

On the 100th anniversary of the founding of the Communist Party of China, grassroots civil society is in trouble. Democracy advocates in Hong Kong are being handcuffed while rights activists in the Mainland are pre-emptively smothered. Xi Jinping-style control over civil society entails a three-pronged strategy to transform civil society into a more palatable sector. The first prong of this strategy is tightening regulation of both domestic and international civil society. The second is to crack down on grassroots organizations. The third is to deepen party control over all of civil society. As a result, while some rights advocacy organizations have disappeared altogether under this rule, others have learned to adapt. A new strategy for engaging civil society actors in both mainland China and Hong Kong is needed. In pivoting from Trump's isolationism to Biden's multilateralism, it will also be important for the U.S. to work with its allies to help build the infrastructure for people-to-people exchanges with China.

On the 100th anniversary of the founding of the Communist Party in July 2021, young students sporting matching uniforms and red scarves stood in neat rows on Tiananmen Square, waving the flags of China and the party. Just over four decades earlier in the summer of 1989, Chinese students had occupied the Square wearing white bandanas and shouting, "we love democracy more than rice."¹

Today, voices agitating for democratic change are rarely heard in mainland China. Even in Hong Kong, democracy advocates are being muffled, just one year after imposition of the National Security Law.²

Smothering these voices is a new political confidence taking root in China, expressed by an influencer on Weibo: "When the CCP was born a century ago...[it] thought the old China was good for nothing. But now China finds it is confident enough to put forward its own political paradigm."³

¹ Daniel Southerland, "1,000 Students Begin Hunger Strike in Beijing's Main Square," *Washington Post*, May 14, 1989, <https://archive.is/dYjOw>

² "The National Security Law and Hong Kong, 1 year on," *South China Morning Post*, June 30, 2021, <https://archive.is/9kHqF>

³ Vincent Ni, "'Making China Great Again': Pomp and Propaganda as CCP Marks Centenary," *The Guardian*, June 30, 2021, <https://archive.is/ORnmf>

What is this new political paradigm with respect to civil society? How has the Xi Jinping administration crafted its own style of governance over this sector, one that the Communist Party has long viewed as a conduit for foreign influence? This “Xi Jinping–style” of control entails a three-pronged strategy to transform civil society into a more palatable sector. The first prong of this strategy is tightening regulation of both domestic and international civil society. The second is to crack down on grassroots organizations. The third is to deepen party control over all of civil society. As a result, while some rights advocacy organizations have disappeared altogether under this rule, others have learned to adapt.

Prong A: Regulating Domestic and International Civil Society

From the beginning, the Xi administration has articulated a vision of civil society premised on clarifying the rights and obligations of NGOs.⁴ To this end, the party-state has implemented a series of regulatory measures focused on domestic and overseas civil society organizations: the *2016 Charity Law* and the *2017 Overseas NGO Law*.⁵ For some groups, these laws make operating in China easier. Under the Charity Law, for example, domestic organizations no longer need to find a supervisory government agency or state-affiliated organization to support their registration, the so-called “dual-management” system.⁶ Instead, they are able to register directly with the Ministry of Civil Affairs.

Registered NGOs also benefit from new funding opportunities. Two years after registering, such groups can engage in public fundraising, a right previously reserved only for state-managed foundations. This allows these organizations to find alternative sources of funding to the government-run social service procurement system. Such groups are also encouraged to play a role in national development. A December 2017 document published by the Ministry of Civil Affairs stresses the benefits to social management of community-based social organizations, especially in the provision of welfare to the elderly, disabled, and poor.⁷

For all foreign organizations, including those headquartered in Hong Kong, Macau, and Taiwan, regulatory changes have expanded the dual-management system. In order to open an office in China, these organizations are now required to find a supervisory organization and register with the Ministry of Public Security. This emphasizes the party-state's view of overseas organizations as potential threats to national security.

