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## NGOs and Civil Society in China

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Over the last 30 years, and with steadily gathering pace, an autonomous NGO community has developed in China. This has much in common with NGO communities elsewhere and seems to be a significant feature of China's internationalization under 'reform and opening' policies introduced in the late 1970s. Yet in order to answer even so simple a question as how many NGOs there are in China today, it is necessary to note differences between international discourse and Chinese administrative taxonomy, and to know something of the evolution of China's nonprofit sector.

### International context and discourse

Various factors brought NGOs and the broader concept of 'civil society' into global currency during the closing decades of the 20th century. The collapse of communism in the Soviet Union and Eastern Europe drew the attention of political scientists to citizen movements such as Solidarity in Poland and Charter 77 in Czechoslovakia. In Western countries (where civil rights movements already had a rich history) environmental pressure groups played a prominent role in highlighting ecological concerns and in debates around the notion of 'sustainable development.' The end of apartheid in South Africa also gave a fillip to transnational pressure group advocacy which made a significant contribution to that momentous change.

At much the same time, some international development NGOs based in Western countries and a growing caucus of citizen organizations in, especially, Latin America, South Asia and the Philippines, were calling for more 'participatory' approaches to development in contrast to what they saw as inequitable 'trickle-down' growth models promoted by international financial institutions such as The World Bank and International Monetary Fund. These institutions were encouraging developing country governments to cede economic control to market forces and, in the name of fiscal prudence, to limit their ambitions in social provision. However, while their economic

orthodoxy remained firmly pro-market, the international financial institutions (and developed-country government aid agencies) also came to see NGOs as performing a useful function in ‘correcting market failures,’ in meeting some of the service delivery functions from which many states were retreating, and in improving ‘governance’ through, *eg*, citizen pressure for greater government accountability and respect for human rights.

Thus, from various perspectives, the late 20th century saw growing global enthusiasm for NGOs. To a certain extent an international discourse of human rights began to eclipse the ideologies of ‘right’ and ‘left’ and there was, arguably, some shift in political initiative and opinion-making from mainstream parties to ‘civil society’ groups and media. According to one American scholar the era was seeing a ‘global associational revolution’ marked by ‘a striking upsurge . . . in organized voluntary activity and the creation of private, nonprofit or nongovernmental organizations.’[1] Certainly, by the 1990s, NGOs were visible global actors and there was widespread agreement on the desirability of a (non-government, non-business) ‘third sector’ or ‘civil society.’ This led many international observers to look for, and some to encourage, its emergence in China.

### **Chinese context and discourse**

Despite ‘reform and opening’ China seemed to buck, or at least to resist, nearly all of the trends described above. In the late 1980s a ‘Democracy Wall’ movement, led mainly by students and intellectuals, sought political reforms to match economic reform. This was comparable to citizen movements in Eastern Europe but, far from causing the political régime to crumble, it was forcibly suppressed during the summer of 1989: notably through the violent dispersal of a mass gathering in Tiananmen Square causing hundreds (or, according to some estimates, thousands) of deaths. ‘Reform and opening’ did mean that the state was relinquishing its virtual monopoly on economic activity; but this was a gradual retreat, not the ‘big bang’ or ‘shock therapy’ liberalization prescribed by the ‘Washington Consensus’ of neo-liberal economics. In social provision, the Chinese Communist Party and government were by the late 1980s actively calling on ‘social forces’ (*shehui lilian*) to subsidize and fill gaps in state services. Government agencies were at the time establishing public fundraising foundations to advance state-directed philanthropy and creating professional, trade and industry associations in order both to promote exchange with international bodies and to pass some of the functions of contracting economic ministries to intermediary organizations.

All of this was firmly couched in a rhetoric of state leadership to which ‘social forces’ were subordinate. At the same time, although the preamble to many Chinese laws stated that their purpose was to protect the ‘rights and interests’ of specific constituencies, and although the government signed various international rights conventions, there was little official interest in the generic idea of human rights. The Communist leadership was adamant that China’s development was *sui generis*, emphasizing that development processes must have ‘Chinese characteristics’ and asserting the collective ‘right to development’ against the political rights of the individual.

