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CHINESE  
NONGOVERNMENTAL  
ORGANIZATIONS



POLITICS BY OTHER MEANS?

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**Introduction:  
China's Reform Landscape circa 1995**

Fifteen years ago, international aid agencies interested in doing development projects in China would begin their efforts with a fairly predictable series of meetings. A delegation from the organization would arrive in Beijing to meet with embassy officials, Chinese ministry officials, and the same small band of Chinese and foreign development experts who pioneered work in the late 1980s and 1990s in areas such as commercial law reform and rural development.

Going from drab reception room to drab reception room and drinking endless cups of tea, the delegation was usually aiming to secure an implementing partner from among a shortlist of approved government agencies or think tanks. The Chinese Academy of Social Sciences, a government-sponsored think tank, was one such partner in these early cooperation projects. If an aid agency were particularly lucky, it might strike a deal with an office of the State Council, National People's Congress, or Ministry of Civil Affairs that had permission to collaborate with foreigners on legal reform and development efforts.

These partnerships were highly sought after because they provided access to midlevel bureaucrats, who would work within the system to effect policy and legislative change at higher levels. "Reform from within" was one of the buzzwords often used to describe the strategic programmatic approach of most rule-of-law and political reform projects of that time.

As much as such insider partnerships were desirable, they were also unavoidable. In the 1980s and 1990s, particularly after the crackdown on students and workers in Tiananmen Square, China did not have nongovernmental organizations (NGOs) that could serve as partners in development and reform projects. Reform did not come from outside the system. Today the situation has changed considerably.

The May 2008 earthquake in Sichuan Province alerted the international community (and arguably many

within the Chinese government) to the emergence of civil society in China. In the days and weeks following the earthquake, citizen groups rallied together to provide aid and funds to the affected communities. There were reports of schools launching fundraising drives, associations buying medical equipment and tents, and automobile clubs driving relief supplies into the disaster zone.

The Chinese Ministry of Civil Affairs estimates that more than 3 million volunteers helped with health, sanitation, medical aid, food distribution, and security in the days and months following the quake. A post-disaster assessment of Sichuan revealed that 263 NGOs and 63 foundations offered their support. While rumblings about emerging civil society first began in the late 1990s, the 2008 earthquake prompted the Chinese government to take official stock of how civil society had taken hold in the post-reform period. The response effort by these groups was so prompt and so vast that reporters covering the devastating earthquake highlighted these civil society efforts as a silver lining amid the many dark clouds of that terrible tragedy. As the *Globe and Mail* (Canada) put it, the earthquake could well be remembered as "a historic moment, the first signs of the emergence of broad-based civil society in a country where emperors and autocrats have ruled for centuries."<sup>1</sup>

As early as ten years before the earthquake, academics and China specialists had started to take note of nongovernmental groups staking out a place to work on important social and legal questions. In 1998, Tsinghua University established a research center to examine the role of NGOs in China. The following year, two conferences on NGOs were held.<sup>2</sup>

A consortium of government-affiliated charities and social organizations, including the China Charities Foundation and China Youth Development Foundation, set up the China Non-profit Organization (NPO) Network in 1998 to provide research and support to local nonprofits cropping up in certain parts of the country. The NPO Network held one of its first training programs—on NGO organization and operation—in Yunnan, which had been designated as a kind of "special zone" for nonprofit

work. In 2001, China's civil society sphere was not robust, but it already showed potential to emerge as an important sector to negotiate between state and society on issues affecting diverse constituencies across the country.<sup>3</sup>

In the ten-plus years since Chinese NGOs first came on the radar, they have grown in number and diversity.<sup>4</sup> Groups focusing on the environment, women's issues, and migrant-worker concerns pioneered the field. In recent years, organizations in these areas have not only grown in number, but have also been joined by other interest groups, such as gay-rights groups, minority development organizations, and "watchdog" organizations, which focus on monitoring and transparency concerns.