⁴ "Decision of the Central Committee of the Communist Party of China on Some Major Issues Concerning Comprehensively Deepening the Reform," *China.org.cn*, January 16, 2014, <https://archive.is/icK7S>

⁵ Holly Snape, Anthony Saich, Jia Xijin, Andreas Fulda, and Melissa Berman, “How Are NGOs in China Faring Under the New Law?” *ChinaFile*, September 27, 2017, <https://archive.is/hJMMN>

⁶ Shawn Shieh, “Remaking China’s Civil Society in the Xi Jinping Era,” *ChinaFile*, August 2, 2018, <https://archive.is/5RWsU>

⁷ “民政部关于大力培育发展社区社会组织的意见,” *Ministry of Civil Affairs of the People's Republic of China*, December 27, 2017, <https://archive.is/MvWzj>

The Overseas NGO Law is a double-edged sword. On the one hand, it provides legitimacy to INGOs that have been allowed to register.⁸ Fortunate groups that have been able to register include the Ford Foundation and the Asia Foundation in Beijing, as well as Oxfam in Gansu and Guangdong, among others.⁹ However, INGOs previously working on sensitive issues now lack local sponsors and have been forced to cease operations or withdraw from China, as, for example, the American Bar Association.

At the same time, the Ministry of Civil Affairs has become more public and regularized in its reporting on organizations that have violated regulations. From April 2017 to June 2021, the National Social Organization Credit Information Public Platform listed 13,081 CSOs that had engaged in “irregular activities,” including not submitting annual work reports to the NGOs’ management organ with which they are registered, not resolving problems identified by the management organ, and not maintaining contact with this management organ.¹⁰ This same public platform listed that between December 2015 and June 2021, 5,579 NGOs were found to be serious violators or untrustworthy organizations, and they were punished either by suspension or revocation of their registration.¹¹ As of June 21 2021, 294 NGOs have been banned and a further 412 have been suspected of engaging in illegal activities.¹²

The tightening of regulations under the Xi administration makes it possible for more domestic and international organizations to register formally. At the same time, these regulations have been accompanied by crackdowns on illegal organizations and tighter controls on registered groups.

Prong B: Squeezing the Grassroots Sector

Before Xi Jinping’s rule, China’s grassroots civil society sector included a diversity of organizations that were relatively small, funded by foreign donors, and not formally registered with the Ministry of Civil Affairs. From labor advocacy organizations to LGBTQ groups to environmental NGOs, the grassroots sector was very much alive during the Hu-Wen era. During that period, up to three million informal organizations operated in China.¹³ Some of them

⁸ Li Lei, “Registered Overseas NGOs Increase on Mainland,” *China Daily*, July 28, 2020, <https://archive.is/1ly4m>

⁹ “The Ford Foundation and Other 14 Overseas NGOs Register in Beijing,” *China Development Brief*, July 3, 2017, <https://archive.is/73bPF>; “Oxfam Receives its Registration Credentials in Gansu and Guangdong,” *China Development Brief*, June 20, 2017, <https://archive.is/WhbDG>

¹⁰ “活动异常名录,” *National Social Organization Credit Information Public Platform*, June 22, 2021, <https://archive.is/sX71S>

¹¹ “严重违法失信名单,” *National Social Organization Credit Information Public Platform*, June 22, 2021, <https://archive.is/gWVHJ>

¹² “已取缔非法社会组织,” *National Social Organization Credit Information Public Platform*, June 22, 2021, <https://archive.is/AsLQy>; “涉嫌非法社会组织,” *National Social Organization Credit Information Public Platform*, June 22, 2021, <https://archive.is/uaGLr>

¹³ In 2009, the Ministry of Civil Affairs reported that there were 400,000 registered social organizations and an additional estimated 2–3 million informal organizations registered as

partnered with the local state that was eager to engage in governance innovation (*zhengfu chuangxin*) so as to devise programming for migrant workers, environmental protection, and volunteer programs. Others became involved in policy consultation with local bureaus that were eager to learn from civil society in what has been termed “consultative authoritarianism.”¹⁴

Even so, grassroots organizations advocating on behalf of the rights of marginalized people had to be vigilant. For example, informal labor organizations during this period were cautious about organizing aggrieved migrant workers behind the scenes, or engaging in “disguised collective action.”¹⁵ Rather than rallying workers desperate and angry to strike, labor activists would coach them to make a scene as individuals at local labor bureau offices. Such forms of “mobilizing without the masses” minimized the political risks because grassroots groups as activists knew that to stage contentious collective action risked the danger of the local state repressing and shuttering their groups.¹⁶ Even as grassroots organizations like these proceeded with caution and told each other control parables,¹⁷ they were still able to survive through a combination of foreign funding (often funneled through intermediary organizations) and strategic self-censorship.

