

The Role of American NGOs and Civil Society Actors in an Evolving US-China Relationship

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When we think about the US-China bilateral relationship we often think about economics, trade, politics and strategic security. Less prominent in our discussion is the dimension of our relationship uniquely driven by American NGOs and civil society actors.

And yet, American NGOs and civil society actors were instrumental in preparing the groundwork in the United States for the normalization of US-China relations in 1979. Their nimble, innovative, and independent nature meant that after 1979 they could move quickly to lead early and direct engagement with China and could respond to challenges and opportunities with agility. Their diversity created a rich network of organizations and individuals that expanded as China developed. That network of non-governmental actors facilitated communication, knowledge generation, and trust-building between the United States and China at all levels of society, from Track 2 dialogues to grassroots people-to-people exchanges (including then-Vice President Xi Jinping's visit to Iowa where he met average citizens and built relationships that are now manifest in formal US-China relations), often keeping channels of communication open when formal channels

were constrained. The nature of NGOs – independent from government and commercial imperatives, flexible in the face of change or opportunity – gives these organizations unique agency in framing and shaping the contours of the Sino-US relationship.

As we reflect on the last 40 years of US-China relations, we find the entire relationship at an inflection point. The concepts of “engagement” and “opening” that have framed the US-China relationship for decades are being called into question, (in some cases, rejected) or redefined. All those who pay attention to US-China relations sense that the well-known rules of the game are changing and that a new rationale and set of guiding principles are needed to manage this important bilateral relationship. NGOs, which were catalytic in framing and shaping the rationale that guided the bilateral relationship for over 60 years, are also affected by the rejection or redefinition of “engagement” and “opening”. The promulgation of the Law of the People’s Republic of China on Administration of Activities of Overseas Nongovernmental Organizations in the Mainland of China (the Overseas NGO Management Law, or ONGO) in 2016 is one manifestation of a redefinition of the concept of “opening”. While it is still too early to understand the full impact of the law, many American NGOs and civil society groups need to find their footing and role in the broader, reformulated Sino-US relationship that is still emerging. In my view, they should stand up and play the roles that they are

uniquely suited to play in defining and shaping a framework to facilitate Sino-American interactions in the coming decades. NGOs are the only actors with the independence and flexibility to grab this moment and to lead us forward.

In the next few pages, I will describe briefly the role American NGOs have played in US-China relations over the past 60 years and their relation to the creation and evolution of policies of “engagement” and “opening”. I will reflect on the reinterpretation of these concepts as a framework for the US approach to China. And finally, I will share a few thoughts regarding the possible role for American civil society at this important juncture.

First, however, a few words about vocabulary. Civil society is most commonly defined as the arena created by individual and collection actions, organizations and institutions outside the family, the state, and the market, to advance shared interests. Civil society organizations are generally non-profit-distributing and self-governing, and operate in the public sphere. Non-government organizations (NGOs) are one type of civil society organization. Others types of civil society organizations include schools, think tanks, religious organizations, business and trade associations, and philanthropic and voluntary organizations. In the mid-1990's, Chinese scholars and community groups began to explore modern concepts of civil society and to create and establish independent NGOs, and literal translations of the words for “civil society” (民间社会) and “non-governmental

organization” (非政府组织) entered Chinese vocabulary. The social and cultural conditions described by these words in their original western context was, of course, different from the social and cultural conditions being described in China. As the contemporary Chinese civil society sector has grown and developed, the words used to describe the social phenomenon of independent, self-governing, non-profit-distributing organizations evolved correspondingly. Today, the key terms that apply to China’s NGO sector are “philanthropy” (公益慈善), which is exercised by “social organizations” (社会组织) which both fund and implement projects for the public good. In China, the “philanthropy sector” and “social organizations” do not include schools or think tanks as those are considered quasi-governmental in nature. For the purposes of this paper, written in English, I will use the phrases “civil society” and “NGOs” or “NGO sector” interchangeably, recognizing that others may choose to define and use the terms slightly differently.

Preparing the Groundwork

The 1950s and 1960s were not decades in which one would expect to find much nourishment of US-China relations. The Communists declared victory in the Chinese civil war in 1949 and no diplomatic relations between Washington and Beijing ensued. The Korean War deepened intense hostility between the US and

China, and these events fed the anti-Communist fires of the McCarthy era. US involvement in the Vietnam War escalated through the 1950s and 1960s and reached a level of critical intensity just as the Cultural Revolution erupted in China in the mid-1960s. Trade relations with China were non-existent during this period, virtually all American citizens and businesses having left China by the early 1950s; a rigid American trade embargo ensured that no commerce between the two nations could germinate.

