



Abstract

- Hold congressional hearings on the status and development of civil society in Mainland China and in Hong Kong via the Congressional Executive Commission on China (CECC).
- Create an exit option for Hong Kong activists to seek accelerated asylum the United States.
- Support and dialogue with civil society activists from Mainland China residing in the diaspora community in the United States; expand funding and support for independent Chinese media outlets reaching the Chinese diaspora.

For U.S. Civil Society Actors and INGOS:

- U.S. foundations and philanthropic organizations should support and fund programs that facilitate youth-led exchange from Mainland China and Hong Kong to the United States and vice versa.
- Continue to share best practices among the donor community about

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In a nutshell, the essay argues that in both Mainland China and Hong Kong, rights-advocacy organizations and networks have ~~been~~ ~~demolished~~ but that they are not “dead” in the sense of being permanently demolished. Despite repression, advocacy networks continue to spring up, even if they cannot be sustained. At the same time, the party-state has ~~been~~ actively molding a key pillar of civil society—educational institutions and their affiliates—in order to ensure that future civil society networks will espouse pro-Communist Party ideologies and norms of civic engagement. The key to analyzing the party-state’s response to youth-led civil society is to disaggregate two facets of threat: mobilizational and ideological

Two Facets of Threat: Mobilizational and Ideological

“The U.S. has long been engaging in infiltration and subversion and instigating “color revolution” in sovereign countries through so-called “NGOs” such as government agencies like USAID and the National Endowment for Democracy.”

—China Foreign Ministry Spokesperson

The Xi administration adopted a three-pronged approach to governing civil society in Mainland China that consisted of a). cracking down on rights-advocacy organizations that are predicated upon “Western values” of individual rights; b). expanding regulatory control over domestic organizations; and c). deepening party control over all civil society groups. These three prongs combined have resulted in an expansion of the party-state’s control over a certain sector of state-led civil society: domestic organizations registered under the 2016 Charity Law and international organizations registered under the 2017 Overseas NGO Law. This has also meant a series of campaigns against grassroots civil society that has left the sector inert, if not dead. This has included targeting and disbanding human rights lawyers, labor organizations, feminist activists, religious leaders, Marxist student groups, and LGBTQ groups.

Extensive media coverage in the West of the new regulations on civil society, accompanied by the repression campaigns, has led to the correct perception that the advocacy sector of civil society in Mainland China has been

severely hampered. Taking a snapshot of civil society in 2017, scholars found that although the number of Chinese foundations increased, along with a

Later leaked, the communique, otherwise known as Document Number 9, was unequivocal in listing civil society as a threat in the ideological sphere, along with constitutional democracy, neo-liberalism, freedom of the press, and universal values of freedom, democracy, and human rights. Specifically, the document characterizes civil society as “a socio-political theory that originated in the West” which holds individual rights as “paramount.” Consequently, this ideological threat then merges with a mobilizational threat in that civil society has been used as to “squeeze the Party out of leadership of the masses at the local level...to the point that their advocacy is becoming a serious form of political opposition.” The Party’s understanding of civil society as both an ideological and a mobilizational threat explains why the Xi administration made it a priority to repress advocacy-oriented civil society organizations.

It is this long-seated belief in the ideological threat of Western-invented civil society taking root in China that has driven the party-state to use coercion and regulatory control to repress the advocacy sector. While media headlines have focused on the mobilizing power of the civil society groups, including their role in demonstrations, strikes, and protests, the ideological threat posed by a certain sector of civil society has been a thorn on the side of the party-state.

Amputating Youth-led Networks in Mainland China

The Xi administration’s ideological battle against rights-advocacy civil society is most clearly demonstrated in its targeting of youth-led civil society organizations advocating for labor and gender >>BDC 0 0 0 0-(o)10.1 (e i)s

Case Study: LGBTQ Groups

the crackdown on LGBTQ student groups online in 2021 presents a case

e case of the Marxist student groups provides a vivid illustration of a re

state has moved swiftly to dismantle the mature, inter-connected networks and actors that served as the backbone of the pro-democracy movement. Unlike the advocacy networks in Mainland China which had always been weak and dependent on foreign support, Hong Kong possessed dense and variegated civil society groups from student/labor unions, independent media, to pro-democracy NGOs and businesses.

