

An overall assessment of conditions and possibilities available to civil Society and its organisations to act in China

Emerging Civil Society in China



Contents

Summary	3
Introduction	7
Sida's view and definition of Civil Society	8
Definition of Civil Society in China	9
Perception of Civil Society in the interviews	10
The pattern of organisations in Chinese society	10
The Study – meetings and interviews	13
Structure of Civil Society	13
The political context of Civil Society	14
Civil Society political/social impact	16
Values and internal structure of Civil Society	17
International support	18
Possibilities for Swedish co-operation with Civil Society in China ...	19
Appendix 1	23
Appendix 2	25

Published by Sida 2004

Department for co-operation with Non-Governmental Organisations and Humanitarian Assistance

Author: Kristina Gough

Photographs: Cover, Kristina Gough

Printed by Edita Sverige AB, 2004

Art. no.: SIDA3799en

ISBN 91-586-8416-6

This publication can be downloaded/ordered from www.sida.se/publications

Summary

This assessment, carried out September/October 2003, was initiated by the Swedish Embassy in Beijing in collaboration with Sida's NGO-Division in order to extend understanding of civil society in China. The focus was twofold. Firstly, to make an overall assessment of the possibilities available for civil society organisations to act in China. Secondly, to assess the possibilities for extended Swedish co-operation with civil society in China.

For the purpose of the assessment there was a need to obtain a picture of the perception of civil society in China. A number of organisations representing different fields were therefore strategically selected for the study. Interviews were thus held with civil society organisations working with the environment, women, children, and the disabled; with one umbrella organisation; with mass organisations for women, trade and charity, and with international organisations with offices in Beijing. The point of departure of the study is Sida's draft policy on civil society and co-operation with civil society organisations. A checklist of questions, based on Sida's policy and terms of reference for the assignment, was used in the interviews.

The interviews with the Chinese organisations reveal a general perception that civil society concept is something foreign. In their opinion the term is difficult to define, as the term is new for China and, as yet, mainly discussed among academics. They concluded that building up civil society in China has just started and is not yet established: it is something for the future. However, it was recognised that, as more and more influential CSOs appear on the scene, the beginnings of Chinese civil society can be discerned. Despite this, they still believe it will take a few years for civil society to become established and for the Government to recognise civil society. To achieve this, it was emphasised, civil society will have to prove itself. However, it was reflected that thanks to the WTO membership, the Government is showing a more open attitude and this was felt to have a positive effect on conditions for civil society.

One general observation is that personal space and freedom have increased, permitting greater individual activism than before, although space for political organisations still remains limited. As it is considerably easier to engage in informal activities, people meet in increasing numbers in different social activities to a greater extent than before. The effects of increased space and freedom are not only visible in greater individual

activism but also in the emergence of organisations that either provide services or advocate on behalf of constituencies. However, as the space is not yet openly defined, general awareness of the boundaries of what the government is currently prepared to tolerate is therefore needed.

China has seen a dramatic increase in civil society organisations, both in numbers, size and influence. According to official statistics there were 136 000 ‘social organisations’ and 82 000 private non-profit corporations registered with the Ministry of Civil Affairs at the end of 2002. Unregistered organisations in the country are estimated at approximately 1.3 million.

Exploring the commonly used term “NGO” was at first quite confusing. The reason for this was that other terms than non-government are preferred since *non-government* is perceived as *anti-government* in the Chinese context. Instead, organisations are most commonly referred to as NPOs (non-profit organisations), or CSOs (civil society organisations). The pattern of social organisations in Chinese society today show a range of organisations with different organisational structures. However, it needs to be emphasised that not all qualify as civil society organisations.

With reference to types of organisations in Chinese civil society, the answers pointed clearly to a predominance of environmental and green topic associations and organisations, and women’s issues organisations. Other fields are organisations working for the disabled and with consumer protection issues. Very few are engaged in advocacy work, thus an important area for support in programmes of cooperation.

The first formal national system of regulation was introduced in 1989, as the Government saw the need to monitor and control the growth of new social organisations. In 1998, the State Council adopted the current ‘Regulations on Registration Administration of Associations’ (III-06-04-202). In the same year, the State Council also adopted regulations for registration of private non-enterprise units: ‘Interim Regulations on Registration Administration of Private Non-enterprise Units’ (III-06-04-203).

The requirements and regulations for registration are in fact still used as an instrument of control on civil society and its organisations. The procedure and requirements are experienced as a long and tedious process, with difficulties and barriers all along the way, and with an uncertain outcome – approval or not. Due to this, organisations often choose to register as not for profit enterprises with the Ministry of Commerce for which no supervising body, no personal contacts are needed, it is also quicker: the application is often processed in 2–3 weeks. Furthermore, only one organisation in one field is allowed to register at each administrative level. Apart from being an obstacle to the organisations, this is certainly not conducive to the development of a pluralistic civil society. In this context it is important to mention the fact that there are no formal restrictions on international NGOs in China. There is no registration requirement, but a partner relationship must exist with a legally registered Chinese organisation. There are no restrictions on transfers of funds into the country.

Is civil society in China an arena that unites and expresses issues of interest to the public, such as campaigning? The general view expressed

is that civil society is still quite weak, and that forces are rarely joined to pursue a common issue. Although social pressure can be put on the government, exposing issues on a formal, official platform is not an advisable approach since it can be perceived as a movement. The consequence of this is that Chinese organisations in general maintain a low profile and do not wish to act too controversially.

Areas for extended cooperation

As part of its terms of reference, the study should also ‘examine the possibilities of Swedish cooperation with Chinese civil society and, if possible, to identify areas for extended cooperation with Sweden’. The Chinese organisations’ viewed cooperation with international organisations extremely valuable and an advantage for their development. They also raised the point that western NGOs present in China represent a model for civil society work and have a natural role to play as a mentor in this respect. The fact is that Chinese civil society needs strengthening and greatly benefit from support and cooperation from international civil society organisations and donors.