And yet, it was precisely during these two decades that a handful of American NGOs and civil society actors recognized the importance of China and acted to increase unbiased understanding about China among Americans. These efforts preceded official governmental dialogue and paved the way for normalization of relations in 1979.

As early as 1952, the Ford Foundation sought to “enlarge the world’s understanding of China” given its “major significance both for human welfare and for world peace”. Internal Informational Papers of the Ford Foundation state that, in the post-McCarthy era, “the US had an inadequate knowledge base to understand the tumultuous changes taking place in China and their consequences for the world”. Responding to this analysis, between 1952 and the 1970s Ford invested \$40 million in China Studies and Chinese language teaching at major universities in the United States, Europe, Australia and Japan. At those institutions,

generations of Americans gained critical skills needed for an improved U.S. understanding of contemporary China. Many went on to play catalytic roles in the development and strengthening of their nation's relationship with the People's Republic of China, while others contributed to a broader overall awareness of, and support for, deeper engagement with the country over time.

The Ford Foundation was not alone among NGOs and civil society groups in identifying the need for improved discussion about China in the US, for building the capacity to engage with China when the time came, and for investing in efforts to advance the moment of engagement.

By the early 1960s, a growing group of diverse thinkers and activists had begun to coalesce around a similar recognition that "the quantity and quality of education and discussion" on the topic of US-China relations was insufficient among the broad American public, and that "China's isolation was more likely to be harmful than beneficial to the United States' interests in the world and to world peace."

Focusing on this need were such groups as the American Friends Service Committee, the United States Chamber of Commerce, as well as a number of prominent scholars and concerned Americans. Over a period of a few years, this diverse group of individuals from these and other organizations continued to meet, to assess the need for unbiased and well-informed public education and discussion, and to imagine how this need could best be met. In 1966 the National

Committee on U.S.-China Relations (NCUSCR) was established and dedicated to enhancing public education and discussion about China. In that same year, another foundational institution, the Committee on Scholarly Communication with the People's Republic of China (CSCPRC) was founded, jointly sponsored by the US National Academy of Sciences, the American Council of Learned Societies (ACLS), and the Social Science Research Council (SSRC), to begin the exploration of opportunities for Sino-American academic exchanges. Both organizations were created by existing NGOs and organizations to fill a gap in US institutional capacity to coordinate efforts to generate knowledge and promote nuanced understanding specifically about China.

In 1972, the NCUSCR played a pivotal role in hosting the Chinese table tennis team in the US, launching “ping pong diplomacy” and expanding the scope of exchange and engagement between the US and China. The Chinese government had invited the US table tennis team to visit China in 1971, and the US Table Tennis Association wanted to reciprocate but lacked the capacity to undertake such a complex event. In the absence of diplomatic relations between the two countries only a private organization could provide the channel for such activities. After the success of the ping pong team's visit to the US, the NCUSCR carried out many large-scale performing arts and athletic exchanges that started to break down barriers to understanding and communication and build public awareness and

support in the United States for deeper engagement between the two countries. CSCPRC continued its work coordinating academic exchange, and in 1973, the newly-established National Council for US-China Trade (now, the US-China Business Council) led the first American business delegation to China since 1949. Collectively, the efforts of these American NGOs, their constituent members, and founding partners, played a key role in paving the way for normalization of US-China relations by the end of the decade.ⁱ

The period from 1949 to 1979, relative to US-China relations, was characterized in both countries by inadequate information, strong ideologies, and limited institutional capacity to generate knowledge and to use it productively in overcoming deep mistrust and building a complex bilateral relationship. A handful of organizations, nevertheless, identified both needs and opportunities. They invested human and financial resources to generate and disseminate knowledge and to create new institutions dedicated to expanding America's competent engagement with China. Independence, a willingness to accept risk, nimbleness and flexibility are important characteristics that made this pioneering work possible, and are characteristics found today in many NGOs and civil society organizations. While geopolitical considerations lay at the center of American government policy-making, and American companies were preoccupied with early visions of commercial opportunities in China, both government and business

engagement was preceded by -- and made possible by -- the early and groundbreaking work of NGOs.

Building the Scaffolding

With the re-establishment of US-China bilateral relations in 1979, direct engagement with China was possible and the non-governmental sector was quick to engage. Academic exchanges accelerated through programs run by CSCPRC, the Committee for Legal Education with China (CLEEC) and others. The Asia Foundation began programming in China in 1979. In 1981 The Johns Hopkins University and Nanjing University began discussions that resulted in the establishment of the Hopkins-Nanjing Center for Chinese and American Studies five years later. Also in 1981, the American Chamber of Commerce in Beijing re-opened its doors (having disbanded during WW II). The Ford Foundation opened its office in Beijing in 1988. Scores of American academic, business, and NGOs either reestablished relationships that had been severed for decades or entered China for the first time.

