ADVOCACY UNDER AUTHORITARIANISM

Transnational Networks in China

By

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ABSTRACT

The standard theoretical account of transnational advocacy networks (TANs) is one of principled non-state actors remaking world politics by upsetting conventional notions of power in the international system. Relying on persuasion and framing instead of disruption and protest, these global networks of activists, NGOs, scientists and technical experts transform states and their preferences by developing, promoting, and monitoring compliance with norms. At the core of this literature is an implicit assumption of fixity in the moral commitments of TANs that galvanizes collective identity, sustains transnational mobilization, and ultimately allows them to leverage actors much more powerful than themselves. By contrast, this dissertation develops a theory of “advocacy drift” based on a selection of transnational issue campaigns in the People’s Republic of China. It argues that in state-dominated contexts with highly developed institutions of social control, immutable national interests sometimes exert transformative effects on the principled goals of activist campaigns or see the TAN incorporated into the state itself. This finding not only suggests that authoritarian governments influence advocacy networks just as advocates can influence those governments, but that the preferences and identities of TANs are less static than previously thought, and may shift in response to exogenous environmental stimuli.
To the memories of Marjorie Noakes and Margaret Young
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CHAPTER 1

Introduction: Transnational Advocacy in Domestic Politics

Standard accounts of transnational advocacy networks (TANs) tell of principled non-state actors remaking world politics by upsetting conventional notions of power in the international system. Relying on persuasion and framing instead of disruption and protest, global networks of activists, NGOs, scientists and technical experts transform states and their preferences by developing, promoting, and monitoring compliance with norms. Armed with the strength of their common convictions, they act out of conscience for issues that either fall beyond the scope of national interest, or that states choose to ignore (Florini 2000; Keck and Sikkink 1998; Khagram, Riker and Sikkink 2002; Price 2003).

This common depiction is based on an understanding of state-society relations that attributes a degree of agency to social actors sufficient to alter the policies and practices of governments. In part, it derives from assumptions of structural conditions found mainly in liberal contexts that guarantee the autonomy of civil society from the state. While adding much to understandings of the changing nature of world order, the society-centred logic of extant scholarship, based predominantly on studies of TAN impacts in developed democracies, has produced an incomplete picture of their
activities, their relationships with those they target, and the processes by which they may become politically salient.

The purpose of this study is therefore to develop a theory of transnational advocacy in settings where state dominance of foreign and domestic social actors is far more pronounced. It does so by posing several key questions: When and how can TANs influence the policies of non-democracies? Why are some attempts to affect state policy apparently effective while others are not? What functional forms are assumed by TAN campaigns to affect policy changes in authoritarian states? And what dilemmas arise when principled networks of activists, bound and driven by a common identity and preferences, interact with strong autocratic regimes?

Imagining the assortment of patterns and pathways taken by advocacy campaigns in their attempts to influence authoritarian states requires an open mind be kept regarding the possible nature and direction of causal processes involved, as well as an a priori appreciation of the nature of causality itself. Most of the time, the effect of transnational actors on states is conceived in terms of necessary conditions linked deterministically to positive or negative outcomes. For example, Burgerman proposes an “interacting set of necessary conditions” for transnational advocates to successfully broker peace plans that includes both transnational mobilization around the issue, and an enabling coalition of international and domestic supporters (2001: 4). In that case, no one thing was sufficient to explain state compliance or non-compliance. The presence
of both \( w \) and \( x \) caused \( y \). It is no less possible, however, that a different context might present a set of conditions that are neither necessary nor sufficient for the adoption of policy congruent with activists’ goals. Alternatively, observed outcomes may occur under multiple conditions, adhering to a more fuzzy-set than counterfactual interpretation of causality. Moreover, the lines connecting activists to national interests and policy-making may not always be perfectly linear, but might instead follow a more incremental, staggered, cumulative, or reversed causal pattern.