Despite the fact that the study was limited, needs and priorities expressed for development cooperation point in the same direction – the need for organisational development. The areas identified in particular are apart from improved skills in their specific line of work, improved skills in management, planning, project management, leadership, organisational structure and system, and fundraising. These priorities fall well in line with Sida’s special guidelines for support to civil society and its organisations.

Furthermore, the principal objective in the current Country Strategy for Swedish-Chinese development cooperation is to promote the inflow of new ideas that can speed up the reform process in the areas of human rights, gender equality, legal development, democratisation and environmental improvement. Sida and the Swedish Embassy believe that NGO cooperation can play a significant role in this respect. Encouraging organisations of civil society in democratic values such as openness, accountability, participation, tolerance, and equal rights and values of everyone are important aspects in a democratisation process. Chinese organisations would benefit a great deal in this respect in cooperation with Swedish organisations with their profound democratic traditions. Sida therefore encourages and welcomes extended cooperation with China from Swedish organisations representing different areas and interests, with activities in line with the objectives of the Country Strategy and in line with the needs and priorities of the Chinese civil society as reflected in this report.

Introduction

During recent years civil society in China has started to show signs of strong growth and today there are several NGOs and informal groups or networks, particularly in the fields of the environment and gender equality. The large mass organisations in China, such as the All China Women Federation, which were previously critical of networks and organisations in “their” interest areas, now actively see opportunities for co-operating with and benefiting from these groups. Chinese environmental authorities have also expressed interest in extending co-operation with civil society. Studies carried out by China Development Brief, a periodical focusing on development issues in China, reports the existence of a great number of civil society organisations in a broad spectrum of fields in China today.

However, it is still not possible to form interest groups working with political issues and Chinese organisations still experience problems when trying to register their organisations. Organisations seem reluctant to grow too large, and thereby risk attracting the attention of the authorities.

The present country strategy for Swedish development co-operation with China – for the period 2001–2005 – states that the goals of co-operation should be to promote the flow of new ideas into China which can speed up the reform process and promote

- Human rights, legal development and democratisation
- Greater equality between women and men, social security
- Environmentally sustainable development

The country strategy also mentions further support via Swedish NGOs, since supporting the development of civil society is considered valuable.

The assessment was initiated by the Swedish Embassy in Beijing in collaboration with Sida’s NGO-Division in order to extend understanding of civil society in China. The focus was to make an overall assessment of the possibilities available for civil society organisations to act in China, and to assess the possibilities for extended Swedish co-operation with civil society in China.

To obtain a picture of the perception of civil society in China, a number of organisations were strategically selected for the study. They represent different fields, and are of varying size and different

types. Interviews were thereby held with civil society organisations working with the environment, women, children, and the disabled; with one umbrella organisation; with mass organisations for women, trade and charity¹; and with international organisations with offices in Beijing.²

The point of departure of the study is Sida's draft policy on civil society and co-operation with civil society organisations³. A checklist of questions, based on terms of reference for the assignment and Sida's policy, was used in the interviews⁴. The issues of interest were *structure, values and impact of civil society; political context for civil society, i.e. enabling environment for civil society and civil society organisations; values and the internal structure of the organisations*.

There has been a gradual increase in cooperation through Swedish NGOs since 1997 in terms of financial support, if not in the number of organisations. In 1997 support via NGOs amounted to SEK 3 million and in the year 2002 this amount had increased to SEK 8 million. About ten organisations are still active in China, mainly engaged in traditional education and health projects, although some organisations have begun to work on promoting human rights, democracy and the development of civil society. These organisations take a predominantly positive view on the feasibility of conducting development cooperation in China. The Swedish organisations find that cooperation with the Chinese organisations which are subject to compulsory registration and control by the state, works relatively well and that within these organisations, there is a will to bring about development and reform.

In this context it is important to mention the fact that there are no formal restrictions on international NGOs in China. There is no registration system, but a partner relationship must exist with a legally registered Chinese organisation. There are no restrictions on transfers of funds into the country.

Sida's view of civil society ⁵

Civil society contains *formal and informal* groups of widely differing types, which have different and some times competing interests. Some forms of organisations are common to many countries, such as trade unions, environmental organisations or churches while, for example, village organisations or different ethnic or religious groups are specific to a certain context and, for persons who lack in-depth knowledge of the community, are difficult to discover. Many organisations do not have the primary aim of influencing development in society but exist in order that their members are able to cultivate their interests and their religious or cultural identity. Others have specific ambitions to exert an influence, by improving living conditions directly, or by pursuing a political agenda vis-à-vis those who have power in society. Organisations can be member-based or consist of a small group of active members or employees and can act in pursuit of their own aims or support the interests of a wider group. *Sida calls all these widely different organisations the organisations of civil society.*

¹ Appendix 1 list of organisations and people interviewed

² Save the Children UK, British Council, Cida Canada, EU-delegation, The Ford Foundation, and China Development Brief

³ "Sida's draft policy on Civil Society and cooperation with civil society organisations", draft paper, dated 2003-06-23

⁴ Checklist of questions used in the study, appendix 2

⁵ "Sida's draft policy on Civil Society and cooperation with civil society organisations", draft June 2003

In every society there is a set of genuine social groups, organisations and networks. These have emerged in a historical process and reflect the values and needs that exist in society at large. *In this context, the term civil society is, for Sida, an arena that is separate from the state, the market and households, in which people form organisations and act together to promote their common interests.*

Sida's position is that every programme of co-operation with organisations in civil society, regardless of the prime aim of the contribution, shall also contribute to promoting the development of a vibrant and democratic civil society.