Xi Jinping’s rule marked a decided turning point for grassroots civil society. Xi set the tone early in 2013 by declaring civil society to be a peril to the party-state, together with Western liberal democracy, universal human rights, media freedom, neoliberal economics, and criticism of Communist Party history.¹⁸ His administration wasted little time in uprooting civil society groups deemed to promote such values, including human rights lawyers, labor advocates, feminists, and religious leaders.

The Xi administration began its assault on civil society with Protestants worshipping in and outside of the government-run “three-self” church organization. In 2014, the party launched what became known as the “Zhejiang Incident,” demolishing more than 1,800 crosses and entire churches in the city of Wenzhou, known colloquially as “China’s Jerusalem.”¹⁹ Surprisingly, many of those churches whose crosses were torn down were state-sanctioned churches that had maintained good

commercial enterprises.

¹⁴ Jessica C. Teets, *Civil Society under Authoritarianism: The China Model* (New York: Cambridge University Press, 2014).

¹⁵ Diana Fu, “Disguised Collective Action in China,” *Comparative Political Studies*, 50:4 (2017), 499–527.

¹⁶ Diana Fu, *Mobilizing Without the Masses: Control and Contention in China* (New York: Cambridge University Press, 2018).

¹⁷ Rachel E. Stern and Jonathan Hassid, “Amplifying Silence: Uncertainty and Control Parables in Contemporary China,” *Comparative Political Studies*, 45:10(2012), 1230–1254.

¹⁸ “Communiqué on the Current State of the Ideological Sphere: A Notice from the Central Committee of the Communist Party of China’s General Office,” *ChinaFile*, November 8, 2013, <https://archive.is/0XwYx>

¹⁹ Jillian Kay Melchior, “China’s New Crackdown on Christians,” *Wall Street Journal*, February 4, 2016, <https://archive.is/KNw0S>; Christian Shepherd and Stella Qiu, “In ‘China’s Jerusalem,’ Christians Say Faith Trumps Official Sunday School Ban,” *Reuters*, December 24, 2017, <https://archive.is/UFisw>

relations with the local government.²⁰ Pastors who defended their churches were punished with imprisonment and forced to confess on national television to corruption and colluding with foreign forces.²¹

Religious leaders and worshippers were not the only targets. July 2015 saw the beginning of a massive crackdown on the legal profession, with hundreds of lawyers, activists, and their family members detained by police across China²² and the closure by authorities of labor organizations in the Pearl River Delta and the arrest of more than two dozen of their members.²³ Women's rights activists were also targeted, with authorities closing the Beijing Zhongze Women's Legal Counseling Service Center in 2016.²⁴ Such closures and arrests of civil society actors followed in succession during the first term of the Xi administration.

However, the assaults on grassroots civil society were not limited to the first few years of the Xi administration. Following the abolition of presidential term limits in March 2018,²⁵ the party-state continued its repression of civil society. In the summer of 2018, an unusual challenge presented itself in the form of a handful of university students allying with workers to fight for labor representation. The students, who were part of Marxist groups at elite universities across China, traveled to Guangdong to show their support for factory workers who were agitating for an independent labor union. Joining the workers in their stand against class inequality, a student leader in an open letter called on Xi Jinping to guarantee "the leading position of the working class."²⁶

²⁰ Zhang Yu, "Concern Rises in Wenzhou as Christianity Booms in Capitalist Fashion," *Global Times*, April 17, 2014, <https://archive.is/MhJQ6>

²¹ Edward Wong, "Pastor in China Who Resisted Cross Removal Gets 14 Years in Prison," *New York Times*, February 26, 2016, <https://archive.is/5hBxY>

²² "China: On '709' Anniversary, Legal Crackdown Continues," *Human Rights Watch*, July 7, 2017, <https://archive.is/BGPNB>