The cornerstone of the literature on transnational networks is that they socialize states to certain norms of behaviour, not the other way around. By contrast, the central argument advanced here is that states can also shape the normative preferences and goals of TANs. The study finds that while some cases do indeed conform to the standard theory of TANs, albeit with some modifications, interaction with intractable national interests or immersion into heavily state-dominated target environments may lead to “advocacy drift,” or the loss of the TAN’s original message and mission. This finding is significant because the moral commitments of advocacy networks are typically assumed to be fixed, unwavering and non-negotiable, or are changed by internal processes within the organizations brought on by shifts in global norms. Indeed, stasis in the values underpinning transnational mobilization constitutes a definitional requisite of TANs themselves, since commitment to principle is central to the creation of identities and preferences without which transnational advocacy cannot
be sustained, let alone effective. Thus, by suggesting that the moral fabrics of which TANs are made may in fact be more pliable than previously thought, this argument not only sheds new light on the nature of global activism, but also underscores the possible perils and pitfalls of seeking to influence the politics of autocratic states.

Of course, the inherent diversity of actors and opinions in transnational networks ensures that there is always room for the negotiation of common principles. TANs are not unitary, single-minded creatures, but are made up of different kinds of actors from different places, all of whom draw on a wide range of experiences and backgrounds and may have different motivations for buying into the shared principles or beliefs the TAN represents. Navigating among competing interests and ideas is endemic to the nature of all network politics, and the difficulties of doing so successfully are often compounded by internal decision-making processes that can be incoherent and messy, or subject to power imbalances among constituent organizations (Kahler 2009: 3). In some cases, advocacy drift may be a strategic choice not viewed by the TAN as wavering or abandonment of core values. However, the re-negotiation of principles such a choice entails, particularly as it sometimes occurs in response to state preferences, has not yet been adequately theorized. By exploring the patterns and processes of multiple TAN campaigns in the world’s largest authoritarian regime, China, this dissertation aims to take a first step in that direction.
An Introduction to Transnational Advocacy Networks

All social networks are inherently “network[s] of meanings” (H. White 1992: 67). In the case of TANs, these meanings take the form of moral sentiments or beliefs about the rights and obligations of certain actors in relation to others. Thus, at their most rudimentary, the transnational networks that concern us here are ideational constructs, “distinguishable largely by the centrality of principled ideas or values motivating their formation” (Keck and Sikkink 1998: 3). They are, to borrow Benedict Anderson’s famous phrase, “imagined communities,” sociologically constituted by the shared ethical standards of individuals and groups based in disparate geographic areas. At the same time, TANs are also rational, communicative structures that make use of voluntary, reciprocal information exchange to coordinate their activities among a wide variety of member organizations. These may include international and domestic NGOs, academics and scientific experts, charitable foundations, media outlets, religious communities, trade unions and consumer groups, as well as fragments of intergovernmental and national government bodies.

At once principled and strategic, TANs seek to export and enforce the belief systems they embody, waging campaigns to alter the practices and policies of states. As the relevant literature indicates, this is accomplished in a variety of ways. Unlike social movements, which often resort to disruption or violence to mobilize large numbers of
people on the ground (della Porta 1995; Tarrow 1998), advocacy networks rely primarily on persuasion and issue framing to win hearts and minds to their cause. Sometimes this involves “naming and shaming” politicians or governments concerned for their reputation into changing their behaviour. At other times, it means mobilizing reliable information or recognized expertise in a given issue area in ways conducive to influencing policy coordination and discussion (Haas 1992: 3; Price 2003: 586-588). The central motivating factor is a desire to change outcomes deemed morally objectionable, whether these are weak environmental regulations threatening to endangered species or the wanton abuse of prisoners in violation of international human rights protocols. Scholars have documented advocacy campaigns on a wide range of issues including weapons control (Rutherford 2000; Price 1998; Price and Tannenwald 1997), gender equality (Clark, Friedman, and Hochstetler 1998; Berkovitch 1999), environmental protection (Gough and Shackley 2001; Wapner 2002), human rights (Burgerman 2001; Clark 2001; Brysk and Jacquemin 2006; Hawkins 2008), and democratization (Riker 2002; Schmitz 2006), to name only a few.