Definition of civil society in China

Any interpretation of the civil society concept in China needs to consider that this concept was initially developed in the West. This is partly illustrated by the fact that it has been difficult to translate the concept into Chinese, and the confusion relating to the term is also believed to lie behind the use of civil society in a variety of Chinese terms.

However, the concept is being discussed and researched and, as in the West, continuous efforts to achieve a comprehensible definition are being made by both Chinese researchers and researchers from the West.

Two Chinese scholars of civil society provide this description of civil society: *"a private sphere where members of society engage in economic and social activities voluntarily and autonomously, according to the rule of contract. It is also a non-governmental public sphere where people participate in political and governing activities"*⁶.

An interesting reflection in the ongoing discourse on civil society in China can be seen in the IDS-study of Chinese civil society⁷. In this study two underlying conceptions of civil society are reflected: a *sociological* conception and a *political* conception. For the sociological conception the Chinese term used is 'popular society', or "*minjian shehui*". The definition given for the sociological term is indeed close to definitions in the West:

"an intermediate associational realm situated between the state on the one side and the basic building blocks of society on the other (individuals, families and firms) populated by social organisations which are separate, and enjoy some degree of autonomy from the state and are formed voluntarily by members of society to protect or extend their interests or values".

With reference to this definition, the study concludes the following:

"... one can argue strongly that there is a strong and growing intermediate sphere of social association in China which embodies, in different ways, and to different degrees, the basic characteristics of a 'civil society' – those of voluntary participation and self-regulation, autonomy and separation from the state. It is equally true that this organizational realm is partial and incipient in the sense that many of the organizations do not embody these characteristics to the full, nor do they operate in a political context which guarantees the right to do so."

The political conception of civil society is also clearly reflected in its definition: *"A particular set of institutionalized relationships between state and society based on the principles of citizenship, civil rights, representation, and the rule of law"*. The Chinese term used for this is 'citizen society' or "*gongmin shehui*".

⁶ Deng Zhenglai and Jing Yuejin "Build a Chinese Civil Society" and "The State and Society", Sichuan People's Publishing House, Chengdu 1997

⁷ "In Search of Civil Society: Market Reform and Social Change in Contemporary China", Gordon White, Jude Howell, Shang Xiaoyuan, Clarendon Press, Oxford 1996

Civil society in China is also sometimes characterised as “the third sector”. This derives from a classification system that puts state/government/public sector as the first sector, market/private enterprise/corporate sector as the second sector, and civil society/non-profit activities as the third sector⁸

Perception of civil society in the interviews

In the interviews the general perception was that the civil society concept is still regarded as something foreign. The view of the Chinese organisations is that the term is difficult to define. It is seen as a new term for China and, as yet, mainly discussed among academics. In their opinion, building up civil society has just started and the process has not yet been established: it is something for the future. Nevertheless it was recognised that, as more and more influential CSOs appear on the scene, the beginnings of Chinese civil society can be discerned. Despite this, they still believe it will take a few years for civil society to become established and for the Government to recognise civil society. To achieve this, it was emphasised, civil society will have to prove itself. However, it was reflected that thanks to the WTO membership, the Government is showing a more open attitude and this was felt to have a positive effect on conditions for civil society.

Exploring the commonly used term “NGO” was at first quite confusing. The reason is that in the Chinese context preferences for other terms than non-government *feizhengfu* were expressed, since *non*-government is perceived as *anti*-government and *feifa* means ‘against the law’. Instead, organisations are most commonly referred to as NPOs (non-profit organisations), or CSOs (civil society organisations).

The pattern of organisations in Chinese society

The formation of civil society organisations goes back to before the founding of the People’s Republic in 1949. At that time there were four types of civil society organisations. One type was guilds for artisans in traditional crafts using customary methods, who were either self-employed or loosely bonded into groups. Another was academic associations, mainly formed by Western-educated intellectuals, scientist and technicians. Student associations, trade unions, the women’s federation and youth leagues with strong political motivation formed the third type. Religious and philanthropic organisations constituted the fourth type.

However, after 1949, as the result of the drastic political changes, all civil society organisations were either abolished or reorganized. During the Cultural Revolution period (1966–76), the professionally oriented CSOs still in existence, including guilds and academic associations, stopped functioning. The organisations serving the interest of the workers, peasants, women, youth, students and other social groups found themselves centralized and politicised under Communist Party leadership, constituting what is today referred to as ‘mass organisations’.

Since the 1980s China has seen a dramatic increase in civil society organisations, in numbers, size and influence. According to official statistics there were 136 000 ‘social organisations’ and 82 000 private

⁸ China Development Brief “Civil society in the making: 250 Chinese NGOs” a special report August 2001

non-profit corporations registered with the Ministry of Civil Affairs at the end of 2002. Unregistered organisations in the country are estimated at approximately 1.3 million.

Looking at the pattern of social organisations in Chinese society today, we find a range of organisations with different organisational structures. However, not all qualify as civil society organisations. In Jude Howell's research, "NGOs in China"⁹, the following categories are given: 'mass-organisations', 'official' and 'semi official' organisations, 'popular' organisations, 'in-limbo' organisations, and 'illegal' organisations.

Mass-organisations: eight mass-organisations were established for the purpose of implementing Party decisions. These are still close to the Party/state in terms of funding, staffing, policy orientation and structural integration. Even if they are seeking a new identity and engage in work similar to civil society organisations, their close ties to the Party/State exclude them from the NGO category.

Official organisations: these are initiated by, and identify closely with, the Party/state, and are not required to register with Ministry of Civil Affairs. They include the Overseas Chinese Association, The China Consumers' Association, the China Wildlife Conservation and the China Association of Science and Technology. Receive funds from the State.

Semi-official organisations: these are more autonomous than the other two categories, but have an ambiguous status between the Party/state and their members. This category includes the Foundation for Underdeveloped Regions in China, the All-China Lawyers' Association, the Association of Foreign-Invested Enterprises and the Women Mayors' Association. These organisations are partly funded by the state and partly by their members.