### **The formal associational sphere and state-sponsored philanthropy**

From China’s 1949 ‘liberation’ until Mao Zedong’s death in 1976, all associational activity was mediated through state and Communist Party channels. Alongside the Party, People’s Governments, rural communes and urban neighborhood committees, a number of ‘mass organizations’ ensured dissemination of the Party line to diverse social constituencies. Prominent examples were the All-China Confederation of Trade Unions (established in 1925), All-China Women’s Federation (1949), and All-China Youth Federation (1949). Replicating state administrative tiers, these typically had provincial, county, urban district and in some cases rural township branches. The Women’s Federation generally had one or two cadres in every village. A handful of other official bodies such as the China Association for Friendship with Foreign Countries (1954) coordinated international exchange and promotional efforts.

The 1980s saw significant growth of what became known internationally as China’s ‘Government-Organized NGO’ (GONGO) sector. Groups such as the China Association for International Understanding (1981) and China Education Association for International Exchange (1981) were formed to promote international linkages. Others, such as the China Family Planning Association (1981) were established to support the work of line ministries (in this case, the State Family Planning Commission.) The Women’s Federation created a China Children and Teenagers Fund (1981) and a China Women’s Development Foundation (1988). A China Disabled Persons Federation (1988) was established under the personal leadership of Deng Pufang (a son of then ‘paramount leader,’ Deng Xiaoping) who had been paralyzed during the political violence of the Great Proletarian Cultural Revolution. The Youth Federation created a Youth Development Foundation (1989) whose flagship Project Hope was notably successful. During its first ten years it raised, from individual and corporate donors, USD 200

million to build rural primary schools and sponsor school drop-outs from poor families to resume their education. Several line ministries also established their own national foundations. Few enjoyed Project Hope's fundraising success, but the Ministry of Civil Affairs' China Charities Federation (1994) managed to create a national network of foundations, mainly supporting Civil Affairs work in the localities. Their efficacy was, however, limited by their being required to absorb government staff during successive rounds of bureaucratic streamlining.

Also during the 1980s and 1990s the All-China Federation of Industry and Commerce (1953), originally established as a mass organization to rally the few remaining private entrepreneurs behind the Party line, was revived as the parent body of a growing number of industry-specific trade and manufacturers' associations. (These are generally regarded as having been broadly successful in facilitating government-industry communication, resolving disputes and facilitating industry growth. [2]) The All-China Association of Science and Technology (1958), the mass organization designed to capture scientists and technicians, similarly became an umbrella organization for professional associations in specific sectors and for 'farmers' technical associations.'

As the mass organizations sought new roles appropriate to the reform and opening era, some Women's Federation cadres showed interest in moving towards a more independent, 'NGO' identity. (Others, however, did not; it must be emphasized that the attitudes, approaches and work of these national organizations varies considerably from locality to locality.) Debate around these issues was stimulated when, in 1995, the Federation hosted in Beijing a UN World Conference on Women. This also encouraged some women to create more independent groups, in many cases enjoying the institutional shelter of the Federation.

Quasi-independent legal existence became possible for 'social organizations' (*shehui tuanti*). These are membership organizations that can, in theory, be started by private citizens; but in practice the regulations for their registration and management (introduced in 1989, in the wake of the Tiananmen suppression, and revised slightly in 1998) are highly restrictive. In order to register, an organization must have at least 50 members, start-up capital and office premises. Further, it must obtain the agreement of a government or Communist Party agency to act as its 'leading and management unit' (*zhubuguan danwei*), implicitly accountable for any trouble the group might cause; and only then can it apply to register with the Civil Affairs authorities. This need for government

patronage is a clear constraint on independence and it is hard for private citizens to achieve registration unless they have good connections with local officials and/or are proposing activities that enjoy explicit government backing. Furthermore, social organizations are not allowed to engage in public fundraising, which is a right reserved to GONGOs.

Nevertheless by the mid 1990s some 180,000 social organizations were registered in different localities across the country. Very many of these were leisure or recreational groups such as literary circles or calligraphy clubs, but some embraced charitable or public-interest ends.

In 1998, parallel regulations (with identical ‘supervision and management’ requirements) were introduced for ‘people-run non-enterprise units’ (*minban feiqiye danwei*). This was a new category apparently designed to capture and formalize the status of numerous social service facilities—from private kindergartens to tearooms for senior citizens—that had been established by government agencies, neighborhood committees or private citizens. Registrations in this new category were initially slow but by the early 21st century numbered tens of thousands.

