# **Chinese civil society Beneath the glacier from The Economist, 4.12.2014**

*In spite of a political clampdown, a flourishing civil society is taking hold*



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AGAINST a powerful alliance of factory bosses and Communist Party chiefs, Zeng Feiyang cuts a frail figure. Mr Zeng, who is 39, works from a windowless office in Panyu, on the edge of the southern city of Guangzhou, where he runs a non-governmental organisation (NGO) called the Panyu Migrant Workers’ Service Centre. For more than a decade his organisation has battled against the odds to defend the rights of workers in the factories of Guangdong province. For his troubles, Mr Zeng has been evicted from various premises, had his water and electricity cut off, and been constantly harassed by local officials and their thugs. Then last autumn he received a call from one such official. “The man asked if I wanted to register the NGO,” he says. “I was very surprised.”

Over the past three years other activists at unregistered NGOs have received similar phone calls from the authorities about the sensitive issue of registration, an apparently mundane bit of administrative box-ticking which in fact represents real change. China has over 500,000 NGOs already registered with the state. The number comes with a big caveat. Many NGOs are quasi-official or mere shell entities attempting to get government money. Of those genuine groups that do seek to improve the common lot, nearly all carry out politically uncontentious activities. But perhaps 1.5m more are not registered, and some of these, like Mr Zeng’s, pursue activism in areas which officials have often found worrying.

These unregistered NGOs are growing in number and influence. They are a notable example of social forces bubbling up from below in a stubbornly top-down state. The organisations could be a way for the Communist Party to co-opt the energy and resources of civil society. They could also be a means by which that energy challenges the party’s power. And so their status has big implications. Guo Hong of the Sichuan Academy of Social Sciences in Chengdu calls the liberalisation of NGO registration laws “the partial realisation of freedom of association”. Just as economic liberalisation in the early 1980s had a profound material effect, so these latest moves could have a profound social one.

**We, some of the people**

The new rules apply only to some types of NGOs, notably those providing services to groups such as the poor, the elderly and the disabled. Those engaged in any kind of political advocacy continue to be suspect. Human-rights organisations remain banned, as do most groups promoting religious, ethnic or labour rights. Yet Mr Zeng’s experience in Guangzhou suggests the authorities are looking for new ways to deal at least with some labour groups whose activities would once have been seen as unquestionably subversive.

Until 2012, any NGO that wanted to register—and so be legal—had to have a sponsoring official organisation, typically a government agency that worked in the area of the NGO’s interest. This ensured firm government control over all NGOs, or “social organisations”, as the party likes to call them (in Chinese, “non-government” carries a whiff of “anti-government”). Foreign NGOs could operate in China only under strict conditions.

It was a rigid regime, but it actually represented a liberalisation compared with what went before. When it seized power in 1949 the Communist Party eliminated anything that stood between the state and the individual, including churches, trade unions and independent associations of all sorts—it even tried to break traditional family bonds. In other words, what elsewhere came to be known as civil society was shut down completely in China, at least until after the death of Mao Zedong in 1976. The only groups allowed to function were state entities parading as non-state ones. They go by the Orwellian name of government-operated non-governmental organisations, GONGOs. One is the China Youth Development Foundation; another the China Foundation for Poverty Alleviation.

After the 1989 protests in Tiananmen Square, and their subsequent bloody put-down, the deal China’s leaders offered the country changed: stay out of politics and you can do almost anything else you want. Most of the new quasi-freedom was economic, but social space expanded, too.

There were clear limits. The collapse of the Soviet bloc, which trade unions, churches and other groups in Poland, Czechoslovakia and elsewhere helped precipitate, reinforced the idea among Chinese rulers that NGOs had to be kept away from issues that were or could become political. Still, local NGOs with limited, mostly charitable concerns were allowed to develop in some areas, provided they submitted to control by the state through the process of registration. Environmental protection and HIV/AIDS were among the first areas to benefit from a new toleration of some NGOs. Even so, on the ground their freedoms were often hard won, and much official persecution persisted.

**Running away**

The growth of NGOs since has not always been a smooth one. In 2005, spooked by “colour” revolutions in Ukraine, Georgia and Kyrgyzstan, Chinese leaders clamped down on NGOs, especially in their more activist manifestations. But in recent years that tight control has relaxed again, largely out of necessity. Rapid urbanisation and a more complex society mean that the party can no longer provide everything for its citizens as once it did, or claimed to. Anger over inadequate social services could put at risk the domestic stability that underpins the party’s rule. Nor does it help that the central government has pushed responsibility for health, education and other services onto local governments that are unwilling or unable to pay for them.

The array of unofficial NGOs that have sprung up over the past decade is remarkable. Some are inspired by religious faith: Christian doctors setting up a local clinic to fill gaps left by the health-care system, or Buddhists caring for the elderly. Others involve, for instance, parents of autistic children forming support groups through the internet or a website showing the location of needy schools around a city that urges people passing the neighbourhood to pack a bag of books or pencils to donate. Idealism is far from dead, as the Communist Party increasingly appreciates. When party leaders sent out researchers to look into NGOs, they realised, as He Jianyu of the NGO Research Centre at Tsinghua University in Beijing puts it, that “NGOs are not all revolutionaries who want to overthrow the party—as they had thought”.



