

Predicament faced by China's civil society organisations: Issues on their legality

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Abstract: There is a serious problem of legality in China's civil society organisations (CSOs). For one thing, more than 80% of these organisations are regarded as 'illegal entities'; for another, a number of legally-registered CSOs faces proceedings for matters such as internal mismanagement, financial chaos and even transgression of law. Viewed from a legal perspective, the difficulties that CSOs encounter may be attributed directly to the incompetence of law enforcement units, which in turn is the result of poor legislation. The present-day regulatory framework set up for CSOs is inadequate in terms of both legitimacy and legality. To resolve these practical issues faced by them, it is imperative to draft a "civil society law" and to promote administrative reforms in order to steer the administration from a control-orientated type of relationship towards a support-based one.

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