This paper will explore the evolution of Chinese NGOs, their structure, and how they work. It will look at how the state and the Communist Party are responding to the emergence of a "third sector" and offer examples of what some groups are doing to negotiate issues between state and society. Finally, it will examine whether the emergence of Chinese NGOs, typically seen as a building block in a liberal political system, increases the likelihood that China will liberalize politically.

### **The Roots of China's NGO Development**

The official Chinese statistics on the number of "social organizations" show 425,000 registered organizations, which include 235,000 social groups, 180,000 "civilian nonenterprise units," and 1,780 foundations. These numbers seem stunning in an authoritarian, Communist country until you realize that it includes arts groups, automobile clubs, retirement associations, and many other kinds of social clubs and groups. NGOs whose work is informed by an identifiable human-rights, social-justice, or civic-activist spirit—such as women's rights groups, environmental groups, migrant workers' advocacy associations, or antidiscrimination groups—are far fewer in number, perhaps reaching as many as 1,000.<sup>5</sup> These organizations face registration challenges, sometimes

incorporating as "not-for-profit enterprises" or remaining unregistered. The official statistics noted above do not capture NGOs that are in this "gray" registration zone. This small subset of rights-focused NGOs will be the focus of this paper.

NGO development in China has been relatively quick. In the 1980s and early 1990s, research institutes and policy centers with express links to government were established. These groups, with names like the Institute for Legal Culture and the Institute for Asia and Pacific Studies, had ties to Chinese ministries, government offices, and think tanks, such as the Chinese Academy of Social Sciences. They focused more on thematic or legislative issues—such as bankruptcy reform or rural policy—and less on communities or interest groups within society. Accordingly, their projects were aimed to influence laws and policies under consideration by the State Council or the National People's Congress. In many cases, their primary function was to gather international and comparative expertise for government offices that wanted this kind of information but did not have the resources or the leeway to bring foreign experts into internal law and policy discussions.

In the mid-1990s, some academics who had been affiliated with these legislative and policy discussions began to establish centers at universities to continue their work. In addition to doing research for legislative and policy initiatives, some of these centers established hotlines and encouraged ordinary Chinese citizens to call them for information. On occasion, these centers would try to raise publicity about a case in the media or offer legal assistance. As a result, they began establishing direct links to people affected by the developments resulting from the rapid changes in Chinese society—for example, consumers concerned with product safety or residents living close to a polluted water source.

By the early 2000s, a new generation of activists, some of whom had worked in these university-based centers, began to set up more independent grass-roots organizations. Unlike their predecessors, these organizations had little or no institutional affiliation (with a university or quasi-governmental

think tank, for example). In Chinese, they began to call themselves “community-based” organizations. Some of the bolder ones chose to call themselves nongovernmental organizations, often using the term “NGO” in English.

Today’s community-based NGOs still focus on issues and advocacy, but the perspective of their leaders and employees is a community-based or interest-group perspective. NGO leaders today are not passing through academe or government en route to establishing their centers. Consequently, unlike in the 1990s, these NGOs are not “inside” the system. Chinese officialdom sees them, and they see themselves, as decidedly outside the bureaucracy. Their leaders look to the community or interest group from which they came for support—and presumably for approval as well—and less so to a government-sponsoring agency.

### Community-Based NGOs in China

One might consider China’s government-affiliated research centers as the first generation of Chinese civil society, and university-based centers might be considered a second generation. Today’s community-based NGOs represent a third generation. They consider themselves more grass roots and independent, with leaders who come from the communities that they serve and offices in converted residential spaces or out-of-the-way commercial properties. One migrant-worker NGO, for example, has an office three floors below street level in the subterranean basement floor of a modest hotel on Beijing’s fancy Wangfujing Street. They struggle for funding, typically relying on grants from international donors, such as the Ford Foundation and Oxfam, as well as small-scale donations from the community. They rely heavily on volunteers. AIDS-prevention groups, for example, deploy volunteers nightly to pass out information and prophylactics to spread the word about safe sex, while migrant-worker groups look to the local labor force to spread the word about their services on behalf of workers.