A big boost to China’s growth in NGOs—double the number of a decade ago (see chart)—seems to have been a huge earthquake in Sichuan in 2008, which killed 70,000 people. Thousands of volunteers converged on Sichuan to lend a hand to the rescue. Ordinary people found out what it was like to get organised and join in. “We all saw the NGOs at work, and saw that they were much more effective than the government,” says the Sichuan Academy’s Ms Guo. The government drew similar conclusions and allowed more NGOs to register through state organisations.

Behind the growth is the irrepressible rise of a new middle class. It shares the party’s desire for stability. But some members, at least, also want new ways to participate in society. Party leaders, now only vaguely constrained by Communist ideology, have a new sense that something is to be gained by co-opting such activist citizens rather than suppressing them. It may, they think, offer a way of providing some of the social support that the party can no longer supply on its own. Thus the easing of the rules, not just allowing NGOs to register without a state sponsor but actually encouraging them to do so.

Since 2011 four types of groups have been able to register directly in a number of provinces: industry associations, science and technology organisations, charities and outfits providing social services. Later this year, the changes are expected to apply nationwide. Karla Simon, an American academic and author of “Civil Society in China”, says that the number of NGOs could double again in just a couple of years as registration is further eased.

It is telling, however, that these changes come at a time of increased political repression, including against those who simply call upon an overweening party to abide by China’s own (Communist-written) constitution. Since Xi Jinping became party chief in 2012, the state has cracked down on freethinkers. The sentencing in late January of Xu Zhiyong, a prominent academic, to four years in jail, and the constant harassment of other activists, show that even those, like Mr Xu, who have tried a less confrontational approach will not be tolerated. The approaching 25th anniversary of the Tiananmen Square massacre means control will continue to be tight.

The party appears to believe that it can encourage the expansion of NGOs without relaxing its political grip. Perhaps it is the Leninist chameleon changing colour again, developing a clever new brand of “consultative authoritarianism”, in the phrase of Jessica Teets at America’s Middlebury College, that leaves the realities of power unchanged and room for dissent constrained. But many who work for NGOs suggest the opposite: allowing new freedoms for civil-society groups will slowly transform the party from the inside—just the kind of “peaceful evolution” that party hardliners have always warned against. Though moves towards meaningful political reform remain glacial at best, activists say these new regulations are part of an unseen river of social change that is starting to erode the glacier from below.

**From comrades to citizens**

Belatedly, the party realises that NGOs have a number of things it lacks: ideas, a hard-won understanding of the issues on the ground and trust from the local community. Few people believe the party on anything. Most think NGOs approach problems with knowledge and sensitivity. For example, they treat drug-users or prostitutes with AIDS as a health issue to be met with care and counselling rather than as a criminal one. A long-awaited party blueprint for urbanisation, issued in March, spoke of the need to “arouse the energy” of such groups. One Beijing academic says the challenge is now as much to help the government learn how to delegate some areas of social policy as it is to increase the capacity of NGOs to do the work.

Philanthropy is re-emerging as a social force as expectations have risen. Some are prompted by religious teachings: Buddhism and Daoism are enjoying a renaissance, and there are now some 80m Christians in China, many of whom want to do good works. Volunteering and working in the non-profit sector is becoming more popular. Charity and philanthropy, says Shawn Shieh, the American editor of *China Development Brief*, a Beijing-based publication that covers NGOs, have become buzzwords among the wealthy.

The nascent sector has a long way to go. The biggest problem is funding. Some local governments finance NGOs directly: the government of Guangdong province gave 466m yuan ($75m) in 2012; Yunnan spent 300m yuan. Those numbers are expected to increase. But, although many groups no longer need an official sponsor and are free to receive public donations, they are not allowed to raise money publicly. Fundraising activities must go through a dreaded GONGO, which means the government can control how much publicity an NGO receives and therefore its sources of income. Control over foreign funding has even been tightened.

All of this offers new opportunities for corruption. Some local governments have set up shell NGOs to tap into the new official funding. Real NGOs often fail to hear of tenders for service-provision contracts they could fulfil. The jobs go to well-connected insiders, who sometimes subcontract, taking a cut on the way.

Here, though, as elsewhere, the internet is changing things. China’s Twitter-like microblogs enable like-minded people to hook up and rally public support for a cause. It is now possible to complain about things online without being seen as subversive—though there are limits you would be wise to observe: you can tweet about air pollution, but not necessarily about a specific noxious factory with links to certain leaders. Urban middle-class types tweet furiously about food safety, water shortages, the treatment of migrants, education and health care—core NGO issues. NGOs that spread the word about their work online can see significant donations come their way even without actively raising funds.

**Working the system**

The emerging civil society is not a clear-cut story of stooges and heroes. The action is in the middle ground, where lines are blurred and both sides negotiate for space. The temptation for activists to compromise and tap into government money is great. Still, says a Western diplomat in Beijing, if you are prepared to play within the system you can get a lot done.