### **‘Corporatism’ or managed transition?**

Scholarly studies in the mid 1990s highlighted the limitations of civil society in China. [3] Some scholars perceived a model of state ‘corporatism’ whereby the state sought to co-opt and control newly arising social forces and to crush those that it could not control. [4] (Examples of the latter include, as well as ‘Democracy Wall,’ the quasi-Buddhist Falun Gong movement, which was once registered as a social organization but was proscribed in the late 1990s.) Other writers argued that the GONGO sector was spreading social initiative to institutions bound less tightly to the Communist Party and might be a half-way house to a more autonomous sphere—as seemed to be borne out by the willingness of some GONGOs to sponsor some citizen-initiated groups. [5] Yet others argued that closeness to government offered distinct advantages over autonomy. One scholar noted in 2000 that ‘New social organisations . . . can have considerable impact on the policy-making process by retaining strong linkages to the party and state, far more than if they were to try to create an organisation with complete operational autonomy.’ [6] The point was arguably illustrated by the achievements of a national campaign against domestic violence jointly undertaken in the early 2000s by the Women’s Federation and a cluster of

more independent women's groups. Unlike some earlier Federation activities this seemed to be decided not by the priorities of (overwhelmingly male) Party leaders but by women activists. Because of the Federation's involvement, the campaign was able to draw other state actors, including the police and legislators, into a range of practical and legislative interventions. [7]

### **The independent sector and 'grass roots'**

Despite the advantages of state linkages there were, by the mid 1990s, signs of a more autonomous NGO community emerging, comprising new organizations that soon began to identify themselves as 'grassroots (*caogeng*) NGOs.' Some managed to register as social organizations; some as 'people-run non-enterprise work units.' Others were unable to do so, but registered instead as businesses in order to have at least some legal status. Some did not bother to register at all.

An independent pioneer was the Amity Foundation, established in 1985 by the Protestant church in Jiangsu Province. By 2000 this had an annual budget of around USD 6 million (derived almost exclusively from overseas church groups) devoted to social welfare, education and rural development projects broadly similar to those implemented by international NGOs. The YMCA of China, established in the early 20th century but dormant throughout the Maoist years, was also resurfacing by the early 1990s, and active in urban community projects, especially in Shanghai. By 2000, Catholic, Islamic and Buddhist service organizations were also operating.

Other initiatives came from determined individuals. An early example was Ms. Meng Weina who set up Guangzhou Zhiling (1985), a nonprofit school for intellectually impaired children. This at first met fierce resistance from local authorities who ordered the school to close but it has since flourished to the extent that Meng's renamed Huiling NGO now has branches in several cities. Dozens of other NGOs, often started by parents of disabled children and young people, now offer disability care and support services and, in some fields (such as autism) are moving towards informal federation.

Pioneering women's groups included the Maple Women's Psychological Counseling Centre (1988), and Rural Women (1993), a magazine that went on to offer skills training and support services to migrant women workers.

Several centers, generally attached to law schools, offered pro-bono advice and advocacy in the broader sense of trying, through legal representation in high-profile cases where rights had been grossly abused, to broaden public rights awareness and discussion. The pioneer in this field, based in Hubei Province, was the Center for the Protection of the Rights of Disadvantaged Citizens (1992). Some later adopters of the template focused on specific sectors: notably, the Center for Women's Law Studies and Legal Services (1995) and the Center for Legal Assistance to Pollution Victims (1998), both based in Beijing.

Some NGOs grew out of academic research and were geared towards policy influence and advocacy. Examples include the Center for Biodiversity and Indigenous Knowledge (1995), established in Yunnan Province by researchers from the Kunming Botany Institute, and the Pesticides Eco-Alternatives Center (2001) created by entomologists, also in Yunnan.

The environment was a fertile area for grassroots activism. Liang Congjie, the grandson of a reform-minded Qing court official, started Friends of Nature (1994) and a TV journalist, Liao Xiaoyi created Global Village of Beijing (1996). Initially these groups limited their activities to 'environmental education' but this soon included copious media coverage (from media thirsty for a new kind of story) that helped unleash a proliferation of similar groups across the country. There are now at least 100 environmental NGOs formed independently by private citizens in China and some of these explicitly seek a 'public supervision' (*gonggong jiandu*) watchdog role.