For all of the potential significance of Chinese NGOs, perhaps their most striking and least analyzed feature is their leadership. In China’s closed political system, ambitious young people who want to become community leaders are inclined to establish an NGO rather than seek out a path to civil service through government and party channels. Moreover, even if they want to pursue careers in government, today’s community leaders tend to come from communities without ready *entrée* into the political system. It is now common in China to find migrant workers who start migrant-worker groups, gay men and women who open gay-rights centers, or HIV-infected farmers who become advocates for AIDS treatment. In rural Qinghai, an ethnic-Tibetan NGO leader left the government because he felt he could better help Tibetan communities by establishing an NGO focused on community and legal development.

Founding and running an NGO in China promises a risky, relatively poor existence, but talented people are drawn to it because it offers them a chance to be community leaders. If the Chinese political system were open, presumably some (even many) NGO leaders might be drawn to it, either as candidates for office or as civil servants. In China, NGO work has become a way for citizens to be “political.” Put another way, civil society has become “politics by other means.”

That said, Chinese NGO leaders avoid identifying themselves or their work in expressly political terms. They play up their outreach activities, awareness raising, and legal-services work rather than their watchdog, policy-advocacy, or human-rights activities. Migrant-worker NGOs, for example, will emphasize the role they can play in helping rural migrants “integrate” into urban life over the services they might provide to help workers initiate workers’ compensation proceedings. They studiously avoid any suggestion that they might be “organizing” workers in any way. Similarly, women’s groups work with local branches of the All China Women’s Federation to develop programs to increase women’s political participation or encourage gender sensitivity. They recognize that independently targeting

women to run for local office might put their organization and the rural women at risk.

Most NGO leaders deny that they represent some kind of “opposition.” In fact, they wish they had more channels for dialogue and collaboration with central and local government ministries. As the “outsider generation,” they long to be trusted by government as partners in addressing social concerns. In their public rhetoric, they are quick to say that NGOs can play an important and constructive role in building a “harmonious society” by providing much-needed social services and defusing social tensions. The Chinese government has at times recognized, for example, that AIDS NGOs can reach populations at risk for HIV more effectively than government bureaucrats can. But such acknowledgements are few, and government policy toward NGOs reveals deep-seated anxiety about the growth of civil society.

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Most community-based NGOs describe their relationships with local and central government officials in cautious terms. They know they might be harassed, intimidated, or shut down at any point. In 2001, the Shenzhen offices of a migrant-worker-rights activist and lawyer named Zhou Litai were closed down when his work on behalf of injured and mistreated workers hit the radar of city officials. In 2002, AIDS activist Wan Yanhai, the founder of one of China’s most well-known AIDS NGOs, was detained on allegations that he leaked state secrets on the blood-selling scandal that dramatically raised HIV-transmission rates among rural farmers in central China.<sup>6</sup> Wu Lihong, an environmental campaigner who was praised by the National People’s Congress in 2005 for his work to expose government and business practices that severely damaged water quality in Lake Tai, went to prison on extortion

charges in 2007.<sup>7</sup> In July 2009, Beijing authorities found the legal research center of the Open Constitution Initiative to be operating illegally and shut it down, detaining its director, Xu Zhiyong, under suspicion of dubious registration and tax-evasion charges. This routine harassment suggests that even after a decade of growth and coexistence with NGOs, Chinese authorities might still at any moment clamp down on these organizations, which have done positive work inside the country and generated considerable goodwill as one of the few bright spots on the country’s human rights record.

### The Future of Chinese NGOs

Despite these capricious and troubling crackdowns, NGOs persist in China. The first decade of NGO development, from roughly the mid-to-late-1990s to the mid-to-late-2000s, has been defined by a transition from ministry- and university-affiliated research centers inside the system to outside, community-based organizations led by activists who rely solely on their NGO work for their professional affiliation and income. What might characterize the second decade of civil society development in China?

