harshly exploitative, with the only miner quoted reportedly stating ‘The Chinese are just here to make a profit, to make their country rich ... We are slaves in our country’.<sup>91</sup>

An article in the *Los Angeles Times* claimed that ‘Zambia frequently sees confrontations between Chinese mine management and workers’ and recounted every incident at Chinese-owned mines from 2005 to 2012, but none at other mines, while quoting extensively from a highly flawed 2011 Human Rights Watch report on Chinese copper mining in Zambia.<sup>92</sup>

An article by *The Telegraph* (UK) Chief Foreign Correspondent David Blair about the 2012 riot focused on the 2010 shooting. It claimed ‘Beijing’ successfully pressured the GRZ to not indict the shooters, although they had been indicted, and said CCM pays employees less than the minimum wage for shop workers, although most were paid more. Blair quoted Michael Sata’s claim that British colonialism was better than the Chinese presence.<sup>93</sup>

### **The Chinese are worst**

On Chinese mining in Zambia, ‘the debate is clearly informed by racist assumptions’,<sup>94</sup> embedded in racial hierarchy, exemplified by a remark of (the famously white) Guy Scott, PF deputy leader and, since 2011, GRZ Vice President.

88. ‘Zambian miners kill Chinese supervisor over pay’, *Reuters*, (5 August 2012).

89. See Yan Hairong and Barry Sautman, ‘Beginning of a world empire? Contesting the discourse of Chinese copper mining in Zambia’, *Modern China* 39(2), (2013), pp. 131–164.

90. ‘Arrests over deadly clashes at Chinese-owned Zambian mine’, *Deutsche Welle*, (6 August 2012).

91. Peter Wonacott, ‘China investment brings jobs, conflict to Zambia mines’, *Wall Street Journal*, (5 September 2012).

92. Robyn Dixon, ‘Enraged Zambian miners kill Chinese manager’, *Los Angeles Times*, (6 August 2012).

93. David Blair, ‘Zambian miners crush a Chinese manager to death’, *Telegraph*, (6 August 2012).

94. John Lungu and Alastair Fraser, *For Whom the Windfalls: Winners and Losers in the Privatization of Zambia’s Copper Mines* (Lusaka: Civil Society Trade Network of Zambia, 2007), p. 53.

He proclaimed in 2007 that 'People are saying: "We've had bad people before. The whites were bad, the Indians were worse but the Chinese are worst of all"'.<sup>95</sup> Western media also depict Chinese as the worst employers in Zambian mining, even though commonalities of work in Chinese-owned copper mines and the larger mines of Western-based firms far outweigh differences. The latter are much more profitable than the Chinese-owned mines, but still pay miners only subsistence wages. Non-Chinese mines' safety records are also no better than those of the main Chinese-owned mines.<sup>96</sup> Yet PF-fostered incitement ensured that 'the Chinese' are subject to racial animus and pilloried in global media, while Western firm managers escape race-based opprobrium.

The discourse of the CCM shooting is about how distinctively bad it is to work for 'the Chinese', who would rather shoot workers than improve their lot. Yet, a coal mine long GRZ-owned and a nearby white-owned stone production facility have also had deplorable conditions and worker discontent, but unlike at CCM, the owners' ethnicities play no role, as Zambian workers are not incited against co-nationals or whites.

Maamba Collieries Ltd (MCL), with one of southern Africa's largest coal deposits, is Zambia's main coal mine. Despite state support, it was failing in the mid-2000s and had many labor disputes. A strike at MCL in 2006 became a riot, in which 800 miners demanding payment of wage arrears and removal of managers stoned management housing and battled police. In 2009, the GRZ contracted MCL to Oriental Quarries, a Zambian Indian company, and Singapore-based NAVA Bharat. When these firms also did not pay workers, they struck. Another outbreak occurred at MCL in 2010 and included attempts to stone and lynch its Zambian Managing Director.

There is also a mining operation that GAWUZ President Nyumbu has called 'much worse than CCM'. Zambezi Natural Stone Enterprise (ZNS), owned by white Zimbabweans, creates on-demand tiles for flooring, paving, etc. It has factory workers and miners, but the owners did not recognize the miners as employees. ZNS workers, who are migrant villagers from afar, live in grass huts, receive no protective clothing and work from 06:00 to as late as 18:30. There are frequent injuries, but no medical treatment or workers' compensation. Miners are only paid if they find valuable stone and the owners determine how much they pay for it. Although they are union members, ZNS factory workers were paid the minimum wage, which applies only to non-union members. The owners were unwilling to negotiate, let alone enter into a CBA, with GAWUZ.<sup>97</sup>

CCM, MCL and ZNS have not had greatly different workers' conditions, despite the latter two having advantages CCM does not enjoy: MCL has been state-backed; ZNS has a ready market. These three nearby enterprises share levels of exploitation and worker discontent, but have ethnically-disparate managements, which puts paid to the idea that CCM's poor labor relations are because 'the Chinese are the worst'.