Popular organisations: these are more spontaneous, voluntary and autonomous than the semi official organisations. They include the Calligraphy Association, local-level Intellectual Women's Association, Qigong Society, Chinese Poverty Research Association and various literary societies. Compared to the categories above, the driving force for these organisations comes from below rather than above. Dependent on raising their own money, financial constraints determine the life span of the organisations, as well as the range of activities and services they can provide.

In-limbo organisations: These are organisations that are either in the process of registering or are just tolerated by the Party/state (but not banned). They are formed spontaneously from below and their leaders come from among the members but, as with the popular organisations, their dependence on members' funds limits their scope of activities, influence and potential expansion.

Illegal organisations: these can either be organisations which have chosen to work outside the law, such as triads and secret societies, and those which the Party/state will not permit to register, such as underground political and democracy organisations, and advocacy groups that challenge government policy. Due to their formal illegality, these organisations are the most autonomous, voluntary and spontaneous. They set their own goals, manage their own affairs and raise their own funds.

⁹ "Drops in the Ocean: NGOs in China", Jude Howell, Intrac Publication 1996

In summary, the organisations that are closest to our definition of an NGO as an independent organisation, distinct from the state, acting on behalf of or servicing a particular constituency, and relying on its own sources of funding and personnel, are the ‘popular’ organisations, ‘in-limbo’ organisations, and some of the banned social organisations.

One general observation is that personal space and freedom have increased, permitting greater individual activism than before, although space for political organisations still remains limited. As it is considerably easier to engage in informal activities, people meet in increasing numbers in different social activities to a greater extent than before. These range from discussion groups and internet cafés to ballroom dancing and morning exercises in city parks. Apart from these informal associational events, culture and leisure associations for groups are being established, e.g. associations for young photographers, football fans, qigong groups. Another example is the space for civic engagement where the formation of tenants’ associations is not uncommon. The effects of increased space and freedom are not only visible in greater individual activism but also in the emergence of organisations that either provide services or advocate on behalf of constituencies. However, as the space is not yet openly defined, general awareness of the boundaries of what the government is currently prepared to tolerate is therefore needed.

The Study

– meetings and interviews

Most of the questions in the checklist used for the study were raised with all organisations with the aim of obtaining a comparative picture of perceptions of civil society, its impact – both political and social, and the political context.

Structure of civil society

In an analysis of the structure of civil society in a specific country, it is important firstly to obtain a picture of the types of organisations civil society consists of, and the groups they represent. The questions asked at the interviews therefore covered aspects relating to numbers, types, target groups, location, and financial resources. Each organisation was also asked to define civil society in China.

In response to the question of numbers, most Chinese organisations found it difficult to quote any numbers since this depended, they argued, on the types of organisations that should be included. Are 40 000 Christian churches part of civil society as Amity Foundation claims? Some mass organisations regard themselves as part of civil society. However, some stated that they were, in fact, different from CSOs/NGOs since they were part of the official structure, in receipt of government funding. However, views on this subject from other organisations, including international organisations, were clear: mass organisations are not part of the civil society structure on account of their links to the government and the Party. Official statistics were quoted by some organisations, although with considerable variations.

With reference to types of organisations in Chinese civil society, the answers pointed clearly to a predominance of environmental and green topic associations and organisations, and women's issues organisations. Other fields mentioned were organisations working for the disabled and with consumer protection issues, but few are engaged in advocacy work. Perceptions differed as to whether the organisations were mainly based in urban or rural areas or both. This is indeed not surprising for a country of China's size. Some organisations believed that urban areas dominated, while some organisations considered the opposite to be true – rural areas predominated.

Regarding CSOs' financial resources, all the organisations interviewed considered that most organisations depend and receive most of

their project funding from international donors. However, core funding is difficult to get and the organisations are struggling in this respect. The success of an organisation in obtaining core funding often depends on the ability and the contacts of the leader of the organisation.

According to the official message, the government looks after the people and, in doing so, has established a number of people-based organisations (mass organisations) to look after the interests of different groups. In order to achieve understanding and acceptance of civil society, the challenge to civil society will be to change this general conception.

Furthermore, one general view expressed by the organisations is that there is, in general, little understanding of civil society and there is still a degree of suspicion on the part of the government, local authorities, and even the public, of civil society, of CSOs and even of international NGOs. As the reason for this is thought to be a lack of insight and understanding of the role of civil society and its organisations, this is clearly an area for donors and other actors in civil society to concentrate their efforts on.

The political context

One fundamental precept is that civil society cannot exist in a vacuum but is dependent on the structures that surround it. The role that civil society has in a specific country is thus dependent on the political context, i.e. the state, political institutions and political culture. The obstacles met by organisations can comprise a lack of freedom to form organisations, and a lack of channels to exert an influence and to have a dialogue with the state. The issues of interest in this respect were relations and links to the Party/State and the enabling environment for civil society and its organisations, such as registration requirements and procedures.

The first formal national system of regulation was introduced in 1989, as the Government saw the need to monitor and control the growth of new social organisations during the reform era. It was also then that the requirement for social organisations to affiliate to a supervisory official body was introduced.

In 1998, the State Council adopted ‘Regulations on Registration Administration of Associations’ (III-06-04-202). In these regulations, associations are defined as “non-profit making social organisations voluntarily composed of Chinese citizens that perform activities in accordance with the articles of association for the realization of the common desires of the membership.”

In the same year, the State Council also adopted regulations for registration of private non-enterprise units: ‘Interim Regulations on Registration Administration of Private Non-enterprise Units’ (III-06-04-203). In these regulations, private non-enterprise units are defined as “social organizations which are established by enterprises, institutions, associations or other civil entities as well as individual citizens using non-state assets and conduct not-for-profit social service activities”.