**Growth:** Recent history suggests that the number of small grass-roots organizations will continue to rise. One example from the AIDS field helps predict the growth rate. In 2007, when HIV/AIDS NGOs organized themselves to hold an election for a civil society representative to the China Global Fund’s Country Coordinating Mechanism (CCM), 123 NGOs registered to vote. In 2009, when the second round of elections was held, 280 organizations registered to vote. Even though these elections imposed a stricter definition for voting-organization eligibility, there was a more than twofold increase in the number of NGOs working on issues related to the Global Fund’s work.

**Coordination:** Proliferation alone will not necessarily lead to the strengthening of civil society in

China. Of potentially greater significance will be whether NGOs can expand their reach beyond the community level to the municipal, provincial, national, and even international levels. Such expansion may require that NGOs work together more effectively. Coordination among NGOs has been hampered by the assumption that such coordination might trip political sensitivities as well as by rivalries within the NGO field. It was long believed, for example, that NGOs working on similar issues in different provinces could not pursue joint projects for fear that such efforts would look like coordinated opposition to the state. In recent years, however, NGOs have come together to share “best practices” or discuss mutual goals—quietly, but successfully.

There are two examples of more visible NGO coordination. First, when environmental activist Wu Lihong was arrested in 2007, twelve NGOs penned an open letter to the authorities requesting that Wu get a fair trial. This collaboration was challenged, and shortly after the letter was made public, Chinese Internet authorities demanded that it be removed from the organizations’ websites.

Second, as part of the CCM election mentioned above, the HIV/AIDS NGOs formed an NGO Work Committee made up of representatives from across the country to improve communication among civil society groups and manage collective action with regard to Global Fund policies. The state has tolerated this development, but in their first two years, the HIV/AIDS NGOs have had difficulty working together. There are considerable power struggles within the NGO community, and AIDS activists have been quick to accuse each other of malfeasance or other bad dealings, weakening their capacity for advocacy or joint action. (Watching China’s AIDS NGOs struggle to work together beyond the community level offers a glimpse of the country’s democratic deficits.)

**Internationalization:** As they gingerly take steps to play a national role, Chinese NGOs are also (and perhaps more easily) gaining an audience in the international arena. In 2006, two Chinese NGOs attended the United Nations hearings on China’s report on the

Convention to Eliminate All Forms of Discrimination against Women (CEDAW). China’s official civil society report was submitted by the All China Women’s Federation, but NGO representatives were permitted to attend the hearings and joined some of the sidebar discussions that raised questions about the official government report on its efforts to protect women’s rights and interests.

One of the women who attended the CEDAW meeting admitted that Chinese NGOs might have more success if they sought to mature on the international stage rather than on the national one. On an international level, she reasoned, they could join forces with other NGOs and get involved in non-China-specific campaigns. This would give them the opportunity to learn from their more experienced counterparts and help reassure the Chinese government that they are not “anti-China.” If the Chinese government continues to hamper NGOs’ domestic campaigns, the groups would be wise to consider how a more international strategy could allow them to continue to develop and gain legitimacy.

**Democratization:** What does the development of NGOs in China suggest for the development of “democratic habits” in China? The growth of NGOs reflects growing diversification within the civil-political sphere. People are identifying their interests, from environmental concerns to housing rights to ethnic or minority issues, and forging groups to represent those interests. It is no longer sufficient to talk about “workplace discrimination” or “transmission of HIV/AIDS” as if these issues existed separate from the women or intravenous drug users affected by them. Unlike twenty years ago, these people now have organizations that try to speak out on their behalf.

### The State’s Response

The emergence of “interest groups” is not going unnoticed by the one-party state. In 2007, the Central Party School, a think tank and training center for China’s Communist Party (CCP) members, began holding

discussions about how the party should represent multiple, and sometimes competing, interests in a diversifying China. The answer will be tricky, even for the CCP, which has proved to be more resilient than many expected. How will the party reconcile tensions between employees and employers, property owners and tenants, polluters and those who depend on natural resources? As NGOs become increasingly community-based and more linked to interest groups, will the party see them as partners in its effort to connect to the grass roots or as rivals? NGOs hope to be partners, but the record suggests that the party's default is to see them as agitators and even rivals for party loyalty.