Zhicheng, a legal-services organisation which helps the disadvantaged, is an example of how to do just that. It was established in 1999 by Tong Lihua, a lawyer from a poor village, who first set out to protect the rights of rural children. He impressed local-government officials, who were persuaded to give him their support. Mr Tong then began to advise workers who had not been properly paid. Government officials leave him alone, he says, because, although he is dealing with sensitive areas, he is enhancing social stability not damaging it. He says his aim is to promote legal and social reform from the inside. Though sometimes derided by other activists for being too close to the party, Mr Tong says that 99.9% of what he does is independent. He bristles when asked if he is just an agent of the government. He says Zhicheng has provided up to 400,000 people with free legal advice, helping them claim overdue wages and work-related injury compensation totalling 400m yuan.

By contrast, Yirenping works on the fringes, an advocacy NGO staffed by lawyers who take on legal cases with an eye to the precedents they might set. One of its recent cases was that of a girl who was not allowed to take the national high-school exam because she is blind. It has helped people with hepatitis B and AIDS who have been fired from their jobs. One of its lawyers, Huang Yizhi, says the group will probably not try to register. Like many NGOs unable to find an official sponsor, it is currently registered as a business. If it registered as an NGO, says Ms Huang, it might receive government money but it would have to tone down its advocacy. The ambiguity of its status suits it as it chooses its cases carefully, engages in advocacy on issues, such as social equality, that the party says it cares about too and tries not to tweak the dragon’s tail enough to risk being squashed by it.



Ma Jun takes an approach somewhere between the two. A former reporter, in 1999 he published a notable book on the environment, “China’s Water Crisis”. Mr Ma runs the Institute of Public and Environmental Affairs (IPE), which operates legally. Like Mr Tong, he sees co-operation with the government as essential. “We are all in this boat, and we don’t want the boat to capsize,” he says. But he is less co-operative with official GONGOs. With many demonstrations now arising from environmental issues, the party is growing ever more worried about green activism. And Mr Ma is at the forefront of inter-provincial NGO co-operation, another former taboo. The party is afraid of like-minded people, bound by a common cause, linking up around the country. NGOs are not allowed to register branch offices in different provinces. But the IPE is part of a network of 50 environmental groups called the Green Choice Alliance which can speak with one voice. Mr Ma walks a fine line, and fine lines can move. Just a few years ago officials lauded Mr Xu, the recently jailed academic, just as they praise Mr Ma now.

The government is by no means consistent in its approach to NGOs. Last July the environment ministry held a workshop in Beijing to which it invited groups like Mr Ma’s for the first time. That would have been unthinkable ten years ago. According to one startled participant, officials encouraged the NGOs to be strong in order to “confront powerful authorities”—meaning local vested interests. Yet at the same time there are moves to withdraw the ability of environmental NGOs to bring court cases against local governments. And a party brief known as Document Number 9, circulated to all government offices in 2013, accuses NGOs of cultivating “anti-China forces”. The situation is “schizophrenic,” says Mr Shieh. Mr Zeng, the labour activist says that even after being asked to register his NGO, he still gets harassed.

After loosening the restraints on NGOs, the party could easily tighten them again. And Chan Kin-man at the Chinese University of Hong Kong says that NGOs have exploded in number but not in influence. The space in which civil society may operate is actually shrinking, he argues. Aspects of the current political clampdown, such as a law against rumour-mongering, would seem to bear him out. Yet others say that space for action that is won through negotiation, not confrontation, is space nonetheless. Meanwhile, many feel that the party’s distinction between service provision and advocacy will erode. “There is no way to deliver services to the elderly without becoming an advocate for the elderly,” says a foreign NGO worker in Beijing.

**Whither China?**

Some activists still worry that by allowing themselves to be co-opted, they are strengthening the Communist Party’s dictatorial hold on power because they are helping it to solve its biggest problems of governance. The Chinese head of an NGO says his friends tell him he should let the whole system “rot until it collapses”. His organisation provides funding and support to injured workers, a tricky area. Yet as soon as the NGO received publicity for its work through microblogs, the government donated several million yuan to the cause. “Once you highlight an issue, the government has to act,” he says.

It is not clear that the party believes in civil society. More likely it sees NGOs as a useful tool to achieve its own ends. But with politics directed from on high unable to meet social needs, and a new generation that wants more participation, some increased role for civil society is unavoidable. So a strange, unspoken pact has evolved, where both sides accept the compromise as a way of furthering their goals in the short term, while hoping future developments work in their favour.

Limitations and frustrations are legion. Changes to the registration procedure will be slow to affect the day-to-day life of ordinary Chinese. And other social or financial problems could multiply, negating any progress towards a broader civil society. Yet, in their way, NGOs are starting to provide a glue that can help knit society together as the state retreats, family structures change and the social fabric is stretched to the point of tearing. Today’s NGOs are backed by a new generation of Chinese who feel better off and more empowered. The party will not find it easy to slap them back down.