²³ Yaxue Cao, "Chinese Authorities Orchestrate Surprise Raid of Labor NGOS in Guangdong," *China Change*, December 10, 2015, <https://archive.is/ecmlP>

²⁴ Edward Wong, "5 Women's Rights Activists Are Formally Detained in Beijing," *New York Times*, March 13, 2015, <https://archive.is/43BnK>; Yaxue Cao, "Guo Jianmei, Zhongze, and the Empowerment of Women in China," *China Change*, February 14, 2016, <https://archive.is/HvAZM>

²⁵ "China's Xi Allowed to Remain 'President for Life' as Term Limits Removed," *BBC News*, March 11, 2018, <https://archive.is/sYvN5>

²⁴ Edward Wong, "5 Women's Rights Activists Are Formally Detained in Beijing," *New York Times*, March 13, 2015, <https://archive.is/43BnK>; Yaxue Cao, "Guo Jianmei, Zhongze, and the Empowerment of Women in China," *China Change*, February 14, 2016, <https://archive.is/HvAZM>

²⁵ "China's Xi Allowed to Remain 'President for Life' as Term Limits Removed," *BBC News*, March 11, 2018, <https://archive.is/sYvN5>

²⁵ "China's Xi Allowed to Remain 'President for Life' as Term Limits Removed," *BBC News*, March 11, 2018, <https://archive.is/sYvN5>

²⁶ "Detained Activist Yue Xin on the Jasic Workers," *China Digital Times*, August 24, 2018, <https://archive.is/Xsfex>

The administration responded unequivocally with both detention of the student activists as well as with causing the disappearance of the student leaders.²⁷ This pre-emptive repression accords with the Xi administration's zero-tolerance for organized collective action by civil society. It was not necessarily a stronger response than previous administrations would have taken, given that the cross alliance between workers and students was particularly threatening as a similar alliance had been forged during the 1989 Tiananmen democracy movement.²⁸ To ensure that any future cross-class alliances would not be established, authorities closed unofficial Marxist groups on campuses and bolstered the official Marxist student organizations.²⁹ Taped confessions by detained student leaders were used to dissuade would-be activists, while parents of activists were encouraged to conduct "thought work" on their children.³⁰

The party-state has also targeted the LGBTQ community. In July 2021, the party-state shut down more than a dozen WeChat accounts of LGBTQ student groups at Chinese universities, including both Tsinghua and Peking universities.³¹ No explanation was given by either WeChat's parent company, Tencent, or the Chinese government. The closures come as public acceptance in China of the LGBTQ community is growing, albeit amidst a strong conservative voice claiming that LGBTQ identities are at odds with Chinese values and are unpatriotic.³² The Overseas NGO Law had already hit many LGBTQ groups in China hard, depriving them of access to foreign funders.³³ These closures of WeChat accounts go even further by restricting these groups, which the authorities view as a threat to social stability because of their linkages to international groups.³⁴

The fact that the Xi administration went to great lengths to repress further organization of grassroots civil society indicates that it sees both the collective action potential and the

²⁷ Sue-Lin Wong, "Student Activists Disappear in Southern China After Police Raid," *Reuters*, August 24, 2018, <https://archive.is/2Fyh0>

²⁸ Andrew Walder and Gong Xiaoxia, "Workers in the Tiananmen Protests: The Politics of the Beijing Workers' Autonomous Federation," *The Australian Journal of Chinese Affairs*, no. 29 (1993), 1–29.

²⁸ Andrew Walder and Gong Xiaoxia, "Workers in the Tiananmen Protests: The Politics of the Beijing Workers' Autonomous Federation," *The Australian Journal of Chinese Affairs*, no. 29 (1993), 1–29.

²⁹ Jenny Chan, "A Precarious Worker-Student Alliance in Xi's China," *The China Review*, 20:1 (2020), 165–190.