When and where these campaigns are effective—and they are not always effective—advocacy networks are seen as remodeling world order by troubling conventional notions of state power in international politics (Boli and Thomas 1999; Lipshutz 1992; Peterson 1992; Mittelman 2000; Stiles 1999; Risse, Ropp and Sikkink 1999). Consequently, the influence of TANs is most often posed as a rebuttal to the

Framed in this way, the theoretical salience of TANs is tied to their successful leveraging of targets much more powerful and resourceful than themselves. For realists in particular, state power is conceptualized in terms of material capabilities, or the ability to wage armed conflict (Waltz 1979; Mearsheimer 2001). By contrast, the power of TANs comes from the strength of common convictions among like-minded individuals and groups, and from their credibility and authority when speaking to an issue. By definition, they are neither inclined toward nor capable of matching the “hard power” of states. However, the use of alternative pressure tactics, including the levying of economic sanctions through boycotts and divestiture initiatives, has occasionally proven effective in changing the political fortunes of even highly repressive states. One well-known example is the campaign against South Africa in protest of the apartheid regime in the mid-1980s (Klotz 2002). Backed by the US Congress and especially visible on college campuses, this effort called on Americans and the wider global community to cease investment in companies that either traded with or were based in South Africa, and has been credited with forcing the de Klerk administration to begin negotiations
that ultimately led to the dismantling of the regime.

Bridging Subfields

Because transnational networks are significant globally and domestically, this study speaks to students of comparative and international politics alike, bridging what is treated here as a superficial divide between the sub-fields. True, the two developed as distinct disciplines, each with their own assumptions, methods, approaches, subjects of focus and analytical blind spots. Over time, however, this differentiation has faded and been replaced with a greater degree of topical and even theoretical convergence (Haynes 2005: 4-5; Milner 1998).

Perhaps most important, comparative politics has increasingly embraced system-level factors while IR has increasingly embraced domestic-level determinants of foreign policy and system-level outcomes (Khagram, Riker and Sikkink 2003: 6; Kapstein 1995; Sterling-Folker 1997). For example, the “second image reversed” literature has highlighted the significance of domestic policy-making, albeit as a consequence rather than a cause of international factors (Gourevitch 1978: 982-83). More recently, Thomas Risse and others have argued for the importance of domestic-level structures that

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1 A more recent, albeit much less successful example is the Divest in Darfur campaign, whose strong response among western investors precipitated an en-masse dumping of shares in companies doing business with Khartoum, but failed to make a significant impact on human rights in Sudan.
“mediate, filter, and refract the efforts of transnational actors to influence policies in various issue areas” (1994: 213; Checkel 1997b). This scholarship is analogous to comparative research examining the transnational dimension of social mobilization and its interaction with states of varying type and strength (Haynes 2005; Tilly 2006; Smith, Chatfield and Pagnucco 1997; Tarrow 1998: 176-195).

Mounting dissatisfaction with the state-centric realist or “billiard ball” model and the corresponding rise of non-realist paradigms in IR, particularly the liberal “cobweb” model, has also produced greater focus on the importance of non-state actors in global politics (Milner and Moravcsik 2009). Indeed, much of the early work on transnational relations was devoted to acknowledging the basic fact that “a good deal of intersocietal intercourse, with significant political importance, takes place without governmental control,” and that “states are by no means the only actor in world politics” (Keohane and Nye 1970: x). Likewise, the later efforts of Risse-Kappen and others to “Bring Transnational Relations Back In” was motivated by the resurgent relevance of “regular interaction across national boundaries when at least one actor is a non-state agent or does not operate on behalf of a national government or an intergovernmental organization” (1995: 3). Scholarship on TANs as a particular type of non-state actor is an even more recent phenomenon, having developed alongside the constructivist research program due to their complementary emphases on the
sociological constitution of actors and their interests (Adler 1997; Finnemore and Sikkink 2001; Price and Reus-Smit 1998; Wendt 1999).

A further point of convergence concerns explanatory frameworks in the field of transnational advocacy in particular. Scholars from both subfields have borrowed extensively from various schools of social movement theory to describe the conditions under which TANs succeed or fail, adapting them to suit the transnational milieu in which these actors operate. Resource mobilization theory, typically centred on movement structures and their interaction with the external environment (McCarthy and Zald 1977), has been redeployed in terms of “network characteristics” to capture the internal mechanisms and processes that bear on effective advocacy campaigns. The concept of political opportunity structures, which encompasses a broad array of context-based institutional and historical factors (Meyer and Minkoff 1997), refers to exogenous environmental characteristics, both within the target state and internationally, that can enhance or limit the chances for TANs to achieve their goals. Finally, the characteristics of specific issues promoted by TANs have a strong affinity to the cultural or ideational theories emphasizing the symbolic component of collective identity (e.g. Melucci 1989). In pointing out how the fields of comparative and international politics have increasingly converged on many topics, and on the study of TANs in particular, this dissertation seeks to advance their intellectual desegregation and address questions of common significance.
Conceptualizing and Measuring TAN Effects