95. Chris McGreal, 'Thanks China, now go home', *Guardian*, UK, (7 February 2007).

96. Barry Sautman and Yan Hairong, *The Chinese are the Worst?: Human Rights and Labor Practices in Zambian Mining*, Maryland Series in Contemporary Asian Studies (Baltimore, MD: University of Maryland, 2013).

97. Nyumbu interview, 22 August 2011.

### Racial neoliberalism and the discourse of the CCM shooting

The CCM shooting is depicted as gratuitous cruelty, not a response to reciprocal violence in the context of a crude small enterprise management, and impliedly as an act that only ‘the Chinese’ would commit. The incident at this remote mine hit a nerve in Zambia not because the shooting was unprecedented in labor conflicts, but because PF had already created an anti-Chinese discourse. There is scant political difference among parties in Zambia. A PF government minister has stated that ‘Zambian politicians do not differ on principle’<sup>98</sup> and virtually all support neoliberalism. The PF distinguished itself mainly by an anti-Sinicism that made China ‘a new subject ... in the spotlight ... a political football [with] a political undertow in Zambia’, as a leading Zambian analyst has noted.<sup>99</sup>

PF channeled discontent with neoliberal reforms into its anti-Chinese campaign, fixed in part on the wage gap between Chinese and other mines, a gap that reflects differences in size and profitability and is narrowing. The impact of Chinese investment and migration on Zambia has been exaggerated and made a source of Zambians’ woes, especially for small traders and miners, who experience the worst of privatization, deregulation and free trade. Sata claimed 80,000 Chinese were given work permits in Zambia, but the GRZ reported 2,340. Chinese-owned mines produced only 5% of foreign-owned mines’ copper in Zambia in 2010,<sup>100</sup> but Sata singled out ‘the Chinese’ as ‘invaders’ and ‘infestors’ and said the problem is ‘not only [in] Zambia—it is all Cape to Cairo where the Chinaman is’.<sup>101</sup>

Racism is so embedded in neoliberalism that a concept of racial neoliberalism has been adumbrated.<sup>102</sup> The US discourse of the ‘anti-market’ behavior of ‘welfare queens’ and black ghettos for example was central in creating popular support for welfare cuts. Neoliberalism makes immigrants to Canada economic contributors, but also ‘effectively demonized as deviant, criminalized and tarnishing the supposed Canadian way of life’.<sup>103</sup> Neoliberalism in ‘post-racial’ societies largely removes, through privatization, race from the public to the *private* sphere. In contrast, ‘the Chinese’ are staged as problematic in Zambia’s *public* sphere, allowing neoliberalism to escape scrutiny. Contradictorily viewed as ‘good investors’ but ‘bad employers’,<sup>104</sup> Chinese will likely be singled out for as long as any ‘Chinese face’ is associated with exploitation and oppression at enterprises like CCM.

In the larger world, tropes of gratuitous cruelty and disregard for human life are axioms of anti-Chinese racism, expressed in contexts of ‘strategic rivalry’, a view spread out from the West since the nineteenth century. The villain of early twentieth century British novelist Sax Rohmer’s Fu Manchu tales and later films was portrayed

98. ‘Zambians haven’t learnt to differ on principle: Luo’, *Daily Mail*, Zambia, (17 July 2013).

99. Interview, Professor Oliver Saasa, Lusaka, 18 July 2007.

100. Interview, Gao Xiang, Deputy CEO, CNMC Luanshya Mine (CLM), Luanshya, 17 August 2011; ‘China pledges increased investment under PF’, *The Post*, Zambia, (1 October 2011).

101. Barry Sautman and Yan Hairong, ‘African perspectives on China–Africa links’, *China Quarterly* 199, (2009), pp. 729–760 (at p. 752).

102. David T. Goldberg, *The Threat of Race: Reflections on Racial Neoliberalism* (Hoboken, NJ: John Wiley, 2011).

103. David Roberts and Minelle Mahtani, ‘Neoliberalizing race, racing neoliberalism: placing “race” in neoliberal discourse’, *Antipode* 42(2), (2010), pp. 248–257 (at p. 252).

104. See Sautman and Yan, *The Chinese are the Worst?*.

as challenging the white race for world domination and described as a Chinese person 'whose very genius was inspired by the cool, calculated cruelty of his race'.<sup>105</sup> These notions have remained commonplace. 'Human wave tactics' that Chinese forces used during the Korean War were ascribed to an Asian contempt for life and William Westmoreland, US commander in Vietnam, opined that 'The Oriental does not put the same high price on life as does a Westerner'.<sup>106</sup> Jeanne Kirkpatrick, former US ambassador to the United Nations, said in 1999 'the Chinese do not value human life and might be willing to suffer retaliatory consequence for the psychological benefit of striking American soil with a missile'.<sup>107</sup> In 2010, an ex-aide to Ronald Reagan wrote that 'China' has 'a much lower valuation on human life than it should have', citing the CCM shooting,<sup>108</sup> while British singer/songwriter Morrissey said the cruelty of Chinese made them a 'subspecies',<sup>109</sup> yet continued to be widely popular in the West. Such ideas, applied to China and the Chinese, proliferate on the Internet.