The requirements and regulations for registration constitute in themselves, and in fact are still used as, an instrument of control on civil society and its organisations. It was clearly expressed that the regulations for the registration of civil society organisations with the Ministry of

Civil Affairs are burdensome: it is, in fact, a dual registration system. Organisations that wish to register have to have a supervising government body, referred to in China as a 'mother in law', from which approval must be obtained before the application for registration can be forwarded to the Ministry of Civil Affairs. A minimum starting fund of 30 000 yuan and a minimum membership of 50 individual members or 30 unit members are also required. Furthermore, only one organisation in one field is allowed to register at each administrative level. Apart from being an obstacle to the organisations, this is certainly not conducive to the development of a pluralistic civil society. It is also considered that the system protects and favours large, state organisations such as the Women's Federation, Disabled Peoples Federation etc.

The procedure and requirements for registration are today experienced as a long and tedious process, with difficulties and barriers all along the way, and with an uncertain outcome – approval or not. On account of this, organisations often choose to register as not for profit enterprises with the Ministry of Commerce under the 'Interim Regulations on Registration Administration of Private Non-enterprise Units'. The registration procedure for this type of registration requires no supervising body, no personal contacts, a smaller starting fund requirement, and it is quicker: the application is often processed in 2–3 weeks.

The role of civil society in China is, as in any other country, dependent on the political context, i.e. the state, political institutions and the political culture. In this respect the issues of interest in the interviews with both CSOs and mass organisations were their links and their autonomy in relation to the Party/Government.

All but two CSOs (Amity and CANGO) stated that they had no links and claimed full autonomy from the Party and the Government. These organisations are also registered as not for profit enterprises which, in turn, exempts them from affiliation to an official supervisory body. None of the CSOs received government funding, some expressed interest in, and were open to establishing, a working relationship with the Government. One CSO had a strategic approach in place for cooperation with government organisations in order to exert an influence for change in these organisations. Of the CSOs interviewed, a privileged relationship between the Government and Friends of Nature was recognised. The director of the organisation has been invited on many occasions by the Government to participate in conferences, and as a consultant in law work and hearings. He did not see this as a problem for the organisation, it is still autonomous and, in its line of work, it is able to present good advice, to dare to criticize, and brave enough to have a different opinion. But its strategy is a non-controversial approach.

The CSOs valued autonomy as important for their organisations since it enabled them to carry out their work without controls and restriction, to be independent of approval, to be free to promote issues without interference, and, not least, to have a bottom-up approach. They also regarded autonomy as a prerequisite of being able to make recommendations and to point out needs for changes. However, these statements should be valued against their generally low profile of non-controversial and non-confrontational approach.

Civil society political/social impact

An analysis of civil society should also contain a survey of the impact of civil society. This can be viewed in different terms and aspects, i.e. its influence and the results it achieves in its activities, its cooperation and its successful initiatives such as joint campaigns and coherent actions etc.

Is civil society in China an arena that unites and expresses issues of interest to the public, such as campaigning? The general view expressed is that civil society is still quite weak, and that forces are rarely joined to pursue a common issue. Although social pressure can be put on the government, exposing issues on a formal, official platform is not an advisable approach since it can be perceived as a movement.

Chinese organisations in general maintain a low profile and do not wish to act too controversially. Their strategy for gaining influence is a non-confrontational approach, and to establish a good relationship with the government as well as with GONGOs¹⁰. However, the role of civil society in the democratisation of China was stressed by several CSOs in the interviews and, in their opinion, this process has already started.

When asked to give examples of impacts of initiatives taken by civil society, the organisations interviewed pointed out social change where domestic violence is concerned. The controversy of the issue has been reduced: the issue has now been brought out into the open and is discussed in society and in media. Social change has also been achieved in the fields of HIV/AIDS, certain social justice issues (promotion of gender awareness in rural areas) and the environment. Another example given was the pressure on the government to stop the detention centres for the migrant population. This had the effect that the government acted quickly and introduced new regulations. With the outbreak of SARS, the country experienced for the first time a joint approach from the NGO sector. 51 organisations initiated and organised advocacy and public awareness campaigns on SARS. This changed the government's attitude in terms of keeping the public informed of developments and actions taken.

When assessing the *driving force* behind civil society in China, the international organisations identified the work for and achievement of social justice, and a general change in society and institutional reforms, as important factors in this respect. They also pointed out that groups not yet on the agenda in civil society are politically oriented groups. They also mentioned the change observed in the Chinese CSOs' approaches in that they are more inclined to present themselves as participatory and grassroots-oriented in their work, working with the people rather than representing a beneficiary group. Although this has not yet really been established in practice, it is a positive beginning and shows an awareness that has not been seen before. Likewise a new phenomenon is being seen on the part of the government in that stakeholder (civil society) consultations are held. Even if this is not yet being done on rights-based grounds, the government has discovered that the participatory approach works better.

¹⁰ Government organised NGOs

Values and internal structure of civil society

An important factor for views on civil society is its values and internal structure. In terms of the emergence of vibrant and democratic civil society, the internal democracy and values of the organisations are thereby of great importance. In general, the questions asked on this topic concerned the organisations' values in respect of their views on poverty, democracy, gender, environment, peace; and relations with others in respect of cooperation, tolerance, competition, conflicts. They also included the internal structures for transparency in decision-making and administration of finances, demands for accountability, and openness to members' influence and insight.

In this particular study, the focus was placed on questions concerning the establishment of the organisation, for example the reason and background for the establishment of the organisation and the people who took the initiative; its goals, type of work, main activities and target groups; financial resources and sources, i.e. government/other donors, annual or multi-annual. Regarding the organisations' formal structure and internal democracy, the questions covered the existence of statutes, a charter, a board/governing body, appointments to this body and appointments of the leaders and their length of service, decision-making processes, transparency in the administration of finances, systems for information, forms for members' influence, and systems for solving conflicts. Questions relating to cooperation, tolerance, competition and conflicts with other organisations in civil society were also taken up in the interviews.