Even if the party sees community-based NGOs as partners, it is highly unlikely that it will see them as equal partners. The party's relationship with the private legal bar offers some insight into how it might respond to civil society. In 2006, the Justice Ministry issued regulations mandating that private firms that take "collective" cases (akin to class-action cases) or "major sensitive" cases report their activities to the bar and to various organs of the legal system. When passive surveillance proved insufficient, it began opening party branches in Chinese law firms. By 2009, the party had established branches overseeing more than eleven thousand of the nation's fourteen thousand private law firms. Its goal is to have branches in 100 percent of domestic firms. It would not be unreasonable to think that it is also considering how it can establish branch offices within the nation's civil society organizations and NGOs.<sup>8</sup>

### **Conclusion: China's Reform Landscape Today**

The emergence of NGOs in China joins other developments, such as economic privatization, a discourse on the rule of law, and the currently stalled but much-analyzed grass-roots electoral reforms, which taken together suggest that some sort of political liberalization is underway in China. However, the continued dominance of the Communist Party, the arbitrary exercise of power, the arrest of activists and dissidents

who challenge state policies, and the lack of universal freedom of speech, assembly, and religion weigh heavily against imminent democratization.

Recent events suggest that previous government ambivalence toward civil society groups is tipping toward a more active policy of containment. Chinese officials were alarmed by the role of international and domestic NGOs in the color revolutions that swept leaders out of office in Georgia and Ukraine in 2003 and 2004. In 2005, rumors began circulating that the state security apparatus was investigating the work of foreign NGOs in China and their Chinese partners and preparing lists of "good" and "bad" NGOs. The investigations put considerable pressure on partners of foreign NGOs to suspend operations. Not surprisingly, the partners that yielded to the pressure were the more government-affiliated think tanks, allowing foreign NGOs to focus more resources on developing partnerships with community-based, grass-roots NGOs.

Since the mid-2000s, the pressure on NGOs has shown no signs of easing. In March 2010, the State Administration of Foreign Exchange—tearing a page from the Russian government's playbook—issued new provisions aimed to increase scrutiny of grass-roots organizations that accept funding from overseas NGOs or groups. The regulations require NGOs to provide additional information on the overseas funders' registration status as well as a notarized donation agreement describing the purpose of the donation. While on the surface this kind of reporting may seem reasonable, NGOs are concerned that the new provisions are designed to keep them tightly under the government's thumb and, more ominously, that they might be used arbitrarily to shut down NGOs that fall out of favor.

Evidence of government's harsh treatment of civil society continues to mount. One month after the new foreign exchange provisions were announced, Peking University severed its ties to the Center for Women's Law and Legal Services, which had been affiliated with the university's law school for fifteen years. The center had known as early as a year before that the university was considering terminating its affiliation when its director received instructions to do more

research and eschew hot-button women's rights cases. When it became clear that the center would not back away from these important cases, Peking University acted quickly and irrevocably to shut it down.

The center's director had prepared for the inevitable clash with the university by establishing a public-interest law firm that would represent migrant workers, the disabled, and the elderly in addition to women. In a public statement explaining the center's closure and the founding of the new law firm, the director expressed her determination to fight on: "Cancellation is also not the gravest difficulty we have faced. . . . Difficulty is only the excuse of the weak and feeble. To go-getters with conviction, difficulty is impetus to move mountains. Difficulty is but snowfall before spring comes. And snow melts. Thereafter, a spring breeze will blow away, bringing forth myriad blossoms and an enchanting fragrance."<sup>9</sup> Looking to the future, the center's director wrote, "Farewell, *Beida* [Peking University]! But our pursuance of equity and justice shall endure, and our belief in the rule of law shall prevail."<sup>10</sup>

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Indeed, the perseverance and dedication exhibited by the center director are shared by many of the country's NGO operators. As a gay-rights activist in China once told a group of American China watchers, "Chinese NGOs lack for everything—except enthusiasm."<sup>11</sup>

The perpetual conundrum in China is whether to see the glass as half empty or half full. Even as events in 2009 and 2010 suggest a crackdown on NGOs—or as one NGO leader put it, a "war" against independent social forces—hope that China will permit the growth of civil society persists. In January 2010, the Finance Ministry announced the creation of a RMB 50 million (approximately US\$7 million) legal-aid fund to which legal-assistance NGOs may apply.