Different academic disciplines employ different understandings of transnationalism. In anthropology, sociology, and history, for example, the term is often applied in studies of diaspora communities living in different countries, separated from each other geographically but linked to a homeland and each other through shared memories or myths. Here, however, it refers to groups of activists living in different countries who wage cross-border campaigns to change state policies in a given issue area. Common devotion to an idea or principle, rather than national or cultural affiliation, supplies the motivation for collective action. Understood in this way, there is no categorical requirement that individuals or organizations in TANs have any active, physical presence in the state they target, though they may, and in some cases this can be a definite asset to the campaign. For example, Keck and Sikkink describe a “boomerang pattern” in which grassroots activists form linkages with allies in other countries and apply the resources of transnational space to their struggles at home, resulting in domestic-level policy changes (1998: 12-13).

Just as the campaign tactics presented in this study are only a small slice of the broader repertoire of transnational advocacy, domestic policy change is only one objective of activist networks. Besides pressuring states for specific policy concessions, advocacy networks also seek to shape the nature and terms of the debate itself by
raising consciousness, setting agendas, and developing the capacities of domestic NGOs and other non-state advocacy groups. All of these may serve as useful indicators of successful or “effective” campaigns in their own right, or they may be key ingredients in a larger attempt to eventually transform the practices of states or international organizations.

In this study, however, changes to state policy outputs serve as the principal meaning and measure of effective TAN campaigns. A TAN is deemed to be “effective” when the Chinese central government enacts new legislation congruent with TAN goals. For the purposes of this study, this dependent variable is measured as a binary—either a campaign was effective or it was not. The decision to focus on policy outputs rather than outcomes was made consciously. Outputs are the substantive products of legislative processes that provide hard-and-fast evidence of dynamism or stasis in national priorities. Outcomes, on the other hand, refer to the wider implications or results of those shifts in policy where and when they occur. This distinction is important, since outputs do not necessarily always lead to the intended outcomes. For example, there is no guarantee that the state will follow through on its initial commitments, especially over extended time periods, or that the enactment of a particular policy is not merely a ruse meant to placate foreign actors that the state has no intention of keeping. Nor is there any assurance that policies sanctioned by China’s central government will always be diligently applied in the local context. By choosing
to measure outputs, the study offers an indication of regime priorities, rather than a sense of if, or how vigorously those preferences were implemented and enforced.

Figure 1.1 below shows the dependent variable scores of interest and their position within a stylized sequence of a TAN campaign.

Figure 1.1: Typical Mobilization Cycle of a Transnational Advocacy Campaign
The Case of China

Brimming over with empirical anomalies, or “things that shouldn’t be” (O’Brien 2004: 38), China presents a strong potential for theoretical development in political science. As a large and increasingly important target of TAN campaigns on a variety of issues, it is regarded here as a rich source of new knowledge about transnational advocacy in particular. Growing interdependence with the outside world since 1978 has generated broader awareness of the issues facing China and their importance for the wider international community. Its rising presence on the global stage, its status as the world’s fastest growing economy, the largest producer of carbon emissions, and enduring reputation as a human rights violator all contribute to the focus on China by an increasing number of transnational activists. Choosing China as the sole country of focus enables one to control for the effects of institutional and historical factors on advocacy campaigns spanning these issue areas.

At the same time, China itself is more prone to accept international discourse than at any point since the founding of the People’s Republic. However, efforts to sway official policy have met with mixed reactions from the central government, which responds to transnational advocacy on various issues in quite different ways (see Perry 2002: xii-xiii). As Zheng and Fewsmith put it,
International discourse has a deep impact on the Chinese government. However, this does not mean that the Chinese government would accept any international discourse without hesitation; as a matter of fact, the government has selectively accepted international development ideas to fit its own development agenda (2008: 5).