The response of American NGOs to the events of Tiananmen Square in 1989 demonstrate the role NGOs can play at moments of crisis in a complex political relationship. The world was devastated to watch events unfold on June 4, 1989, and the near-universal response of American organizations was to withdraw from

China, for reasons of both safety and principle. Some NGOs, including the Ford Foundation, made the difficult decision to remain in China. Others, like NCUSCR, suspended work inside China for a period and refocused their resources on public education and dialogue in the United States aimed at facilitating informed discussion among average citizens and in policy-making circles at a complex and challenging time. Both approaches required institutional flexibility and a commitment to charting a course through a period of mistrust in pursuit of a stable relationship between the US and China.

After 1992, when China re-embarked on its pursuit of “Reform and Opening”, American engagement with China resumed with vigor. The UN Women’s Conference and its attendant NGO Forum in 1995 were a turning point for non-governmental engagement with China. This was the first time that large numbers of NGOs from around the world visited China and met with Chinese counterparts. Despite Chinese government concerns about the role of NGOs in society, the Forum demonstrated that NGOs could play constructive roles in social development. From this moment, the Chinese grassroots NGO sector started to grow, and international NGO work in and with China increased rapidly. Women’s rights and environmental NGOs were early movers, and soon a broadening mix of international NGOs were working directly with their Chinese counterparts in fields as diverse as education, child protection, legal services, humanitarian aid,

environmental protection, health, and trade promotion. The China Development Brief estimated that by 1999 \$100 million in project funding flowed to China from or through NGOs. A year later, their *2000 Directory of International NGOs Supporting Work in China*, the first compilation of its kind, counted 120 international NGOs with operations in China and approximately 300 more engaging with China from abroad. Most of these were American.ⁱⁱ

In the year leading up to the promulgation of the 2017 Overseas NGO Management Law (ONGO Law) several groups, including the American Chamber of Commerce in China, the NCUSCR and the Ford Foundation sought to quantify the number and types of foreign NGOs operating or carrying out activities (fn iii) in China to be able to assess the impact of the law once in place. Given the breadth of sectors (from arts to science, from legal aid to trade promotion), the task was too unwieldy to be conclusive. A 2015 study by a group of Chinese scholars claiming that nearly 7,000 foreign NGOs were carrying out activities in China, is considered unreliable and its provenance is unclear. As of early September 2018, under the requirements and definitions contained in China's new NGO Law, 415 foreign NGOs had formally registered representative offices in China, and applications for government approval of 1,007 temporary activities carried out by foreign NGOs (often multiple activities filed by the same NGO) were on file.(fn iv) Those figures do not include foreign NGOs operating in China while awaiting formal registration

and those that might conduct activities without the benefit of a temporary activity permit.

American NGO engagement with China deserves deeper research to understand more completely its diversity and the way in which NGOs and civil society actors serve as ballast to steady a geopolitical relationship that inevitably encounters difficult periods. For the purposes of this paper, I hope the limited description above allows us to next examine the role American NGOs played in shaping the framework of “engagement” and responding to the policy of “opening up”, and finally to look at the role they can play as these two concepts that have rooted the US-China relationship for 40 years are redefined.

Relationship to Policies of Engagement and Opening

The Chinese policy of “Reform and Opening” and the US policy of “constructive engagement” with China have remained relatively constant and mutually reinforcing over the past 40 years. While China was opening to the outside world, the United States as a government and American citizens in their personal and professional lives were ready to engage across all sectors, frequently through NGOs and civil society actors.

As described above, these organizations highlighted the need for American understanding of and engagement with China as early as the 1950s. In the decades

leading to normalization of relations in 1979, they created the underlying rationale for engagement with China that would subsequently be adopted more broadly by business and government. In more recent decades, NGOs have created platforms and channels for communication, cooperation, and collaboration in a wide range of sectors contributing to the expansion of US engagement with China, and demonstrating the benefits to both societies of this policy.

At the same time, without the supportive environment created by the US policies that fell under the rubric of “constructive engagement,” it is unlikely that the number and diversity of American NGOs and civil society actors working in and with China would have been as great. While not part of the US government, American NGOs benefited from the overall openness to engaging with China that emerged in the 1980s.

