11/2009 – 21. September 2009

30 Years of Civil Society - A Book Review

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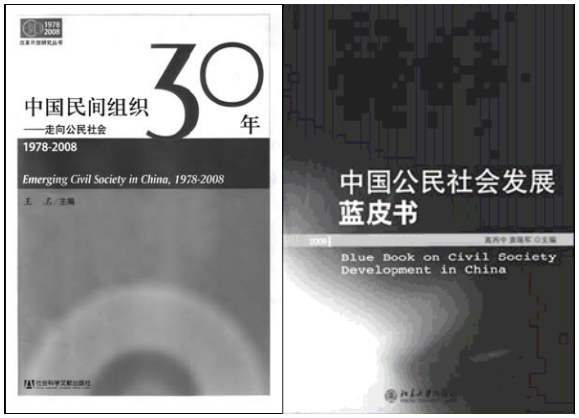
Introduction



In 1978, China adopted the Reform and Opening Up policy. The year 2008, marked 30 years, of reshaping the Chinese society. The emerging civil society in China, one of profound changes, has now been carefully examined by researchers. *The 30 years of the Chinese Civil Society (hereafter 30 Years)* edited by The NGO Research Institute of Qinghua University, and *The 2008 Blue Book on the Development of the Chinese Civil Society (hereafter Blue Book*[2]*)*, edited by the Civil Society Research Centre of Beijing University, are two masterpieces on the development over the 30 years, the current situation, and the future of the Chinese Civil Society.

The 30 years examines the civil society by looking into its historical process, the rights of citizens, the changes in the regime, its governance structure, as well as the relations between the civil society and the government, the relations between the civil society and political reform, and the overall changes in the relation between the state and its society. *The Blue Book* takes on a different perspective by revealing the development circumstances and the overall situation of the civil societies, and then looks into category reports and cases. Unlike the *30 Years, The Blue Book* showed new perspectives in its category reports and cases, with descriptions of the influence asserted by the civil societies in rural areas and the internet on public space and the decision-making system, as well as of the international NGOs in China, and the grassroots temple fair organizations.

Concept and conclusion

Academic research depends on the discussion and the establishment of a concept. 30 years of reform and opening up is the process of establishing a market-oriented economy, as well as the process of people awakening to public space, individual rights and subject consciousness, which is reflected by the emergence of grassroots organizations. There have been a lot of discussions on the concept and the state of a civil society in the academic arena, but no consensus has been reached. Naturally, the two mentioned books try to explain and induce relevant concepts against the backdrop of the current situation in China.

Mr. Wang Ming, chief editor of *30 Years,* and director of Qinghua University NGO Research Institute, identifies a civil society as a "certain condition of a society in which grassroots organizations were brought to the full development". In this kind of society, "people spontaneously form autonomous groups as channels for citizens and groups to express their opinions, communicate, dialogue, deliberate and increase their social capital. These channels are also used for corporate social responsibility, efficiency and accountability of public departments as well as to support inclusiveness and diversity of the entire society with the support of public sector. " (Page 9, *30 Years)*

According to this standard, and considering China's current situation, Wang Ming comes to the conclusion that the Chinese civil society has

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[2] Editor: Beijing Civil Society Development Research Center, Intellectual Property Publishing House, Year: March,2009

become an indispensable ally and partner of the institutional reform, with considerable public space and influence in public governance and service. As for the future of civil society, Wang suggests three scenarios: political meritocracy, intellectual meritocracy and economic meritocracy. However, Wang stresses that despite the uncertainties, the future of civil society will be decided by the elites.

Li Jingpeng, director of Beijing University Civil Society Research Centre, in the forewords of *The Blue Book on Civil Society Development in China* identifies a civil society dichotomously: a civil society is composed of non-organized and organized sections. The former is a purely private sector emerged from market–economy, independent from the political society (the state realm), which influences people's consciousness of freedom, will and autonomy, and serves as the base for organized civil actions; the latter refers to the burgeoning grassroots organizations. In accordance with this, chief editors Gao Bingzhong and Yuan Ruijun concluded "We have entered a civil society". They have based their views on the formation of Chinese Citizenship, the consciousness of unity and equal membership, and the sustainable growth in the spontaneous organizations, as well as the large scale of public participation in the relief work after the Wenchuan earthquake.