All the organisations interviewed receive funds from donors and international organisations. All CSOs but one (Maple Women's Psychological Counselling Centre) reported having statutes and an elected board and leaders. The length of service for the board and leaders varied from two years up to five years. The decision-making process followed different systems but was generally regarded democratic, as was the solution of any conflicts. Most organisations claimed that they had a transparent financial administration and an annual audit. This was also the case at Maple Women's Psychological Counselling Centre in response to donors' demands. Beijing Huiling Organisation submits financial reports to the donors but has not yet introduced an annual audit system. Most organisations have one type or another of newsletter for spreading information and, where applicable, have systems that enable members to exert an influence.

This information is in interesting contrast to the views of the international organisations interviewed. In their opinion, internal democracy is not in place, and there is no transparency in decisions and internal matters or in the financial administration. If an organisation has a board of directors it would seem to be more for symbolic reasons. The organisations have statutes/charters as this is a registration requirement. The leader is often the founder of the organisation and the organisation is generally highly leader-centred with little or no space for the staff to exert an influence. In general there is a lack of management but the impression is that there is an interest among the leaders to train in management in order to improve both their own image and the image of the organisation.

In the case of the mass organisations, the study had the aim of finding out whether they can see a process of transition into an NGO in the future, with a democratic organisational structure. Both All China Women's Federation ACWF and All China Federation of Trade Union ACFTU consider that this is already in place. ACWF considers that the organisation is independent, is working for gender equality and particularly for raising awareness in the Government and putting pressure on the Government to put women's issues on the political agenda. To achieve results in their work, both organisations found advantages in cooperating with the Government. Neither of them would confront the Government but felt free to express criticism.

Regarding views on cooperation, tolerance, competition and conflicts, the impression gained from the interviews is that cooperation and networking in civil society seem to be more sporadic than organised. If cooperation takes place, it is with other similar organisations in order to obtain a greater impact on certain issues, or for concrete project cooperation. For example, nine CSOs facing registration problems are currently cooperating with each other in order to exert an influence for a change in the regulations. On the other hand, an effort made by one organisation to form a platform for organisations working with issues for the disabled, with the purpose of assuming a strong advocacy role, did not succeed since the other organisations involved got cold feet and pulled out, not wishing to be too vocal.

Networking and cooperation between CSOs and mass organisations seems to be on a strict working basis only. A certain tension could be sensed in the relationship between mass organisations and CSOs. According to All China Women's Federation, this is due to a conflict of interest and suspicion of organisations that receive government funds. In their opinion, this is a gap in their understanding of each other and, in their view, CSOs maintain a secretive attitude towards their work including any foreign support and cooperation.

In the meetings, some Chinese CSOs brought up problems that they face in their operations. Apart from obstacles such as the regulations and complicated registration procedures for local organisations, other difficulties encountered are competition between local organisations, and competition for competent staff from international NGOs, which are in a position to offer higher salaries. These are indeed risks that donors need to be cautious of in their programmes of cooperation with civil society.

International support

The five international organisations interviewed are all working for the promotion and strengthening of civil society in China. A precondition for their work is profound knowledge of the conditions and preconditions for civil society in China. Their knowledge and deep experience was generously demonstrated and shared as part of this study. Their ongoing programmes are quite similar in terms of content and objectives, but have a slightly different approach.

The *EU* is about to start up a new civil society programme. The focus for this programme is threefold. Firstly it includes capacity building of government officials in order to develop their understanding of the role

of civil society and the participation of civil society in policy work. Secondly the programme also promotes networking between Chinese and European NGOs. For this purpose a special budget line in Brussels is open to European NGOs to apply for funding for civil society programmes of cooperation in China. The third part is a grant scheme available to Chinese NGOs for project applications. The programme of *Save the Children UK* focuses on both the promotion of the civil society arena, e.g. supporting local initiatives and networking on children's issues, and on democratic organisational structure issues in their cooperation with local organisations. This is also part of the *British Council's* support, which also includes accountability and transparency issues. Their civil society programme is based on the objectives "to support the full range of freedom, social, political and civil culture". *Canadian Cida* has an ongoing civil society programme in China up to 2005 which also includes *Canada Fund* grants for poverty alleviation projects. The purpose of these funds is to support projects run by autonomous grass-root organisations. The *Ford Foundation's* civil society programme covers support for the development of an enabling environment by promoting development of a sound regulatory framework; improving the public understanding of the civil society sector; improving the role of CSOs and NGOs through capacity building and institutional strengthening.

Possibilities for Swedish co-operation with civil society in China

As part of its terms of reference, the study should also 'examine the possibilities of Swedish cooperation with Chinese civil society and, if possible, to identify areas for extended cooperation with Sweden'.

In doing this, it was important to ascertain the organisations' views on, and experience of, working with international organisations, and what they considered to be the advantages/risks of co-operation of this type for their organisation and their work. Furthermore, questions were asked on the organisations' greatest needs and priorities in possible programmes of co-operation with Swedish organisations.

It should be pointed out that the CSOs included in the study all had previous experience of cooperation with international organisations. Nevertheless, the points raised by these organisations are indeed relevant for cooperation with civil society in general. The organisations interviewed considered cooperation with international organisations as extremely valuable and an advantage for their development. One point raised was that western NGOs present in China represent a model for civil society work and have a natural role to play as a mentor in this respect. This includes bringing along their Chinese partner organisations when meeting the Government and the authorities, as they are inclined to listen more to international NGOs than Chinese CSOs.