In another boost to law and rights NGOs, experimental environmental courts have granted legal standing to NGOs to bring cases to court on behalf of the public. To date, only Chinese-government-affiliated NGOs have brought cases, and both of them have been settled out of court, but a shift toward acknowledging civil society's role in speaking for the public would be a significant step forward in China. More to the point, environmental NGOs are strategizing about how to test this opening to see if they can use it to litigate environmental law cases.

In the past two decades, civil society has developed and become a mainstay of meaningful work on reform. Like much of what is happening in China, there is precedent for these kinds of developments in the country's recent history. Chinese historians have written extensively on the sprouts of civil society that emerged in the late nineteenth century, a time when rapid urbanization and shrinking public funds combined to give the city's merchant and cultural elite a new role in civic development. As evidence of this important new phenomenon, they point to the increase of roads, bridges, and piers built by commercial associations and private neighborhood groups as well as business associations' contributions to river-management projects and their role in establishing neighborhood firefighting brigades, public utilities such as street lights and ferry companies, and cultural institutions such as temples and schools. "For one moment," historian William Rowe concludes, "in the second half of the Ch'ing dynasty, a moment when the range of collective services demanded by the community had radically outstripped the growth of state organization . . . an extrabureaucratic public sphere was invoked to fill the void."<sup>12</sup>

Imperial officials, like their modern-day Communist Party counterparts, were not entirely thrilled that private groups were carrying out services once performed by government. Reconciled to the reality, they resurrected the expression "officials supervise, the people organize" (*guan du, min ban*) or "popular management under official supervision" to characterize this new relationship between state and society.<sup>13</sup> Party officials looking to accommodate NGOs



may be well served to coin a similar slogan to lend clarity to what is an increasingly ambiguous state policy about the role of these organizations in Chinese social and political life.

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Despite pushback and tightening, and barring a major crackdown, Chinese civil society—like the director of the Center for Women’s Law and Legal Services showed—will not be deterred. NGOs are growing in number and finding ways to survive even when the official state apparatus uses registration and tax policies to tighten their leash.

Today, foreign NGOs and development agencies looking to do work in China tend to have very different kinds of meetings about the issues affecting Chinese society and shaping the nation’s future than their predecessors did in the mid-1990s. Instead of sitting in overstuffed chairs in the reception room of a government ministry, they now find themselves on folding chairs in a cramped office, with farmers or migrant workers milling about and their meeting partners excusing themselves for a few minutes to answer a hotline call.

In the 1990s, the forces pushing political and legal reform in China rested inside the government bureaucracy and were mostly focused on legislative and policy changes. Today the forces lie with civil society, and they draw from the experience of interest groups and communities struggling with the changes

that have pushed China to global economic prominence but have also radically altered Chinese society and daily life. Civil society organizations have developed considerably over the past decade, but their growth has occurred absent broader political reform and often remains in tension with the party’s interest in maintaining its rule. One critical question is whether the emergence of nongovernmental organizations will coalesce with other reforms to tip the balance toward political liberalization in China. In the shorter term, another important question lurks: namely, can Chinese NGOs continue to grow absent substantial political reform? An optimist might point to China’s continuing economic development despite the lack of major banking reform, which many economists argued would be impossible in the 1980s and 1990s, for clues to an answer; but pessimists (or arguably realists) will point to the Communist Party’s resilient hold on power and its willingness to use both a velvet glove and, when necessary, an iron fist to retard political competition. It would be a fool’s errand to predict which result is more likely.