The two books have different views on the current state of the Chinese society. The editors of *30 Years* made the prudent but optimistic conclusion that "China is marching towards a civil society." However, the editors of the *Blue* Book take a further step, believing "We have entered a civil society". Supporting this conclusion is the fact that that on Jan. 15th, Beijing University Civil Society Research Centre held a grand initial publishing ceremony to honour the fruits of their 3-year long project.

Yu Keping, deputy director of Central Editing and Interpreting Bureau, commented that even though in the 90s, civil society had already become the focus of the academic circle; it received far less attention from the government. "In the stark contrast with the 'heat' from the academic circle towards civil society, the government is 'cold', which results in insufficient support in terms of regulation, finance and public education. " (Page 20, *the Blue Book)*

Has the long-awaited civil society come into being in China? Different people hold different answers, depending on their perspectives, references, value judgements, attitudes and personal feelings. In the Chinese context, in view of these dramatic changes, making a clear judgement on the intricate Chinese civil society, is a real test on their wisdom. Of course, from the historical perspective, no one can deny the profound progress made in establishing public space and individual freedom, compared with the mass society under the planned regime before.

State and society: "the administration absorbs the society."

To observe the development of the civil society, the relation between state and society must be considered. Thoughts put into this relation reflect a scholar's basic attitude and value judgement, and thus are important in both books.

In *30 Years,* scholars such as Kang Xiaoguang explain the change in the relation between the government and society with the theory of "the administration absorbs the society". Within this analytical framework, the government formulated various models to manage and control grassroots organizations. The government, on the one hand, by categorizing and control, prevents the grassroots organizations from challenging its authority. On the other hand, it uses them to meet the society's needs and therefore as a functional substitute, by additionally replacing the Western connotation of a civil society as citizens' society, and thus closing up the space for the spontaneous and autonomous grassroots organizations.

Beyond that, the author has noticed that the Third Sector have demonstrated obvious Western characteristics since the reform and opening up. For example, there are many new organizations launched at grassroots level; the organizations are more autonomous with a board of management being introduced into the structure; the resources come from both home and abroad; the scope of activities are wider; more focus is placed on participation, equality and voluntary activities. (*30 Years,* Page 306*)*

At the same time, Kang and the other scholars point out that this transformation has obvious Chinese characteristics and government influences. In the administration- absorbs-society model, people's rights to form groups are limited, different groups have different rights, and different grassroots organizations have different relations with the government. In other words, "the government adopts different strategies to support, to absorb, to replace and to control grassroots organizations. Different types of grassroots organi-

zations have different imbalances of rights and power. " In addition, this imbalance is shown in the ambiguous legal status of a great number of especially foreign-related grassroots organizations. (Liu Peifeng, *30 Years,* pages 73-79). "The overall role of the grassroots organizations in reflecting people's position, in balancing interest groups power, especially in representing the interests of the less-privileged groups, and in empowering citizens, is limited." (Jia Xijin, *30 Years* page 214).

In other words, even though participation in name has become the trend, it still lacks the support from the system. In response, many NGOs tend to directly meet social needs, and to join poverty-relief activities in the name of philanthropy, instead of initiating and guiding public policies.

There is a historical root to this. Liu Peifeng points out that "despite the tradition of forming grassroots groups in China, before the founding of the new China, organized political expressions had been long smothered. Individual participation was the main way of political involvement in the Chinese society." Kang Xiaoguang, however, believes that there is a traditional factor to the administration-absorbs-society model. The cultural meaning of the Confucian concept of government requires the government to shoulder a wide range of social responsibilities. This interpretation provides the argument for the government's interference into the grassroots organizations. (Page 327, *30 Years).* On the other hand, traditionally the masses were used to relying on the government, having little subject consciousness, which also laid the foundation for this model.

Most of the scholars agree that the reform in China is government-dominated and gradual, with the development of the Third Sector being under the governmental guidance. However, scholars hold different opinions on whether the Third Sector will influence China's future, whether the civil society can serve as an independent governing and binding power which cooperates with the government and the market.