Given the state’s discriminating approach to global rules, norms, and ideas, an investigation of TANs in China that examines advocacy on multiple issues has the added benefit of being likely to glimpse considerable variation in the results of individual campaigns and the processes behind them, adding to the potential for theoretically consequential results.

While historical, cultural, and institutional specifics are bound to vary cross-nationally, this dissertation treats China as a potential wellspring of new theoretical propositions about transnational advocacy that can be tested and may apply in other authoritarian cases. This is because authoritarian regimes in general behave in highly predictable ways toward foreign and domestic social actors seeking to gain political influence. As Sidney Tarrow writes, “That authoritarian states discourage popular politics is implicit in their very definition. In particular, they suppress the sustained interaction of collective actors and authorities that is the hallmark of social movements [and TANs]” (1994: 92). Despite more than thirty years of reform—longer than the entire Maoist period lasted—China retains its quintessentially Leninist attitude toward civil society and a deep-seated mistrust of foreign influences that place it alongside other “least likely” test cases of effective advocacy. Indeed, the revolutionary structure
of the party-state has remained unchanged in many ways since the 1950s (Perry 2007), and social actors are routinely handled through mix of co-optation and repression (Gries and Rosen 2004). Moreover, the country consistently ranks as one of the world’s most repressive (Freedom House 2008), and steps toward democracy thus far have been state-led and restricted to areas intended to bolster CCP rule rather than end it (He 1996).

**Campaign Selection**

Empirically, this dissertation is based on a selection of six TAN campaigns spanning a range of issue areas in China, including climate change mitigation, the treatment of persons with HIV/AIDS, Tibetan autonomy, capital punishment reform, the alleged persecution of the Falun Gong religious movement, and the protection of intellectual property rights. The wholly deliberate and non-random selection of these campaigns is justified by several factors.

First, the results of these campaigns vary widely, from utter failure in the instance of Falun Gong, to success in the environmental and intellectual property rights narratives. Choosing cases in such as way as to guarantee differential scores on the dependent variable is crucial in overcoming problems of selection bias (see Geddes
Accounting for failed campaigns as well as the effective ones is also critical for limiting the influence of teleological or normative bias. This latter point is especially salient since the humanist tendencies of social scientists are apt to lend a degree of normativity to research on human rights campaigns and their struggles against authoritarian states.

Second, these campaigns were chosen specifically for their national importance and for their significance to the regime as a whole, since issues deemed unimportant by the central state would presumably not factor into national-level policy considerations one way or the other. Issues of strictly regional or local concern are more likely to be dealt with by provincial, county or village-level governments, the inner workings and priorities of which have been discussed at length elsewhere (Yang 1997; Tsai 2007; O’Brien and Li 1999), and lie beyond the empirical focus of this study.

Third, capturing the attention of the central government presupposes the formation of a campaign as a logically and analytically prior condition for its effectiveness. Just as not all campaigns effectively influence states, not all issues become campaigns. Charli Carpenter explains that

Once an issue has emerged within a TAN issue pool, it may or may not elicit a campaign or concerted action. But if an issue never enters the agenda, no effective advocacy is possible, as all subsequent advocacy politics depend on an

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2 The problem of selection bias in qualitative research projects such as this one can be overcome by consulting a broad range of historiographical sources and evidence (see Lustick 1996).
issue being defined as such by a norm entrepreneur and accepted as such by a critical mass of activists and gatekeepers (2007: 101-102).

As measuring the impact of non-issues make little sense, this study includes only those that elicited a campaign in the first place, and treats the question of their emergence versus the non-emergence of others as a separate matter, beyond its primary scope.