Despite the fact that the study was limited, needs and priorities in development cooperation point in the same direction and are presumably representative of the needs of Chinese CSOs in general. With slightly different emphasis, all organisations expressed the need for organisational development. The areas identified in particular are improved skills in management, planning, project management, leadership, organisational structure and system, and fundraising. These priorities fall well in line with Sida's special guidelines for support to civil society and its organisa-

tions, and the funds available to Swedish NGOs for their development cooperation programmes have the specific purpose of strengthening civil society through organisational development. Sida would therefore like to encourage these aspects to be included in ongoing programmes of NGO cooperation, and to encourage new initiatives from Swedish NGOs not yet active in China.

In the current Country Strategy for Swedish-Chinese development cooperation, the principal objective is to promote the inflow of new ideas that can speed up the reform process in the areas of human rights, gender equality, legal development, democratisation and environmental improvement. Sida and the Swedish Embassy believe that NGO cooperation can play a significant role in this respect. Encouraging organisations of civil society in democratic values such as openness, accountability, participation, tolerance, and equal rights and values of everyone are important aspects in a democratisation process. Chinese organisations would benefit a great deal in this respect in cooperation with Swedish organisations with their profound democratic traditions. Sida therefore encourages and welcomes extended cooperation with China from Swedish organisations representing different areas and interests, with activities in line with the objectives of the Country Strategy and in line with the needs and priorities of the Chinese civil society as reflected in this report.

Chinese civil society needs strengthening and would greatly benefit from support and cooperation from international civil society organisations and donors. Apart from the needs expressed for greater professional capacity and better working methods, the Chinese organisations also expressed needs of support to strengthen them in their roles as participants in an emerging civil society. Sida and the Swedish Embassy believe that Swedish organisations – with their specific expertise and their experience of civil society – have a great deal to offer in this respect and would therefore encourage further and more extensive cooperation between Swedish NGOs and Chinese CSOs.

Furthermore, as a result of the study, the following areas have been identified for possible extended cooperation with Sweden:

- Trade union cooperation is important in view of the current debate on labour rights in China and can be supported.
- Networks and organisations operating women's hotlines and shelters would benefit through cooperation with Swedish organisations in the same field.
- Gender equality, girl's and women's rights are other areas in focus for cooperation.
- Organisations working for the disabled and their rights are still quite weak and dependent on support and contacts.
- Organisations need support to develop their advocacy role.
- Organisations working with consumer protection issues are increasingly vocal and would benefit from cooperation with experienced Swedish organisations.
- One general conclusion that can be drawn is that support to increase cooperation and openness between organisations, support for networks, joint campaigns and dialogues on different themes are valuable benefits of Swedish support to civil society in China.

In this context a general reflection is in place. All the organisations included in the study are in receipt of international support. For international cooperation in general, it is desirable when cooperating with civil society organisations that donors avoid duplicating the efforts being made by others and spread their support to a wider range of civil society organisations, thereby achieving the best results for strengthening civil society. In view of possible new initiatives from Swedish NGOs, we would therefore suggest that efforts are made to find new and interesting organisations that are still looking for international cooperation. However, it should be mentioned that it was recommended, that for programmes of cooperation to be successful, it is advisable to have a Chinese liaison officer in Beijing.

Appendix 1

List of interviews:

International NGO

- Save the Children UK: Ms Kate Wedgewood programme director, Ms Zhao Qi office manager
- China Development Brief, Mr Nicholas Young editor
- EU-delegation in Beijing, Ms Isabella Jajello project officer development & co-operation
- British Council, Mr Garry Hallworth assistant director
- Canadian CIDA, Ms May Wong, 2nd secr development, Ms Shannon Ellis, civil society programme coordinator
- The Ford Foundation, Mr Heine Mallee, programme officer

Chinese CSOs/NGOs

- WWF China, Mr Zhang Weidong project coordinator, Mr Zhu Chunquan programme officer, Ms Ann An communication officer
- Sun Village (home for children whose parents are in jail), Mrs Zhang director
- Maple Women's Psychological Counselling Centre, Mrs Wang Xingjuan director senior researcher, Mrs Zou, vice director
- Network (Research Center) for combating domestic violence, prof Chen Mingxia director, prof Mrs Li Hongtao, Ms Lijuan Tu vice director, Ms Weihua Xu, lawyer
- China Association for NGO cooperation, CANGO, Mr Huang Haoming vice chairman and executive director
- Beijing Huiling Community Services for Disabled People, Ms Meng Weina director, Ms Suzy Li development officer
- Amity Foundation, Mr Zhang ass to general secretary, Mr Ruhong Liu director
- Friends of Nature, Mr Liang Congjie director, Mr Wang Jianghong project officer, Mr Zhang Hehe project officer

Massorganisations

- All-China Women's Federation, Ms Jiang Jing deputy director Europe Division, Ms Long Jiangwen deputy director general, Ms Yu Jia programme officer
- All-China Federation of Trade Unions (ACFTU), Mr Zhang Guoxian deputy head International Liason Department
- China Charities Federation. CCF was not part of the study as such, meetings with them focused mainly on project follow up of humanitarian assistance to schools due to floods in Heilongjiang province

Appendix 2

Battery of Questions – Assignment in China

The battery of questions is based on “terms of reference for assignments financed by the development cooperation appropriation in respect of the possibilities available for non-governmental organisations to act in China” and “Sida’s position in respect of civil society and cooperation with its organisations”.

Assignment 1 – Assessment of possibilities and conditions for Chinese civil society organisations to play a positive role for development

1. Overview: The structure of civil society (questions for all categories)

- How many organisations/networks are there in civil society in China?
- What types of organisations does civil society consist of, for example how many work with development issues, in what sectors and in what forms (e.g. gender, environment, children, poverty, NGOs, mass organisations, organisations associated with the Party, grassroots organisations etc)?
- What groups and interests are represented in civil society (related to ethnicity, age, gender, disabilities etc)?
- Where in the country are the organisations based (e.g. mainly urban-based or in rural areas or both)?
- What financial resources do they have at their disposal and where do the resources come from?
- How is civil society defined in China?