A number of these Hong Kong have been under assault following the National Security Law, culminating in a massive and rapid restructuring of Hong Kong civil society. According to the Economist, approximately 60 pro-democracy grassroots organizations have closed in the wake of the Law. Based on media articles in both international media outlets and in local Hong Kong media before several closures, a report found 73 shuttered civil society groups and divides them into several categories, including human rights/pro-democracy groups; trade/professional unions; think tanks and others; media outlets; and student/education groups; and cultural organizations. Among them, the closure of independent media outlets in Apple Daily, Citizen News and Stand News poses a particular challenge for keeping apprised of local civil society developments. Stand News had previously kept a public record of civil society closures (see Table 1).

The impact of the NSL goes far beyond the seventy-three groups that have either disbanded or been shuttered. The initial wave of closures has had a ripple effect on Hong Kong civil society and activists alike. While some of these groups were forcibly shuttered, others were disbanded and/or relocated in re-

groups, since more moderate groups have also disbanded due to uncertainty about where the political boundaries lie. It is noteworthy that the CCP has used the same strategy of control in terms of leaving the boundaries ambiguous in Mainland China, leading civil society groups to self-censor their tactics and missions.

As in Mainland China, the party-state has targeted Hong Kong youth, who pose both a mobilizational and ideological threat to the Party's rule in the territory. The youth were at the forefront of Hong Kong's pro-democracy movement and as such, the party-state recognizes the imminent importance of re-molding youth-led civil society. In fact, the Party newspaper called student unions in Hong Kong a "malignant tumor," who were perpetuating a "black energy force" through their calls for a continued revolution.

In response, the Hong Kong government, at the behest of the Party, has launched a concerted crackdown of youth-led groups through both severing mobilizational vehicles and introducing patriotic education. While the first set of responses focused on dismantling existing civil society groups, the second set of control tools aim to remold civil society in Hong Kong, starting with the youth. Targets a mobilizational threat, while the second addresses an ideological threat.

To sever mobilizational vehicles, the party-state targeted student unions, which provided leadership and organizational resources for Hong Kong's pro-democracy movement. Following the implementation of the NSL, university administrations severed ties with student unions for fear that they would be held liable for the activities of these unions. The first union to disband following the passage of the NSL was the Chinese University's (CUHK) student union in October of 2021. The union had been in operation for five decades and its leadership decided to disband rather than comply with the University's demand for it to register with government agencies. As of January 2022, the Hong Kong Polytechnic University Students' Union (HKPUSU) is still in operation, albeit not under the auspices of the University, which publicly denounced any ties to the union.

As in Mainland China, however, the party-state has also been attuned to

responsibility to our country and our people's activities, combined with the integration of national security into the formal curriculum, is part and parcel of the party-state's longer-term plans to do "thought work" on Hong Kong youth, aimed to re-shape their understanding of Hong-Kong's relationship to the Mainland China, and to cultivate new civic norms.

At the university level, the party-state has also tightened the reins on universities in numerous forms that have been extensively documented in the media. These include pressuring faculty to self-censor and punishing those who do not comply; the introduction of national security courses; increased surveillance of students and teachers; banning materials from libraries; and forced removal of offending symbols on campuses, among other measures. As a result of these measures, there is an atmosphere of increased self-censorship in Hong Kong university classrooms, as faculty are afraid of being reported on for teaching politically sensitive topics such as civil disobedience and democracy.⁴⁰ Mandatory courses on the National Security Law have been implemented in Hong Kong universities, in accordance with the National Security Law itself which has stipulations on the education of national security (article 40).

remove banned material from its library systems, including more than 100 titles about the pro-democracy movement.⁴⁵ Other cultural institutions, such as Hong Kong's flagship M+ Museum, and projects supported by the Hong Kong Arts Development Council (HKADC), along with films, have been subject to censorship.