³⁰ Javier C. Hernandez, "China Using Taped Confessions to Intimidate Young Communists, Students Say," *New York Times*, January 21, 2019, <https://archive.is/FOTWn>

³¹ Shawn Yuen, "LGBTQ in China Lament 'Dark Day' After Social Media Crackdown," *Al Jazeera*, July 13, 2021, <https://archive.is/MW3Ew>

³² Cheung Yut Yiu, "China's WeChat Deletes Dozens of LGBTQ+ Student, NGO Accounts," *Radio Free Asia*, July 7, 2021, <https://archive.is/M96Ve>; "How Nationalism Is Making Life Harder for Gay People in China," *The Economist*, July 17, 2021, <https://archive.is/AGyCM>

³³ Ausma Bernot, "China's Forced Invisibility of LGBTQ Communities on Social Media," *The Interpreter*, July 9, 2021, <https://archive.is/PfqWC>

³⁴ Shen Lu, "Red Vs Are After China's Queer Community," *Protocol*, July 13, 2021, <https://archive.is/h8PgR>

ideologies of these groups as threats. From revolutionary ideas about class relations to more tolerant understandings about sexuality, the party-state continues to be hyper-vigilant about civil society's influence on societal ideas and values. Its squeezing of the grassroots sector of civil society is predicated on a fear of ideologies that do not align with those of the party.

Prong C: Tethering Civil Society to the Party

Finally, the Xi administration has deepened direct party control over civil society, not only through external rewards and sanctions but also through internal supervision. Party building within social organizations has long been a goal of the party-state.³⁵ Under the current administration, party building within social organizations has taken on greater urgency. In the Hu-Wen era and as late as 2016, all social organizations with at least three party members could, but were not required to, create a party branch committee.³⁶ However, regulations released by the CPC Central Committee³⁷ in 2018 require all social organizations with three party members or more to establish a party branch.³⁸ The new demands on party building within social organizations are intended to strengthen party leadership over these groups, a long-standing issue of concern.³⁹

The changes are part of a broader pattern of party penetration into a range of non-state areas, a trend that Xi Jinping has accelerated. Although Deng Xiaoping once played with the idea of separating the party and the state,⁴⁰ Xi has now revived the Maoist idea that the “party leads all,” and he has embedded this idea in the revisions to both the party and national constitutions.⁴¹

This is no empty slogan. In an April 2016 speech at the Party's National Conference on Religious Work, Xi Jinping called for greater party-state supervision of religious groups and the further “Sinicization” of religion.⁴² Likewise, in April 2021, the party's Central Committee of

³⁵ Sheng Ruoyu, “社会组织迎来党建‘春天,’” *CPC News*, November 10, 2015, <https://archive.is/2JBSY>

³⁶ “党支部如何设立？” *CPC News*, September 20, 2012, <https://archive.is/jRG0g>;
“规程与方法：党支部的设置,” *CPC News*, August 18, 2016, <https://archive.is/Dnw85>

³⁷ Nectar Gan, “Xi Jinping Targets Grass Roots In Push to Extend Communist Party Control,” *South China Morning Post*, November 29, 2018, <https://archive.is/Q4B5J>

³⁸ “中共中央印发《中国共产党支部工作条例（试行）》,” *Government of the People's Republic of China*, November 25, 2018, <https://archive.is/d9D8C>

³⁹ Luo Jianhui, “以问题为导向加强社会组织党建,” *CPC News*, July 13, 2018, <https://archive.is/EkBGh>

⁴⁰ Josephine Ma, “Explainer | Party-State Relations under China's Communist Party: Separation of Powers, Control over Government and Reforms,” *South China Morning Post*, May 17, 2021, <https://archive.is/vf438>

⁴¹ “受权发布：中国共产党章程,” *Xinhua*, October 28, 2017, <https://archive.is/fkGSY>;
“中华人民共和国宪法,” *Government of the People's Republic of China*, March 22, 2018, <https://archive.is/yzvae>

⁴² “习近平出席全国宗教工作会议并发表重要讲话,” *People's Daily*, April 23, 2016, <https://archive.is/D7cLR>

released new regulations calling for party leadership over teaching, research, and administration at the nation's institutions of higher learning.⁴³ Moreover, the authorities have also called for strengthening party leadership and party building within private enterprises.⁴⁴ Instead of merely communicating a broad political agenda to social organizations, the party is now intent on deepening direct supervision and influence over a range of civil society organizations.