2. Organisation level: Values and internal structure (questions for CSOs and NGOs)

Information on the organisation

- When was the organisation established, for what reason and on whose initiative?
- What are the organisation’s goals and main activities?
- What is your main target group?
- What type of activities do you work with?
- Where are you located in the country? Are you interested in working regionally?

- How do you finance your activities (funds from the government/other donors, annual grants or grants for several years)?

The formal structure and internal democracy

- Does the organisation have statutes and a board/governing body?
- How are the leaders, board/governing body appointed?
- How often are the leaders, board/governing body replaced?
- How are decisions made in the organisation (by the leadership, majority decision, vote)?
- How is information spread in the organisation (newsletters, minutes etc)?
- What forms are available to members to exert an influence?
- Have you had any conflicts in the organisation? How were they solved?
- Is there transparency in the administration of finances etc in your organisation? If so, how is it guaranteed?

(personal questions)

- Do you feel that you have insight into the organisation's finances?
- Do you feel that you can exert an influence on the decisions made?
- What problems do you see for your organisation and its activities today?

Values

- How do you define your fundamental values (identity, mission, vision, beliefs etc)?
- How do you define democracy?
- Would you define your organisation as democratic? Why/why not?

3. The political context: Relations with the Party and the government

Enabling environment for CSOs

Questions to the organisations:

- What formal criteria are there for registration?
- Is it difficult to be registered?
- What happened when your organisation registered (personal contacts, personal visits, application by letter)?
- Did it take a long time?
- Has the government issued any directives that regulate financing and activities?

CSO's relations to the Party/government

- What links to the Party and the government does your organisation have?
- What do you consider to be the advantages and disadvantages of cooperating with the Party and the Government?
- How do you perceive your organisation's autonomy in relation to the Party?

- How do you define autonomy?
- Is autonomy important to your organisation?

Questions to representatives of the authorities:

- What are your criteria for registration?
- What is the system for registration – personal visits, applications by letter?
- Is it difficult for an organisation to be registered?
- What possibilities do non-governmental organisations have to work in China today – what are perceived as problems/potential? Have any changes taken place in this respect?
- Has the government issued directives that regulate financing and activities?

Questions to mass organisations

- What links to the Party and the government does your organisation have?
- What do you consider to be the advantages and disadvantages of cooperating with the Party and the Government?
- How do you perceive your organisation's autonomy in relation to the Party?
- How do you define autonomy?
- Is autonomy important to your organisation?
- How are your activities financed? Do you receive an annual grant from the government? Is this associated with directives?
- There has been a trend towards an increase in the number of autonomous non-governmental organisations in China in recent years. What are your views on this trend?
- Do you cooperate at all with these so-called non-governmental organisations? If so, what criteria do you have for this type of cooperation? Is it sporadic or permanent? Are you members of any joint networks?
- How are contacts established with other organisations? Are there any conflicts of interest in cooperation of this type? If so, how do you solve them?
- Can you see a process of transition in the future into an NGO with a democratic organisation structure? If so, what preparations have you made for this?

4. Political impact and cooperation in civil society

CSO cooperation

- Do you cooperate with any other non-governmental organisations/mass organisations? Why/Why not?
- If you cooperate, is it sporadic or permanent? Are you members of any networks?
- If you cooperate, with which organisations, on which issues and for what purpose?

- What criteria do you have for entering into cooperation with other non-government organisations/mass organisations?
- How do you initiate contacts with other non-governmental organisations?
- What advantages/disadvantages do you see with cooperating with other non-government organisations/mass organisations?
- Are there any conflicts of interest in your cooperation with other organisations? How have they been solved?
- Can you identify any examples of civil society organisations in China that have joined forces to pursue a common issue and succeeded in doing so?

Political/social impact

- Do you feel that you and your organisation can exert an influence on issues in society?
- How visible is civil society in the media?
- Can you give examples of initiatives taken by civil society in China that have led to raising the living standards of the poor and have given them the capacity to work for change themselves?

Assignment 2. Possibilities for Swedish cooperation with civil society in China

- What are your organisation's views on cooperation with international organisations?
- Does your organisation have any experience of working with an international organisation? Is so, which?
- What do you consider to be the advantages/risks with cooperation of this type: for your organisation and for your work?
- What do you perceive as your organisation's greatest need?
- If you were to cooperate with an international organisation, what would your priorities be in the programme of cooperation?

Questions to other donors

- How do you assess the growth of civil society and the driving forces behind civil society in China in respect of
 - Visible impacts on social change?
 - Its potential and the problems it meets?
 - Cooperation in civil society?
 - Relations with the Party/Government?
 - Internal democracy?
 - What voices in civil society are heard most?
 - Which groups in civil society need most support/why?
- How do you relate to the Party and the government in order to be active in China? Are there any conditions that you have to fulfil in order to be active? Do you encounter any problems/restrictions? If so, what types?
- Do you consider that you have had to set aside the values you represent as a CSO in the West in order to work in China? If so, to what extent?

- Is it part of your mission to promote the development of a vibrant and democratic civil society in China? If so, how do you do this?

Halving poverty by 2015 is one of the greatest challenges of our time, requiring cooperation and sustainability. The partner countries are responsible for their own development. Sida provides resources and develops knowledge and expertise, making the world a richer place.



SWEDISH INTERNATIONAL
DEVELOPMENT COOPERATION AGENCY

SE-105 25 Stockholm Sweden
Phone: +46 (0)8 698 50 00
Fax: +46 (0)8 698 56 15
sida@sida.se, www.sida.se