In short, as this section has documented, the party-state has not only

representative office but is instead operating on temporary activity permits. This is despite the organization having had a collaborative relationship with local governments throughout the 2000s. While there are many factors that may explain the divergent fates of these two environmental NGOs in China, they illustrate that civil society cooperation on the environment is not a given under the 2017 INGO Law.

Nonetheless, registering an INGO in China is not the only way to engage in civil society dialogues, nor is the environment the only common ground sector for mutual exchange. Public health, poverty alleviation, NGO capacity-building, economic inequality, and China's own aid footprint outside of its borders that are ripe areas for civil society dialogue with foreign counterparts. In particular, poverty alleviation is an issue area where China has had a proven track record of commitment, albeit through authoritarian campaign-style politics. As a cornerstone of development agendas everywhere, tackling poverty is a common-ground issue area that has potential for further civil society engagement.

Policy Recommendations

Given both the regulatory and political pressures under the Xi administration, how should different stakeholders in the United States and in other countries engage with Chinese civil society? It is important to recognize that although the advocacy sector of civil society in China is difficult to support directly, given political restrictions, this sector is not the only one that engaged in social change on the ground in China and in the countries where the PRC is itself a major donor. In fact, INGOs operating in Mainland China have continued to work with Chinese counterparts to develop the China's domestic philanthropic sector's capacity, as well as assisting countries in the Global South where China has a growing investment and aid footprint. In addition, while some foreign organizations are no longer able to operate legally in PRC and others have opened offices in Taiwan, the space for engagement has not completely closed.

The following recommendations are directed at the major stakeholders in the United States. The party-state views foreign support for Chinese domestic civil society as threatening, regardless of whether it is from the United States

or another liberal democratic government. Therefore, these recommendations may also be applicable to U.S. allies and counterpart organizations in Australia, Canada, EU, UK, and New Zealand.

For U.S. Policymakers:

- Strategically reframe programs to substitute “democracy promotion” rhetoric with substantive, non-ideological language such as “civic engagement” and “capacity bridging”

Following the U.S.-led Summit for Democracy in late 2021, the Biden administration announced the Presidential Initiative for Democratic Renewal, which would provide up to \$424.4 million towards expanding the U.S. government’s initiative to “defend, sustain, and grow democratic resilience with like minded governmental and non-governmental partners in ve areas.” Under area III, “bolstering democratic reformers,” the initiative pledges to empower mar

youth groups are particularly meaningful, as this generation will become the future arbiters of bilateral relations. Beyond study abroad exchanges, short-term visits of young people to the United States to learn about civic engagement and civil society participation. Conversely, American youth can also benefit from participation Chinese civil society organizations' projects in China, particularly those that tackle poverty alleviation and rural education. mutual exchanges outside of the formal education programs can facilitate

may no longer be able to teach or study in their home institutions.

- Educate administrators and faculty on understanding and responding to the 2020 Hong Kong National Security Law and its impacts on teaching and research in and on China.

To the extent that safeguarding academic freedom rests on the shoulders of universities, it is recommended that administrators create pathways for the university to receive scholars from Hong Kong and Mainland China who are no longer able to work in their home institutions. Doing so would create an academic “safety net” for scholars under duress and would also enrich the campus and intellectual life of Western academia.

In addition, universities should encourage self-study for administrators and faculty on understanding and responding to the 2020 Hong Kong National Security Law. A best practices memo for teaching on China put out by U.S.-based public intellectuals, as well as a statement by the Association of Asian Studies offer a starting point for thinking about creative ways to teach China in the context of the 2020 National Security Law.⁶² American Council for Learned Societies has also published a 2021 report on Chinese Studies in North America that offers insights and data on how to balance security concerns while keeping anti-Asian racism and biases⁶³ in check.

Recognizing that there are multiple and situation-specific ways to respond to the challenges posed to N413.6 (a)2.3 (t)-5.5 (i)10 (o)10.1 (n)0.8 (8 (l)16 (e

Notes

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