In 2005, Qinghua University NGO Research Institute carried out an index research on the civil society in China which showed characteristics of low participation, few spontaneous mission activities and volunteer groups, low levels of civil society organizations, lack of association and international contacts, and structural defects in resources. In addition, the vulnerable groups were not sufficiently represented (Jia Xijin, *Blue Book*, page 168). Of course, the explosive participation of NGOs and large scale of volunteer activities triggered by the 2008 earthquake, brought a change to this situation. However, the general circumstance for NGO operation has not seen any substantial change, and thus the effect of the NGO participation and the sustainability of its social influence, are yet unclear.

Unlike the previously mentioned researches which generally analyse the government's dominance, Tao Jin takes on another perspective. He stresses that "the development of civil society organizations is not only restrained by the government's power space, a more important factor is the organization's structural ability to cooperate." Due to insufficient bottom-up power, grassroots organizations cannot strike an effective balance with the government. (*30 Years*, Page 252).The government's strong dominance and the internal lack of abilities of the NGOs are two sides of the same coin. Moreover, these two sides can strengthen each other in interaction.

Whose civil society?

Sun Liping, author of *The Blue Book*, looks at the state /society relation from the perspective of sociology. Trying to redefine common paradigms, he integrates the analysis of the social structure of the Chinese society into the analysis of state /society relations instead of separating them. He came to the conclusion that the biggest problem for the development of civil society is social imbalance. (Page 101, *The Blue Book)*

Since the reform and opening up, the change in resource allocation has led to a widening gap between the rich and the poor. Additionally, the 1990s saw the start of the in-fighting of interests in China. When the interest bodies are not developing equally, and the rift between the privileged and the vulnerable deepens, the in-fighting of interests among unequal powers, leads to wealth exploitation among groups. Take the employer and employee relation as an example. Associations of enterprises and entrepreneurs, such as chambers of commerce and industry associations, have been developing fast, whereas, organizations for the workers and the farmers have been stagnant. The real estate industry is another good example. In the real estate bubble, the developers were the best organized group, whilst the middle-class, as the least organized in the society, suffered the most losses. Due to this, Sun posed the question of "whose society is it, and whose civil society is it?"(Page 112, *the Blue Book)*

Sun believes the reason lies in the different capabilities of the groups to acquire and allocate resources, and their different chances to develop, which are determined by the regime. He predicts that future civil society will suffer from further imbalanced development, and thus worryingly might lead to a worsening imbalance of the social structure.

Sun's perspective confirms previously mentioned scholars' observation. Therefore, when the scholars urge to highlight the specific value of NGOs to represent or initiate social action, more detailed attention should be paid to the different capabilities among different groups in the society.

The government should consider this issue as well. When safeguarding one's rights, the capital can protect its legitimate interests through organized representation, as a common game behaviour. But if this safeguarding of interests is too aggressive (such as in the real estate sector) so that it undermines the social justice for vulnerable groups', all stakeholders should be on alert.

Society absorbing administration

Despite all the restrictions, grassroots organizations' participation in public governance cannot be stopped. What is interesting is that Lin Shangli, another author of *30 Years,* takes his analysis to a macro level, taking into account the historical changes in the relationship between the Party, the government and the society, and the interplay of these changes. Lin regards the development of social organizations as an important force to prompt political reform. He believes the reform in the past 30 years has been a process of power splitting from the Party to the state and to the society. The political reform released more space, which in turn imposed challenges upon the political reform. In response, the Party restructured the relationship between the Party, the state, and the society, by absorbing and regulating the public space through institutional renovation.

Among these we clearly can identify two types of more commonly seen organized social activities: human rights protection and environment protection. They try to organize the protection of legitimate interests through orderly participation, which should influence political decision-making processes. To clarify his point, Lin describes a case of social organization optimising political (governmental) resources. Following the administration-absorbing-society model this could be perhaps regarded as a "society absorbing administration" example.

"The NPC representative work station of Shenzhen was organized by the property owners' committees and property owners' organizations of the small communities, to safeguard the public interests of the communities and peripheral areas. It is to facilitate the work of the NPC representatives within the community, to improve protection of people's rights through the political system of NPC delegates." (*30 years*, Page 280*).*

In fact, cases like this are not uncommon. In 2004, Little Birds, a labour grassroots organization, cooperated with Beijing Judiciary Bureau and established Beijing Little Bird People's Mediation Committee, serving the so-called floating population (migrants). With the government's authority, Little Bird became more efficient in mediating labour-related disputes with the employers on behalf of employees.