At the same time, by the 1980s, the NGO sector’s engagement (including academic exchange) with China was responding to the early stages of China’s “Opening Up” strategy. The initial goal of this policy was to animate China’s urgent discovery of ideas from around the world that could be studied and adapted to support China’s economic, social and political reform aspirations. China’s first tentative steps in this direction were experimental. As the policy bore fruit through successful engagement with ideas, institutions and individuals in other countries, it gained credibility, and became a core component of China’s development strategy. Had

the US non-governmental and academic sectors (and their counterparts in many other countries) not been prepared or willing to meet the Chinese as they opened their society, the trajectory of China's development would have been different. Julian Gewirtz, in his book, Unlikely Partners: Chinese Reformers, Western Economists, and the Making of Global China, provides a compelling analysis of the way in which Chinese reformers actively sought knowledge to inform China's development from many quarters, often working through, and with support from, NGOs and academic institutions.ⁱⁱⁱ(fn. v) Cordial early contacts between American NGOs, academics, think tanks and other partners and receptive counterparts in China encouraged the Americans to broaden their efforts. The period from the middle 1980s through the first decade of the 2000s was one of vibrant exchange, with ideas flowing primarily from the world into China. This burgeoning activity had an encouraging and invigorating effect on the American NGO sector, which felt a sense of reassurance that both its technical skills and its underlying values would find a welcome reception in a reforming China.

Much of the Chinese infrastructure to which American and other international NGOs contributed from the 1980s on lay in the realm of human capacity development. A major vehicle for this was the massive expansion of academic and other exchanges: many people holding responsible positions in Chinese

government agencies, academic institutions, businesses and NGOs benefited from study and exchange experiences in the United States, facilitated and supported by American NGOs and civil society actors. The American NGO sector also contributed usefully to building institutional capacity among Chinese NGOs, think tanks, research centers and government agencies, seeding new institutions, and creating diverse and flexible channels of communication.

Redefining Engagement and Opening in the Context of an Emerging Global Order

Today, however, we find ourselves at an important moment of transition where these familiar concepts of “engagement” and “opening” are being called into question in both countries. This is both the result of an evolving global order and a contributor to that evolution.

The United States and China are both disruptive to the existing global order, albeit in different ways. China is emerging as a confident global actor with an economic development model which has already been proven attractive to many developing countries around the globe. While largely working through the existing international system, China is seeking to reshape those institutions and global governance norms to serve China’s interests. A recent Brookings Institution report by Ted Piccone, *China’s Long Game on Human Rights at the United Nations*,

provides a clear and comprehensive analysis of how China is seeking to shift incrementally the discourse on human rights at the UN. (fn vi)

For its part, the current United States Administration is seeking to reshape its relations with traditional allies and non-allies alike. It has withdrawn from multilateral agreements and is seeking to renegotiate many of its existing commitments to better serve what it perceives as key US interests.

The shifts by the two most influential countries in the world are happening at a moment of profound global transition on a variety of fronts: climate change, vast human mobility, deepening significant inequality within and among countries, and changes driven by technology (AI, big data, global interconnectivity) that have outpaced our ability to create a balanced, fair, and equitable system of global governance for technology.

Redefining “opening up”

China marked the 40th anniversary of “Reform and Opening” in 2018 amid widespread recognition of the benefits that this strategy had brought to China and to the world. As we reflect on 40 years of “opening,” it is important to understand that while Chinese leaders still talk about “opening,” the meaning of this word has

changed fundamentally. Since coming to power in 2012, President Xi Jinping has asserted in multiple forums, including at Davos and the Bo'ao Forum, that China remains committed to the policy of “opening up”. While the phrase for “open” in Chinese (开放) used by President Xi is the same as the phrase used by Deng Xiaoping and others for the past four decades, understood in the context of China's rise and the emerging global order, the nature and goals of “opening up” as we have understood them have changed. Until recently, the goal of “opening” was to bring in (引进) ideas, resources, investment, expertise from abroad for study and adaptation to support China's domestic reform agenda. Gewirtz, in Unlikely Partners, describes in detail how this worked. Today, the goal of being “open” is to “go out” (走出去), taking Chinese ideas, resources, investment and expertise out to the world. If we fail to understand the reinterpretation of this phrase we risk misunderstanding a shift in the way China positions itself relative to the world.

This shift is not just rhetorical. The Belt and Road Initiative is both a concrete set of “going out” investments and activities and a symbol of and a metaphor for China's emergence as a global power and a shaper of global norms and governance standards. Furthermore, changing Chinese policies, regulations, and norms with regard to the closer management of the presence and operations of foreign

companies, NGOs, and individuals underscore the shift from bringing ideas and resources (引进) in to China to taking Chinese ideas, experiences and resources out into the world (走出去) as the core meaning of “opening up”. Foreign resources of all kinds, including those coordinated and facilitated by non-governmental actors, are less prized than in previous decades. The promulgation of the Overseas NGO Management Law can, in part, be understood as an expression of independence from an earlier reliance on foreign NGOs as vehicles for introducing resources and ideas to support China’s domestic development agenda.