'Grassroots' groups also tackled the highly sensitive issues of HIV/AIDS (Aizhixing, 1994) and labor rights (Migrant Workers Document Handling Centre, 1998)

The great majority of these NGOs were urban initiatives, but some more rural (and ethnic minority) bamboo shoots also appeared in the late 1990s. One example was the Sanchuan Development Association (1997) in Qinghai Province. Others have followed.

All of the groups named above were profiled in a 2001 [China Development Brief](#) report, '250 Chinese NGOs: Civil Society in the Making' and remain active, although most have found it hard to grow and scale up their activities. The following years were marked by rapid but chaotic growth of the independent sector. Some established groups split. Some new ones lasted only a few months, but many more managed to weather the difficulties of fundraising constraints, an uncertain policy environment and lack of NGO

management experience. There are now almost certainly thousands of independent organizations in China that—although they may desire and seek government linkages—think of and describe themselves not according to any Chinese taxonomy but as ‘NGOs.’ This is still small compared to China’s vastness. Other sources suggest much higher figures. The official English language *China Daily* claims, rather breathlessly, that ‘there are 3 million NGOs in China’ (which would make one per 400 citizens) while the World Bank quotes estimates of ‘over 1 million.’ [8] Clearly, it all depends on what you count.

### **Government-NGO relations**

Government attitudes to independent NGOs remain ambivalent. Many local governments are still suspicious, but others have welcomed service provider groups and even some, such as Community Action/Shining Stone (2002), that work on issues of local governance. In central government, the Ministry of Civil Affairs, under whose jurisdiction NGOs fall, seems to have gradually moved from regarding this as an administrative burden to seeing the sector as an asset, and has launched a series of initiatives to promote philanthropy. (Revised regulations on foundations, introduced in 2004, at last made possible the creation of fully private, grant-making foundations; the Ministry is keen to channel some of China’s new, private wealth to ‘social welfare.’) The Ministry of Environmental Protection has been receptive to ‘public participation’ in monitoring and protection. The State Council’s Leading Group for Poverty Reduction has also considered NGOs as a potential means for more effective targeting and delivery of poverty reduction programs. In the early 2000s, this all appeared consistent with a broader picture of a developing civil society whose other elements included an increasingly adventurous media, more independent scholarship and an emerging legal profession some of whose members took rights and ‘rule of law’ seriously. China’s culture of government seemed gradually to be embracing a notion of public participation that was still technocratic, falling short of democratic accountability, but that went well beyond ‘mass mobilization.’ The Communist Party appeared to be shifting towards a more consultative kind of authoritarianism.

However, social stability is a perennial concern of Chinese authorities and some continued to see NGOs as a threat. Various reasons for this can be adduced. Firstly, international advocacy groups like the International Campaign for Tibet, Human Rights Watch, Sweatshop Watch and numerous environmental groups almost certainly struck China’s political leaders as implacable critics—even wanting to ‘pull up the ladder’ and

stop China developing. The Communist leadership had no wish to see this kind of activism spread to China and conservatives tended to suspect Chinese NGOs of harboring ‘unpatriotic’ or ‘unChinese’ elements (in much the same way that American conservatives feared ‘unAmerican’ citizens during the Cold War.) Secondly, despite government efforts to control its impact, the Internet (and other communication technologies) had clear potential to empower domestic activists. Thirdly, the turn of the century saw a rising tide of rural unrest as social and economic inequalities sharpened against a background of unchecked government corruption, and at a time when low agricultural commodity prices were causing widespread hardship. Protests, some of which concerned intolerable pollution, were generally spontaneous and had nothing to do with NGOs—for the ‘grassroots’ groups overwhelmingly saw themselves as contributing to the ‘harmonious society’ that was the stated objective of Hu Jintao and Wen Jiabao’s administration, avoided confrontational approaches and wanted closer and more cooperative relationships with government agencies [9]. However, some NGOs were becoming more self-confident and assertive in advocacy efforts and messages and at least some individuals and informal groups (often styling themselves ‘rights defenders’) were adopting overtly dissident positions.

Government concerns were heightened by ‘color revolutions’ in Georgia (2003), Ukraine (2004), and Kyrgyzstan (2005), and the role in fomenting them allegedly played by U.S. public and private funding agencies. This prompted a two year investigation of international organizations working in China and local NGOs receiving funding from overseas. (Given the legal constraints on local fund-raising, many grassroots NGOs rely heavily on international funding.) As a result of this investigation a few groups and publications were closed down in the run-up to the 2008 Olympics, and the chilly atmosphere of heightened security served as a warning to others.