Civil Society: Death and Adaptive Responses

Grassroots civil society groups have responded to Xi-style repression by either adapting or disappearing altogether. Those that have adapted are organizations that have found ways to align both their ideologies and their practices with the party-state. In response to the campaign of repression against churches, some Protestant leaders have adapted by refraining from preaching about politics, limiting the size of their congregations, and disassociating themselves from dissidents.⁴⁵ The latter practice of distancing is evidence that some Protestant churches have traded solidarity with other repressed churches for survival.⁴⁶

Notably, some churches have responded to local authorities' efforts to indigenize Protestantism by wearing traditional Chinese clothing, telling Chinese folk stories, and building churches with Chinese architectural details.⁴⁷ The party even encourages the writing of books on the compatibility of the Bible with core socialist values that are to be disseminated to grassroots church members and pastors.⁴⁸ Churches that have adapted to the party-state's call for the Sinicization of Christianity have survived, while many others that have rejected these calls have been punished.⁴⁹

Other civil society organizations have sought out new domestic sources of support. A recent research study finds that these regulatory changes have inspired Chinese civil society organizations to seek funding through crowdfunding, the government service procurement system, and cooperation with corporate partners or social enterprises.⁵⁰ Corporate donations in

⁴³ "中共中央印发《中国共产党普通高等学校基层组织工作条例》," *Government of the People's Republic of China*, April 22, 2021, <https://archive.is/Y1e5z>

⁴⁴ "习近平对新时代民营经济统战工作作出重要指示强调：坚持'两个毫不动摇'，把民营经济人士团结在党的周围 更好推动民营经济健康发展," *CPC News*, September 17, 2020, <https://archive.is/tvApc>; "The Party Is Eager to Expand its Influence Within Business," *The Economist*, June 26, 2021, <https://archive.is/HGX2L>

⁴⁵ Sarah Lee and Kevin J. O'Brien, "Adapting in Difficult Circumstances: Protestant Pastors and the Xi Jinping Effect," *Journal of Contemporary China*, DOI: [10.1080/10670564.2021.1893556](https://doi.org/10.1080/10670564.2021.1893556) (2021).

⁴⁶ Harris Doshay, "Solidarity or Distancing? How Official Status Influences Chinese Protestant Reactions to Repression," *Journal of Comparative Politics*, 53:4 (2021), 663–700.

⁴⁷ Lee and O'Brien, "Adapting in Difficult Circumstances."

⁴⁸ "Protestant Five-year Plan for Chinese Christianity," *Union of Catholic Asian News*, April 20, 2018, <https://archive.is/nDQog>

⁴⁹ Paul Mozur and Ian Johnson, "China Sentences Wang Yi, Christian Pastor, to 9 Years in Prison," *New York Times*, December 30, 2019, <https://archive.is/7QrHV>

⁵⁰ Shawn Shieh, "Is China the Future for Hybrid CSO funding Models?" *Open Global Rights*,

particular have increased since the early 2010s,⁵¹ while “giving circles” of civic-minded people are slowly emerging to provide grants to small NGOs.⁵²

Not all grassroots civil society groups have adapted, however. While some have survived by aligning themselves with the party, others have been forced to shut down permanently. Grassroots labor organizations that used to operate in Guangdong province are a case in point. These independent, foreign-funded organizations that previously had survived by limiting the scale of their activism encountered unprecedented repression in 2015. After having crossed over the line of political acceptability by coaching workers at factories to strike, the authorities arrested at least twenty-five staff members and activists from five connected organizations.⁵³ These labor NGOs were funded by the Hong Kong–based *China Labor Bulletin*, a labor organization founded by a famous labor activist during the 1989 Tiananmen democracy movement.⁵⁴ The repression continued in 2019 with the arrest of five more prominent labor activists who were encouraging workers to engage in collective bargaining.⁵⁵ Although these labor activists were later released, their organizations have not been revived.