Constructive Engagement

In the US, the policy of “constructive engagement” as a framework for our relationship with China no longer has resonance across a bipartisan spectrum of policy makers and figures of influence. In real terms, the US and China remain deeply entwined across economic, commercial, academic, civil society, and political spectrums – our countries remain “engaged”. However, the term and its positive subtext are now increasingly discredited, and at the time of writing there is a growing consensus in US policy-making circles that the US must “decouple” from China. Others at this conference will have explored the change in US policy more deeply. For the purposes of this paper it is worth noting that one of the drivers of the change in US attitude toward China is that now we interact with

China not within the framework of introducing American investment, governance concepts, and technical expertise (引进) but rather in the framework of meeting China as she takes forth her own investment, governance concepts, and technical expertise, most conspicuously to the global south (走出去). As China “goes out” and encounters the US outside her borders, Chinese and American interests collide more directly, and the fact that the two countries grow out of different cultural traditions and historical conditions becomes more salient. Our different cultural and historical roots lead to different national ideals about how society should be organized and governed. Given the size and influence of both countries, national ideals about how society should be organized and governed cannot be separated from economic and social engagement in countries outside our borders.

The Way Forward: A Role for NGOs

The framework created by the twin policies of “constructive engagement” and “opening up” that served the bilateral relationship and the domestic interests of both countries for four decades is being rejected and/or redefined in both countries. This change is taking place in the context of an evolving global order, and it both contributes to, and is driven by, this once-in-a-generation global shift. As the meaning of key concepts that have framed the US-China relationship for decades fluctuate, and as the US and China struggle to define roles for themselves

in a changing global order, mistrust has grown, and communication channels are narrowing, leading to an increasingly unstable relationship with implications for peace and security in the world. A new framework is urgently needed which recognizes the full dimensions of China's rise as well as the position of the United States in the world. Ideally, such a framework will create mechanisms to allow China and the United States to work constructively on solutions to the most pressing global challenges while also recognizing that American and Chinese interests will not be aligned in all areas.

American NGO and civil society actors have the opportunity, perhaps the obligation, to play their unique role in articulating a new rationale for a bilateral relationship that meets these challenges, and taking the lead in shifting attitudes and perspectives.

NGOs and civil society actors played a transformational role in the middle of the last century to create a rationale and approach to overcoming mutual enmity between the United States and China. Based on that rationale and approach, NGOs and civil society actors were among the first to work directly with Chinese partners and were first movers in building the infrastructure for constructive engagement, while at the same time benefiting from a comprehensive approach to engagement across all sectors of government, business, academia and civil society. By this time, NGO relationships with Chinese counterparts have proliferated over the

decades and now comprise a diverse, dynamic network that serves to steady an ever more complex bilateral relationship.

Although the path to the reestablishment of the diplomatic relations, whose establishment forty years ago we commemorate today, was extremely difficult, in some ways the China-US relationship was much simpler in those days. Today, those of us who believe that the two largest powers in the world have a responsibility to create together a stable, peaceful, equitable world, have a much more difficult job. The strength and durability brought to the US-China relationship by NGO and civil society actors is more important today than it has been in the last sixty years, and American civil society again needs to take on a pioneering role as we navigate the broad transformation of the US-China relationship.

ⁱ For detailed information about the history of the National Committee on U.S.-China Relations, see A History of the Origins of the National Committee on United States-China Relations, prepared by Robert and Pamela Mang, 1976 and Wheeler, Norton. The Role of American NGOs in China's Modernization: Invited Influence. Routledge. 2013.

ⁱⁱ 2000 Directory of International NGOs Supporting Work in CHINA, compiled and edited by Fong Ku. October 1999, China Development Research Services (Hong Kong).

^{lii} There is a big difference, both under the new law and in practice, between operating inside China (with a representative office, staff, bank accounts, etc.) and "carrying out activities" in China from an operating base outside. "Carrying out activities" is a legal term, and has a specific meaning, and is treated in a specific way under the law

^{iv} ChinaFile, The NGO Project <http://www.chinafile.com/ngo>

^v Gewirtz, Julian. Unlikely Partners: Chinese Reformers, Western Economists, and the Making of Global China. Harvard University Press. 2017.

^{vi} Ted Piccone, China's Long Game on Human Rights at the United Nations. The Brookings Institution, September 2018