Notions of Chinese cruelty and disregard of human life have also been around in Africa, initially among white settlers, for more than a century. In 1905, Chinese miners who escaped from indentured labor into South Africa's veldt were said by a local newspaper to have 'an Asiatic contempt for life in their blood and Chinese cruelty and callousness in their hearts'.<sup>110</sup> These ideas are still present in Western writings on Chinese in Africa. An analyst of Chinese firms in conflict zones in Africa stated that they, compared to Western firms, 'appear to be more tolerant to physical losses' and 'ready to accept human losses'.<sup>111</sup> A UK journalist's report on Chinese activity in Zambia said of Chinese attitudes toward the loss of lives in a mining accident, that 'To them 50 people are nothing'.<sup>112</sup> A white South African journalist specializing in the Chinese presence in Africa said it entails 'an apparent disrespect for human life', as shown by the CCM shooting, which he claimed involved only 'miners shot while presenting a list of grievance to Chinese managers'.<sup>113</sup>

Conceptions of Chinese as numerous, widespread and inured to pain have been linked to notions of Chinese cruelty and disregard for human life. The idea that the Chinese do not value human life because of their large population is now found among Africans as well. Workers at Zambia's Chinese-owned Chambishi Mine told a researcher in 2008 that 'the Chinese do not value life because there are so many of them in China'.<sup>114</sup> When unsubstantiated claims were made that Chinese engineers

105. Sax Rohmer, *Fu Manchu* (Sheffield: PJM Publishing 2008 [1910]), p. 327.

106. Quoted in Derrick Jackson, 'The Westmoreland mind-set', *Boston Globe*, (20 July 2005).

107. Cal Thomas, 'China's espionage coup', *Baltimore Sun*, (31 May 1999).

108. Peter Hannaford, 'A tale of two mines', *American Spectator*, (22 October 2010).

109. 'Morrissey reignites racism row by calling Chinese a "subspecies"', *Guardian*, UK, 3 September 2010.

110. Gary Kynoch, "'Your petitioners are in mortal terror": the violent world of Chinese mineworkers in South Africa: 1904–1910', *Journal of Southern African Studies* 31(3), (2005), pp. 531–546.

111. Egbert Wesselink, 'Who should engage and how: governments, business, civil society', in IKV Pax Christi, ed., *Chinese State-owned Enterprises and Stability in Africa* (Clingendael Institute, 30 May 2008), pp. 12–13, available at: [www.clingendael.nl/.../20080825\\_asia\\_report\\_expert](http://www.clingendael.nl/.../20080825_asia_report_expert).

112. Peter Hitchens, 'In China, 5,000 people die and there is nothing. In Zambia, 50 people die and everyone is weeping', *Mail on Sunday*, London, (28 September 2008).

113. Kevin Bloom, 'Does Africa need China?', *Daily Maverick*, (21 October 2011), available at: <http://daily-maverick.co.za/article/2010-10-21-analysis-part-i-does-africa-need-china>.

114. Jamie Whitlock, *Digging for Prosperity: Mining and Labor Practices in Chambishi, Zambia*, unpublished M.Sc. thesis, University of Oxford, 2008, p. 9.

working in rural Zimbabwe cruelly killed dogs for food, an opposition newspaper thundered that ‘This kind of cruelty cannot be allowed to be extended to the workers at the construction sites, mines, restaurants and retail shops where the Chinese claim protection from well-placed government officials’.<sup>115</sup> Such assessments reflect a narrative of Chinese cruelty and disregard of human life that now takes the CCM shooting as a prime example, a narrative likely to expand as Chinese become more prominent globally and thus impinge on Westerners’ long-running leading role.

The CCM incident shows that China’s government is not indifferent to malfeasance abroad, because ‘Anything a Chinese firm does in Africa will be seen as representative of China as a whole. Anything a Chinese immigrant does in Africa will be seen as representative of all Chinese people’,<sup>116</sup> a standard not applied to Western firms or individuals. Chinese state involvement however is a form of crisis management—urging Chinese firms to respect the rights of local communities, workers and the environment—while its ability to regulate enterprises is undermined by its own neoliberal reforms. Chinese diplomatic outposts also regard it as ‘inconvenient’ and often unavailing to influence non-SOE firms, like CCM, that are state of incorporation citizens with no parent company in China.

Even if the Chinese state mitigates practices of miscreants with ‘Chinese faces’, the discourse will remain unbalanced, as China/Africa links now have an outsized significance within a perceived strategic competition between the West and China. Narratives of Chinese activities in Africa will continue to be incorporated into the larger China Threat discourse, which has the cat’s proverbial nine lives in the West. The narrative of the CCM shooting will feed the contention that Chinese menace not only the West, but even vulnerable grassroots Africans. If, however, the narrative of the CCM shooting is itself problematized, the discourse of China/Africa links may not remain the complete binary it is now presented to be.

115. ‘It’s not for party-less Mutambara to tutor us about unfair Chinese practices’, *News Day*, (20 June 2011).

116. Wang Xiaojuan, ‘Thorns in the African dream (2)’, *Chinadialogue*, (31 January 2012), available at: [www.chinadialogue.net/article/show/single/en/4749](http://www.chinadialogue.net/article/show/single/en/4749).