Similarly, many foreign organizations have been unable to adapt. Between January 2017 and July 2020, twenty-eight overseas organizations had their registrations revoked.⁵⁶ One of the most prominent overseas groups to be targeted is Asia Catalyst, a U.S.-based organization that works on issues related to drug use, sex work, and LGBTQ rights. In March 2018, public security authorities punished the organization for carrying out activities without filing for permission under the Overseas NGO Law. (In fact, Asia Catalyst had never carried out such activities.) Details about the case have been hard to come by, with public knowledge about it only released at a November 2019 Ministry of Foreign Affairs press conference.⁵⁷

INGOs based in Hong Kong have also felt the sting of the 2017 Overseas NGOs Law. In January 2019, the Hong Kong head of Rainbow China, an LGBTQ and HIV/AIDS–focused organization, was sentenced to three days administrative detention and was then forcibly returned to Hong Kong for violating the law.⁵⁸ During his detention, authorities reportedly warned him not to

May 11, 2020, <https://archive.is/UnM8E>

⁵¹ Wang Hui, “捐赠金额减少了吗？从十年胡润慈善榜看企业家慈善变化,” *The Paper*, November 24, 2020, <https://archive.is/pKLR0>

⁵² Li Yingsheng, “Can Giving Circles Break Down the Barriers to Philanthropy in China?” *Sixth Tone*, July 8, 2021, <https://archive.is/3O6J9>

⁵³ Yaxue Cao, “Chinese Authorities Orchestrate Surprise Raid of Labor NGOs in Guangdong, Arresting Leaders,” *China Change*, December 10, 2015, <https://archive.is/ecm1P>

⁵⁴ Anita Chan, “The Relationship between Labour NGOs and Chinese Workers in an Authoritarian Regime,” *Global Labour Journal*. 9:1 (2018), 1–18.

⁵⁵ “Well-known Labour Activists Detained by Shenzhen Police,” *China Labour Bulletin*, January 22, 2019, <https://archive.is/6ig8g>

⁵⁶ “信息公开,” *Overseas NGO Affairs Service Platform*, June 23, 2021, <https://archive.ph/BuodG>

⁵⁷ “Chinese Government Says It Has ‘Punished’ U.S. NGO under the Foreign NGO Law,” *The China NGO Project*, November 25, 2019, <https://archive.is/n1wj3>

⁵⁸ “First Case of an Administrative Detention Linked to the Foreign NGO Law?” *The China NGO Project*, January 22, 2019, <https://archive.is/ql2tB>

participate in Hong Kong's pro-democracy movement.⁵⁹ This shows that the Chinese authorities may be keen to connect rights-based advocacy in mainland China with pro-democracy activism in Hong Kong, providing yet another reason for the crackdown of rights-based actors and groups.

In short, the Xi administration has continued its predecessors' governance strategy of dividing civil society into "obedient" groups and "disobedient" groups that advocate greater popular participation in social governance. In both cases, the administration has sought to tether the organizations closer to the party, thus ensuring that civil society does not become an autonomous social force.

Conclusion: If and How to Engage Chinese Civil Society

In 1971, an unlikely civil society group—the American ping pong team—helped to bridge relations between the United States and China in a historic meeting with their counterparts at the invitation of Mao Zedong. At the time, China was an underdeveloped, inward looking country without diplomatic relations with the U.S.

Today, the U.S. and China are locked in a tit-for-tat tussle over a host of areas, including divergent political values espoused by their respective governments. Under the Trump administration, Chinese media organizations were labeled foreign missions and both the Fulbright programs and the Peace Corps severed ties with China. Beijing responded in kind by expelling many American journalists, sanctioning U.S.-based NGOs, and imposing visa restrictions. The Biden administration has vowed to take a multilateral, but no less confrontational, approach by presenting U.S.-China competition as competition between democratic and authoritarian values.⁶⁰

For progressives in the United States and elsewhere, a new strategy for engaging civil society actors in both mainland China and Hong Kong is needed. The old strategy of directly supporting progressive groups and voices within China is difficult to sustain. The party-state's restrictions on civil society groups are a clear signal of the priorities of the Xi administration. With the new regulations governing INGOs in China and the new sources of domestic funding available to Chinese NGOs, it is unlikely that foreign donors can still engage with grassroots groups inside China as they once did. Any future engagement will inevitably be constrained by the current conditions of fraught U.S.-China relations, deepening authoritarianism in China, and anti-China attitudes in Washington.