Research Design and Data Collection

The effectiveness of these campaigns is probed empirically through the use of “analytic narratives.” Although originally conceived as a means to introduce formalism into qualitative research, the distinguishing mark of an analytic narrative is not the use of any particular method but the presentation of data so as to serve the greater tasks of testing and building theory (Bates et al 1998). In this particular instance, each narrative takes the form of a case history structured by a set of testable theoretical hypotheses. An added benefit of this approach is its usefulness in uncovering the precise nature and timing of mechanisms at play in the success or failure of transnational activism (Levi 2003: 10). In this sense, it is similar to the technique of process-tracing, a method often employed by case study researchers in the social sciences to elaborate the precise mechanisms and sequences of events connecting possible causes to observed outcomes (George and McKeown 1985; George and Bennett 2004).
The study then employs a “pattern-matching” design to facilitate comparisons across campaign narratives and attempt to discern from them any causal regularities. In general, “pattern-matching” refers to a method of qualitative analysis in which a single case study is disaggregated in a manner that allows for comparisons of the effects of particular variables and their sequences among constituent units (Campbell 1975; Mahoney 2000, 2003; Sewell 1996). Here, the goal is to identify recurring sequences or combinations of variables from among the chosen narratives within the larger Chinese context, and any possible role they may play in the effectiveness of TAN campaigns.

In addition to consulting the pertinent English and Chinese-language literature, this study is the product of several months’ field research in China. Primary data was collected from NGOs, state officials, trade associations and other civil society groups between February and May 2009 in a series of semi-structured interviews. Besides gaining advanced insight into actors’ subjective experiences (Schwartz 1996: 107), the main advantage of interview research is that it allows information to be gathered from a broad range of subjects while simultaneously providing richer details of their experiences than is normally possible using survey sampling techniques (Blee and Taylor 2002: 93). Semi-structured interviews enable the researcher to pose a consistent set of questions using an interview guide, but allow both the interviewer and interviewee to digress when necessary and take the discussion where they will. Such
flexibility in the field is important as it can assist in unearthing new details that can alter research projects in theoretically fruitful, if unexpected ways.

In practice, the interviews took the form of conversations with key informants about the everyday nature of their work. Questions primarily probed interviewees’ impressions of state and non-state interactions, as well as some details of their organization and its history. However, due to the nature of some of the issues involved, it was neither practical nor completely safe to interview representatives of all six campaigns while on the mainland. Locating open advocates for Falun Gong or Tibetan independence is as difficult as it is dangerous for scholars. Instead, the interviews as a whole were treated as an interpretive exercise geared toward understanding the institutional realities of NGO work in China. This experience then served as a basis for comparison with existing scholarly literature concerning the relative autonomy of civil society in China vis-à-vis the state. Additional details concerning the more technical aspects of interviewing, the subject selection process, and related challenges are addressed in Appendix A.

Plan of the Study

Chapter two develops a theoretical framework for investigating effective advocacy in China through a stylized exposition of three broad theoretical paradigms,
all of which incorporate several discrete families of theory from IR and comparative politics. Taking its inspiration from realism, the first of these examines the role of state preferences in mediating the domestic influence of TAN campaigns. Given the preponderance of state capabilities relative to those of non-state actors, or the strength of various “institutions of control” that enable states to execute their preferences free from societal interference, the paradigm posits that TANs successfully penetrate the state and influence its policies when and where it is in the national interest for them to do so. A second paradigm, based on liberalism, considers the constraining effect of competing social interests on state preferences as exercised through domestic institutions of representation. The most internally variegated of the three paradigms, this society-oriented perspective holds that TANs are effective when states are compelled by social interests exercised through enabling legal or structural channels to adopt new policy positions. The third paradigm is ontologically distinct from the others, focusing on the subjective construction of preferences and identities in a transnational public sphere. Incorporating theoretical perspectives of the English School and World Polity School of sociology, this “constructivist” paradigm maintains that TANs influence policy where and when state preferences are altered through interactive processes of norm diffusion and socialization.

These three paradigms are then used to generate a series of explanatory variables that are enumerated in the latter half of chapter two. Those related to international
institutions, linkage to foreign governments and domestic institutions of control are
grouped together within the realist paradigm. The liberal society-oriented paradigm
contains variables related to representative institutions, as well as those pertaining to
the mobilizing structures of TANs themselves. Constructivism encompasses variables
relating to the features of particular issues, including framing effects, their degree of fit
with social preferences and state priorities, and their propensity to reconfigure both by
way of global dissemination and integration.