There are more and more activities organized by grassroots organizations which have profound influence on policies, which shows the growth in the inverse influence. As for the future of the Chinese civil society, scholars hold different opinions on whether it will lean towards constitutionally guaranteed individual rights creating an independent but balanced relation between the state and the society, or if it will establish a state/society relation based on collaboration within the state authority framework.

Kang Xiaoguang believes that the "administration absorbing society" model emphasises an integrated approach of state and the society, not an antagonism or separation or independence of these two entities (page 333, the *30 Years*).

In regard to the state/society relation, Kang thinks the inner conflict between grassroots organizations and the neo-authoritarian system can be regarded as a "global problem of this century." Whether or not the new system of "administration absorbing society" can be the key to solving this problem, "time will tell."

Other scholars are more optimistic. Yu Keping, whose remarks of "Democracy is a good thing", has received wide recognition, believes that the grassroots organizations can effectively restrain governmental behavior. "A sound civil society is in fact the foundation for democratic politics and powerful backing for the citizens' democratic rights." (Page 22, *the Blue Book*)

Jia Xijin stresses the character of subjectivity and the mobilizing power of the civil society by pointing out that: "The development of the civil society is based on the increase of people's participation,

which should be a thorough participation, and should be institutionalized. The citizens' participation, especially in politics, is the corner stone of a civil society. We should step aside from the approach of the state mobilizing its citizens to donate or to volunteer, and give space to more professional, more specialized and more socialized approaches to develop, focusing on developing the citizens' capability to participate in public governance and political life." (page177, *The Blue Book*)

Lin Shangli bravely proposes that the development of the civil society is an essential mission for China's political reform and development. If the political reform over the past 30 years had prompted the spontaneous development at the grassroots level, then in the future political development, the grassroots organizations may become an independent social force to prompt China's political reform and development (Page 285, *30 Years*).

Currently, civil society organizations position themselves as public service providers. Therefore, the author's words are rather reflecting the author's value attitude and aspiration than reality.

Changes in the regime

The legal and policy environment has always exerted substantial influences on the direction of the grassroots organizations. Both books designate many chapters on the changes in relevant laws and regulations. For example, *30 Years* includes two articles, one by an officer of the Legal Affairs Office of the State Council, the other by an officer of the Ministry of Civil Affairs. Both articles show the government's legislation approach, the difficulties in managing grassroots organizations, and future legislation plans, etc.

In the future legislation, the author mentions that the law on philanthropy has already been put on the agenda of the annual legislation plan of the State Council, and the 5-year legislation plan of the National People's Congress. The law will list charity groups as a different category among grassroots organizations, and will try to establish a comparatively independent administration system. They will hope to work around the stagnant process of revising laws relating to social groups and private non-enterprise organizations. This would then provide some privilege for charity groups in terms of social policy guidance.

Another author also touches upon the problematic double administration system. He doesn't avoid the increasingly obvious defects of the system, and believes that to carry out reform to remove direct administrative control over NGO sector, is the trend. He also releases some information on some pilot reform measures adopted by some provinces and cities. However, abolishing the double administration system challenges the current administrative governance system, and thus remains the hotbed for debates. (Li Yong, page 126, *30 Years)* Apart from the technical problems in the social administration system, the challenge is also closely linked to the government's view towards the freedom of forming private organizations.

But sometimes, it can be difficult to predict certain government affairs. A U-turn towards the better is not impossible, especially after considering all encouraging signals in the legislation and policies.

For example, a charity group or a foundation was not a qualified donor unless it paid donation tax. In other words, the Ministry of Finance or the General Administration of Taxation was the qualifying body for grassroots organizations, which was deemed unfair by many organizations. Li Yong, a Ministry of Civil Affairs officer, makes this a key issue in his article. And he seems to be right in his opinion, as on Dec. 31, 2008, the Ministry of Finance, the General Administration of Taxation and the Ministry of Civil Affairs jointly issued a document stating that enterprises could enjoy a 12% reduced tax rate on their donations if made through charity groups or above county-level governments and departments. The decision didn't cause any stir within the circle, probably as a result of delayed implementation of policies, and many unqualified organizations were waiting to see the effect of this government-controlled qualification process and the implementation of the policy. Nevertheless, the new policy has taken a big step towards universal benefits and social equality from the legal perspective.