Yet, there are avenues for engagement between progressive voices in the U.S. and their counterparts in China. For example, U.S.-based scholars have recommended that universities, think-tanks, and local state governments should formulate "public voluntary group codes of conduct to interact with China" so as to ensure academic freedom and that high ethical standards

⁵⁹ Rik Glauret, "Hong Kong LGBTI Activist Detained for Three Days in Mainland China," *Gay Star News*, January 21, 2019, <https://archive.is/3BuYa>

⁶⁰ Nicole Gaouette, "Biden Says US Faces Battle to 'Prove Democracy Works,'" *CNN*, March 26, 2021, <https://archive.is/TUONz>

are met.⁶¹ Others have suggested civil society cooperation to deliver global public goods, such as clean air, clean water, and global health.⁶² One way to do this would be to encourage summit meetings between the U.S. and China that are specifically focused on these issues, thereby mobilizing subnational governments and private-public institutions to engage in exchange.⁶³

Meanwhile, many have called on the U.S. and other countries to support Hong Kong during this critical time. Hong Kong's civil society continues to suffer following imposition of the 2020 National Security Law.⁶⁴ The arrest of members of a speech therapists union on charges of instilling public hatred of the government⁶⁵, as well as the shuttering of Hong Kong Professional Teachers Union⁶⁶ and the Civil Human Rights Front⁶⁷, are only the latest examples of what a former RTHK journalist has termed the city's "white terror."⁶⁸ In other cases, major civil society groups, such as the Hong Kong Alliance in Support of Patriotic Democratic Movements of China (the Hong Kong Alliance), which organized the annual Tiananmen Square vigils, has dramatically reduce its size after police took three of its Standing Committee members into custody.⁶⁹ Although the Biden administration has provided temporary "safe haven" for Hong Kongers who have fled to the United States,⁷⁰ it can do more to engage Hong Kong diaspora communities.

In pivoting from Trump's isolationist to Biden's multilateral approach to China, it will also be important for the U.S. to work with its allies to help build the infrastructure for people-to-people exchanges with China. Biden's rhetoric of an uncompromising struggle between democracy and authoritarianism, accompanied by China's belligerence against foreign influence, must be

⁶¹ Andrew Nathan, "Getting Human Rights Right: Consistency, Patience, Multilateralism, and Setting a Good Example," *Brookings Institution*, 2020. <https://www.brookings.edu/wp-content/uploads/2020/11/Andrew-J-Nathan.pdf>

⁶² Daniel Mattingly, "Supporting Civil Society in China," *Working Paper for the Penn Project on the Future of U.S.-China Relations*, 2020.

⁶³ "Finding Firmer Ground: The Role of Civil Society and NGOs in U.S.-China Relations," *Carter Center*, 2021. <https://archive.ph/XKogc>

⁶⁴ "Dismantling a Free Society: Hong Kong One Year After the National Security Law," *Human Rights Watch*, June 25, 2021, <https://archive.is/Fy81O>

⁶⁵ Austin Ramzy and Tiffany May, "The Latest Target of Hong Kong's Crackdown: Children's Books," *New York Times*, July 22, 2021, <https://archive.is/1mmDM>

⁶⁶ Rhoda Kwan, "Explainer: A 48-year-old union gone in 11 days – how Hong Kong teachers lost a powerful voice," *Hong Kong Free Press*, August 15, 2021, <https://archive.is/BSLpG>

⁶⁷ "CHRF: Hong Kong group behind huge democracy rallies disbands," *Al Jazeera*, August 15, 2021, <https://archive.is/EaFDk>

⁶⁸ Tom Grundy, "Ex-RTHK Broadcaster and HKFP Columnist Steve Vines Leaves Hong Kong for UK Citing 'White Terror,'" *Hong Kong Free Press*, August 3, 2021, <https://archive.is/tHj9C>

⁶⁹ "Hong Kong Vigil Organiser Downsizes Amid 'Dire' Political Climate," *Al Jazeera*, July 12, 2021, <https://archive.is/8ON1D>

⁷⁰ Michael Martina, "Biden to Offer Temporary 'Safe Haven' to Hong Kong Residents in U.S.," *Reuters*, August 5, 2021, <https://archive.is/qj93d>

tempered. Civil society dialogues involving subnational actors, cultural and community groups, and scholars and students can pave the way for such a tempering.

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