This set of explanatory variables provides a structural framework for the analytic
narratives that commence in chapter three. The campaigns presented here are
collectively referred to as “natural cases,” since the observed results were as expected
given state receptivity to TAN mobilization on their respective issues. While the
campaign around IPR protection was welcomed with open arms by a government eager
to shore up foreign investment and improve its overall economic performance, those
around Falun Gong and the abolition of capital punishment failed to achieve systematic
access to Chinese institutions, let alone significant policy concessions from the state.
Regardless of their different scores on the dependent variable, these three campaigns
exhibit an approximately similar causal pattern (the “critical” causal model), and
generally conform to the realist prediction that national interests lie at the heart of TAN
impacts in authoritarian regimes. Further, the chapter includes the narrative of the
HIV/AIDS campaign, an example of a distinct causal pathway in which the TAN was
epiphenomenal in the shift of national interests (the “intervening” causal model), but nevertheless assisted in the development of a new treatment and prevention regime by feeding state demand for scientific data on the disease and its epidemiology in China.

Both of the narratives sketched in chapter four provide evidence of a third and more theoretically significant process at work in which state preferences influenced TANs, not the other way around (the “reverse” causal model). In the campaign for Tibetan independence, Chinese intransigence on the matter of national sovereignty for Tibet over several decades prompted a formal reconsideration of TAN goals and considerable internal fractiousness over the most practical way to attain them. In the campaign for climate change mitigation, demand for the input of foreign NGOs and experts was driven by the central government’s need to offset the ecological impacts of China’s rapid development and for new investments in environmentally friendly technology to aid Chinese industry. In time, close cooperation between state agencies and their international partners in these areas led to a blurring of the legal boundaries separating one from the other, resulting in a loss of organizational autonomy for the TAN, and with it, control over its original objective of imposing a definitive cap on China’s carbon emissions.

Building on these empirical results, chapter five develops a new theory of transnational advocacy. It consists of two parts. The first explores when and how TANs can be effective in non-democratic states like China using the resources and
opportunities endowed by international and domestic institutions, their own mobilizing structures, and issue characteristics. While the results of the pattern matching design indicate that an issue’s congruence with national interests is the single most important determinant of effectiveness, this section concludes that TANs can be effective in when a legitimacy-seeking state deems the adoption of new policy positions in a given issue area to be critical for the preservation of its own moral authority and power monopoly. The second portion of the chapter is then given over to elaborating the theory of “advocacy drift,” the phenomenon whereby TANs lose or abandon their principled objectives, either through incorporation into the target or as a strategic response to the relatively static preferences and power of the state. This analysis is pivotal to understandings of TANs in general, since the fixity of moral commitments is thought to be central to their principled nature.

The broader implications of these arguments are discussed in the sixth and final chapter, which holds lessons for theorists and practitioners alike. While existing theories of transnational civil society depict effective advocacy as a challenge to basic realist assumptions about the nature and source of power in international politics, the study concludes that the prominent role of national interests in shaping the results of TAN campaigns in China points to the continued relevance of realism, and that given the apparent resilience of authoritarianism around the world, activists in TANs should familiarize themselves with the realities of state-led domestic environments. At the
same time, the anchorage of state preferences in popular consent implies the relevance of society-oriented theory, even in non-democracies where the underdevelopment of representative institutions limits the extent to which social preferences are formally taken into account. More specifically, it implies that China’s communist leaders are highly cognizant of the potential risks associated with not governing in socially responsive ways, and are in fact deeply concerned with strengthening legitimacy in order to preserve and prolong their rule. Finally, while the results of the pattern-matching design add up to a rejection of constructivist claims about TANs leveraging national interests through the power of global norms, the occurrence of advocacy drift suggests that they were correct all along about the sociological constitution of actors in transnational space. Indeed, the power of the state to transform the preferences of TANs in a manner contrary to what extant theories of international society predict points to the potentially constitutive effects of a rising China on the rules and norms of global governance.
CHAPTER 2

Theorizing Advocacy’s Impacts

Based primarily on an interpretation of state-society relations gleaned from liberal democracies, existing accounts ascribe politically effective advocacy to the power of norms. Viewing the transformation of states and their policies as the result of their interaction with principled non-state actors, these theories fall under the general heading of constructivism. In a sense, overstating the value of constructivist theory for making sense of TANs is difficult, as indeed, all advocacy rests upon a process of norm creation, diffusion, and socialization. Moreover, TANs at their root are the product of intersubjective ideas or systems of belief. Yet properly accounting for the varied patterns of issue advocacy in state-dominant settings, including the phenomenon of advocacy drift, requires consideration of a larger breadth of theoretical perspectives. The objective of this chapter is therefore to develop a more comprehensive framework for investigating the effectiveness of TAN campaigns in China.