This, however, seemed less a general ‘crack-down’ than an effort to tidy up and ‘manage’ the sector. The Ministry of Civil Affairs has repeatedly promised new regulations to this effect—but, given the extreme difficulty of framing laws that facilitate the ‘right’ sort of NGO and prohibit the ‘wrong’ sort, and given the long delays in previous legislative ruminations, no one should hold their breath. Another, more evident management pattern is the growing use of GONGOs to serve not in a state monopoly but in a filtering and supervisory position. One GONGO, the Chinese Association of STD and AIDS Prevention and Control (1993) was in 2007 lined up as a retailer, to grassroots organizations, of wholesale funds emanating from the Global Fund to Fight AIDS,

Tuberculosis and Malaria [10]. Another GONGO, the China Legal Aid Foundation (1997) has for several years been making grants to grassroots legal aid organizations. More recently—and partly in response to the 2008 Sichuan earthquake, where many grassroots groups joined relief efforts—grants to the grassroots have been awarded by the China Red Cross Society (1904; but since 1949 firmly ‘under’ the Ministry of Public Health administrative control). Furthermore, a new GONGO, the China NGO Network for International Exchanges, was set up at the end of 2005—color revolution scare year—in an apparent bid to shepherd the many grassroots NGO representatives who were heading out of China to international conferences, and to guide the many international NGOs representatives landing in Beijing to look for local partners. Recent policy thus appears to fall somewhere between the ‘corporatist’ and ‘transitional’ strategies mentioned above: control, but relatively loose control with some room for independent experimentation.

Impossible to tell at this juncture are the impacts of global recession on China’s NGOs. As millions of unemployed migrant workers troop back to their villages of origin—no longer required in the export processing zones and less affordable to urban elites accustomed to having their dishes, clothes and streets cleaned by peasants—some grassroots NGOs may be fired by stronger feelings of social injustice. Or, (as happened to a large extent in the 2003 ‘SARS’ crisis), they may be infused with a sense of patriotic duty to keep the nation on track to ‘glory.’ Or they may be torn in two directions at once. About all that can be said with some certainty is that public space and associational freedoms in China will, in the foreseeable future, remain contested.

Nick Young

Kampala, February 16 2009

## **ENDNOTES**

[1] Lester M. Salamon ‘The Rise of the Nonprofit Sector’ in *Foreign Affairs* July/August 1994

[2] Robyn Wexler, Xu Ying, Nick Young, ‘NGO Advocacy in China’ *China Development Brief*, Beijing, 2007

[3] See, for example, Gordon White, Jude Howell and Shang Xiaoyuan 'In Search of Civil Society: Market Reform and Social Change in Contemporary China' OUP 1996

[4] See, notably, Anita Chan and Jonathan Unger 'China, Corporatism and the East Asia Model' in The Australian Journal of Chinese Affairs No. 33, January 1995

[5] Nick Young, 'Searching for Civil Society', Introduction to '250 Chinese NGOs: Civil Society in the Making' China Development Brief, Beijing, August 2001.

[6] Tony Saich 'Negotiating the State: the Development of Social Organisations in China' in China Quarterly No. 161, Winter 2000

[7] Nick Young, 'Does This Cat Catch Mice? Human Rights and Civil Society in China' In Dhundale L and Andersen E A (eds) 'Revisiting the Role of Civil Society in the Promotion of Human Rights' (pp. 53-107) Danish Institute for Human Rights, Copenhagen 2004

[8] China Daily 'Working to Build Trust in China's NGOs' March 13, 2007; World Bank <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/EASTASIAPACIFICEXT/CH...> accessed February 16, 2009

[9] This was one of the main findings of Robin Wexler, Xu Ying, Nick Young, 'NGO Advocacy in China' China Development Brief, Beijing, 2007

[10] The Global Fund, a major international donor organization established in 2002, expects to work in part through civil society organizations, and made grants to China conditional upon NGO involvement. From around 2004, in order to secure funds, the Chinese Centre for Disease Control became active in helping to establish numerous grassroots organizations (eg, support groups of 'Men who have Sex with Men' and 'People Living With HIV/AIDS'). The Chinese Association of STD and AIDS Prevention and Control was mooted as a retailer of new funding in 2007, but was in the end judged not yet to have the capacity to play this role.