The Blue Book also included an article on the lack of non-profit legal entity system in the transition period with many references to the laws and an in-depth analysis. The author, who has a background in law, used a large number of jargon and legal theories in his article, which even with some adjustments in style, still remains too academic, and thus only suited for professional discussions.

Other topics

Institutions, due to their governmental background and irrelevancy, receive little attention from the NGOs. But these institutions shoulder a

large amount of public services. As a leading force in the public service system, its transition and direction will exert major influence on the civil society, and therefore has been integrated by many scholars into the research framework. *30 Years* has many articles covering the institutions; *The Blue Book* has an article by Gu Xi on it too. He looks into the problems in the past institutional reform and came to the conclusion that institutions are "still under the administration of supervising departments, and are keen on maximizing their revenue as well as government resources…and often the result is the service providers capture the policy makers." (Page 96, *The Blue Book)* Some scholars even believe that the dominance of the institutions causes a squeeze effect, pressuring the space for the Third Sector, and thus making the direction and process of institutional reform a deciding factor in the development of the civil society.

Another important topic of both books is NGO governance, each with an article designated to this issue. The different backgrounds of the authors give them varied perspectives. The article "the changes of grassroots organization governance" in *30 Years,* was written by Huang Haoming, who is an experienced NGO practitioner. Therefore, the article takes a pragmatic view on different governance models, and readers from the same circle may enjoy finding their own models as described. But the article "The changes of non-profitable organization governance in China" in *The Blue Book* was written by a scholar, and thus focuses on theoretical analysis.

What is worth mentioning is that over a long period of time, many international NGOs operating in China, which had played an important role in prompting the development of the Chinese civil society, have not been included into the relevant research. There is one article in *The Blue Book* on international NGOs in China, however with very limited data and documents for analytical research, which is probably the result of the invisibility of these international organizations' operation in China due to the policy restraints. Nevertheless, the article is still the first of its kind.

In terms of micro perspectives, I appreciate the following few points, because they are not merely perspectives, but the trend that is shown in the changes. The comparison between point 2 and point 3 below is very interesting, with one focusing on the internationalization of agendas, and the other on the localization of NGO resources.

It is fair to say that both books, on the macro level or the middle level, pooled the insights of scholars and officers who have followed the civil society in China closely, whether it is analysis, criticism or suggestion; all reflected the precious value of independent thinking. The publishing of these insights couldn't be more timely. Comparatively, due to its different background, *The Blue Book* has a few articles that are more academic, which need adjustments to reach a wider range in both proposing policy and influencing the public.

On the other hand, the NGO practitioners while prioritizing the understanding of the macro policies, should also pay attention to some of the "fresh" micro issues and "direct" current issues. These trends may affect the being of the industry.

1. Localization of international NGOs

In recent years, many international NGOs which have been operating for years in China have started to adopt the strategy of localization. In 2004, after the promulgation of the new Regulations on Foundations, these international NGOs started the localization in registration, financing, co-operation with government, project design, public relations, and human resources, hoping to become legitimate local organizations. They also have high expectations for the domestic philanthropic financing market. Thanks to their experience in China, these international organizations have established fairly strong partnerships with governmental departments, enterprises and local organizations. Once successfully registered as legal local organizations, these NGOs will enjoy a wider space, and at the same time exert more pressure on local organizations. Of course, the process of localization has not been smooth sailing due to the policy restraints.

2. Internationalization of local organizations' agendas

The changes in China's relation to the world brought many international issues to the local organizations. And these issues have already started affecting the local organizations. For example, these issues include climate change, the impact of China's international aids and investments on other countries, downstream impacts of dams in China along international rivers, negative impacts of WTO on developing countries, in which China has become a main stakeholder etc. As a major stakeholder in all these international issues, China has become the focus of many international NGOs.

As for the relation between international organizations and local organizations, international NGOs increasingly hope to involve local NGOs into the collaboration on these topics which makes the subjectivity of local groups more important. As local NGOs are gradually involved in the issues and develop international perspectives, their relations to the international organizations will change from simply being the receivers to partners. Even though many of them still need the support from the international NGOs, they are no longer the objects of general capability building.