If he visited China today, Alexis de Tocqueville would note that China’s NGOs take up political issues, but they are not yet political actors. Chinese NGOs are immature, and the country’s political limits artificially restrict their growth. Nevertheless, one thing is clear: in economics, society, and geopolitics, China is not standing still, and its political system will have to continue to change to address economic, social, and cross-border needs. Civil society groups will want to be part of that change, but whether they will play—or whether the party will allow them to play—a robust political role or even a bit part remains to be seen.

## Notes

1. Geoffrey York, "Shock of Consciousness' Sweeps Autocratic China in Wake of Temblor," *Globe and Mail* (Canada), May 17, 2008.

2. Jude Howell and Jenny Pearce, *Civil Society & Development: A Critical Exploration* (Boulder, CO: Lynne Rienner Publishers, 2002), 135.

3. In 2001, I conducted a programming assessment for a U.S.-based NGO that had been conducting programming in the areas of legal reform and rural governance in China. I recommended that the organization add civil society development to its portfolio, writing that such a program "would complement [the organization's] original top-down, bottom-up approach to reform in China by supporting those organizations that work from the middle-out as links between state and society. The reforms of the last two decades have been significant, but it is still difficult for organizations to operate autonomously from the government. Today, a few indigenous organizations are elbowing for space within the political and social spheres. Party-state power is still absolute in China when it chooses to be, but the growth of civil society offers the best chance for checking that authority without threatening social stability or economic development." (Amy E. Gadsden, private memorandum, n.d.)

4. Not discussed in this paper but worthy of separate mention are the country's government-operated NGOs, or GONGOs, such as the All China Women's Federation and the All China Federation of Trade Unions. Known as "mass organizations," these are part of the Communist governing structure and date back to the early days of the People's Republic. They are not independent, and while their offices reach down to the grass roots, the closer they get to the community the more they function like government agencies. Increasingly, they have chosen to lay claim to the label "civil society organization," especially in the international arena, because of the benefits such status accords. When the People's Republic of China reported to the United Nations under its obligations under the Convention to Eliminate All Forms of Discrimination against Women, the All China Women's Federation

participated not on behalf of the government but as a civil society organization.

5. Chinese NGOs debate the political or politicized nature of their work, and the work of any particular NGO might be characterized in different ways. AIDS NGOs, for example, may carry out service provisions, such as promoting clean needle use, but may also criticize harsh penalties for drug use; this interjects them into a debate on social and legal attitudes toward drug use as well as the criminal justice system.

6. In May 2010, concerned that his organization might be shut down or that he might be detained again, Wan Yanhai left China for the United States.

7. Wu Lihong was released from prison in April 2010 after serving the full term of his sentence. He gave an interview to *Le Monde* alleging torture and abuse in prison as well as continued surveillance following his release.

8. Civil society organization registration requirements are designed to provide this kind of oversight already. NGOs must have an official sponsoring organization. Many NGOs register as not-for-profit commercial enterprises, either to avoid interference from the sponsoring organization or because they cannot find an official organization willing to take responsibility as a sponsor.

9. Guo Jianmei, e-mail message to author, April 4, 2010.

10. *Ibid.*

11. From a closed-door meeting in Washington, DC, December 2007.

12. William T. Rowe, *Hankow: Conflict and Community in a Chinese City, 1796–1895* (Stanford: Stanford University Press, 1989), 136. Historians have debated whether the ideas and institutions arising out of this "extrabureaucratic sphere" can fairly be compared to similar institutions in the Western tradition. Rowe himself went on to argue that one could not draw conclusions about the prospects for democracy in contemporary China from the emergence of any kind of "public sphere" in late Qing or early Republican China. See, for example, William T. Rowe, "The Problem of 'Civil Society' in Late Imperial China," *Modern China* 19, no. 2 (1993): 139–57.

13. *Ibid.*, 185.

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### **About the Tocqueville on China Project**

This paper was commissioned by the American Enterprise Institute in conjunction with its Tocqueville on China project. Directed by AEI's Gary J. Schmitt and Dan Blumenthal, the project examines topics and issues designed to provide greater insight and an enhanced understanding of contemporary Chinese civic culture. For more, see [www.aei.org/tocqueville](http://www.aei.org/tocqueville).