On the other hand, in response to the concern and sometimes even scepticism from the international community towards China, a rising power, the Chinese government have started establishing its national image. Issues such as whether China can express its values, and re-portrait itself on the international stage, as well as NGOs' role in it, have been placed squarely in front of the local NGOs. And these issues will become more acute with time. Most of the local organizations still focus on domestic issues which are more direct and pressing to them, but there are some NGOs which have started to put these international issues on their agenda.

Paying attention to issues in a wider sense instead of only from the perspective of a region or a nation will make some of the values and concepts of the NGOs universal values. Take environmental protection as an example, just as Wang Ming, one of the authors of *The Blue Book* puts it: "environment protection is more and more of universal philanthropic value, surpassing individual interests and group interests, and to some degree even the national interests. It has become a philanthropic mentality with the nature of a world view." (Page 222)

3. Elite NGOs and community organizations

Due to the circumstance restraints, the grassroots communities and elite organizations currently don't have effective communication. CBOs often prioritize short term self-interest and protection of human rights on the community level. But the elite NGOs beyond the communities have more social resources and longer-term philanthropic concepts and values. In some countries, elite NGOs and CBOs target different fields, but have plenty of interaction on detailed issues, with the former providing strategies, resources and value support so that the latter can achieve wide social influence. On one hand, this helps to meet communities' requirements; on the other hand, it guides the communities to reach wider public requirements and values.

In China, most of the existing CBOs are limited to a community, acting as socialization groups, such as interest groups, with little representative ability. The lack of interactions and support from the elite NGOs reflects the effect caused by the "administration absorbs society" mechanism. But, just as the authors of the two books commented, we need to think about how the vulnerable groups of the society can have equal rights, when there are few representing organizations acting on their behalf. How to provide social support to the CBOs is another issue facing the elite NGOs. In *30 Years,* Wang Ming suggests three paths for the elite dominated NGOs, which all propose the issue of combining requirements of communities and vulnerable groups.

4. The involvement of enterprises, as a privileged group, in the civil society

The China philanthropic listing data shows that the total donation in China has seen dramatic increases since 2004, especially in 2008, after the disastrous blizzard in the Southern China and the 5.12 Wenchuan earthquakes, which triggered a donation rush, with the annual total amounting to 100 billion yuan. The social responsibilities shown by many Chinese enterprises and entrepreneurs were outstanding, which made even Bill Gates to start eyeing the Chinese philanthropic market, and expressed hopes to include the Chinese rich as donors to his foundation.

But 2008 was different from the previous years, because enterprises' philanthropic funding through NGOs on relief work and other agendas experienced an explosive growth. By funding projects, private foundations such as Nandu, Youcheng Foundation and One Foundation, as well as public foundations such as Red Cross, started to officially get involved in the civil society. This practice is not new to international foundations, but it marks the milestone for the flow of local philanthropic funding.

When responding to major disasters, philanthropic aids can better suit the people's expectations and customs, and will win the most trust. Private foundations and the privileged entrepreneurs' participation in the charity works opened a door for the grassroots organizations' financing; bringing them diversified fund resource, while influencing the public and the NGOs' behavior with the business background and the growing philanthropic concepts.

However, many grassroots organizations have grown used to international funding and the relevant process of funding application, project implementation and assessment. Their ignorance of the requirements of the private foundations and enterprises, their lack of interaction, mobilizing ability and capability to influence the enterprises easily lead them to treat the other party simply as donors. Local capital entering the civil society with their own say will bring interactions and changes to the NGOs. And this is also worthy of notice.

Conclusion

2008 was a landmark on the journey of China's 30 years of reform and opening up. In this critical period which is reshaping the entire China, the civil society is also bourgeoning. The timely publishing of the two books demonstrated the value of the scholars' sensitivity to reality and of their research on NGOs. But the real life civil society and its practitioners are far more brilliant than the civil society in the books. 2008 not only saw the large scale disaster relief work by NGOs and volunteers, but also the Olympic volunteer campaign initiated by the government. This shows that the future civil society will develop its Chinese characteristics with the interaction between the state and the society.

Bisher erschienene Hintergrundinformationen

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Herausgeber: Asienstiftung für das EU-China-Civil-Society Forum.

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