The first half of the chapter is devoted to exploring the phenomenon of transnational advocacy through the lens of three paradigms, with the aim of providing a stylized typology of theoretical perspectives on the question of TAN effectiveness. As such, the terms “realist,” “liberal,” and “constructivist,” are applied only as convenient shorthand labels for discrete brands of explanation based on state preferences, social
preferences, and the role of ideas, respectively, and are not meant to serve as a stand-in for every conceivable version of each approach.\(^3\) However, as each paradigm below includes scholarship drawn from IR and comparative politics, the chapter does highlight the way theories from the two subfields intersect on questions of TAN campaigns and their impacts on state policy-making.

The first paradigm argues that national interests, exercised through institutions of control, play a critical part in determining the outcomes of TAN campaigns. Specifically, adherents of this paradigm contend that as authoritarian states like China are relatively capable of insulating themselves from the input from social forces, the reason why TANs sometimes access and are effective in such cases is that allowing them to do so serves the national interest. Indeed, as a strong autocracy highly capable of employing coercive force, China constitutes a “least likely” test case, important for falsifying both deterministic and probabilistic theories of transnational activism.

Viewing the state as non-unitary, the second paradigm accords primary explanatory significance to social preferences, arguing that national interests are a function of competition and complementarity among domestic social interests and identities. Understood this way, the paradigm is focused around representative institutions, the presence or absence of which affects the potential for TANs to mobilize

\(^3\) Accordingly, references to the realist hypothesis as based on ‘national interests’ should not be taken to imply that the other approaches are unconcerned with such interests, only that they come with fundamentally different assumptions as to how these are formed.
domestic constituencies and ultimately become effective. The category includes liberal theories of IR as well as approaches to comparative politics that indicate where and when governments are likely to be deferential to the views of those they govern. Now more open than at any point since 1949, institutions of representation nevertheless remain underdeveloped in China. Even so, the presence of the state in its non-state sector and increasing global linkages make it an ideal laboratory for forging new hypotheses about the nature of transnational advocacy in authoritarian systems.

The third paradigm, rooted in constructivism, places primary emphasis on the process by which actors develop and socialize to norms and values in global space. While their relative impermeability makes authoritarian regimes like China more norm-resistant than other kinds of states, most theories in this family nevertheless uphold a view of international society or global culture as possessing the necessary means to convert non-compliant outsider states to collective social values. On the other hand, the constructivist claim that norms originate from the interaction of identities and preferences points toward the equal possibility that, in addition to being less vulnerable to external pressure for norm compliance, China’s emergence as a superpower on the world stage may exert constitutive effects on the creation of global rule systems.

The latter portion of the chapter is then devoted to distilling from the three paradigms a set of independent variables explaining the effectiveness of advocacy campaigns. Those derived from the realist perspective fall generally within a
framework known to social movement theorists as political opportunity structures. This first grouping examines how variation in the organizational or infrastructural capacities of states affects possibilities for access and influence by exogenous social actors. The second set includes those factors affecting opportunities related to regime type, as well as institutions of representation at the international level. This grouping also includes variables derived from resource mobilization theory that give causal power to the internal characteristics of advocacy networks. Still a third kind of variable relates to the subjective constitution of actors and interests through interaction, asking when their preferences are likely to be in flux. As such, this grouping includes variables examining the effects of specific issue characteristics on state permeability and policy positions.

Transnational Advocacy and State Power: Three Paradigms

The Realist State-Centred Paradigm

Politically influential transnational activism is often seen as troubling for theories that grant central explanatory power to state preferences. Because they share assumptions of a structural and material dynamic that disadvantages non-state actors, successful challenges mounted by principled issue networks in defiance of “national interests” appear epiphenomenal at best. Consequently, the puzzle of transnational
Civil society has most often been articulated as a rebuttal to the state-centric structural realist paradigm in international relations that largely fails to recognize non-state actors as relevant much less impactful (Waltz 1979). Indeed, the emergence of transnational activists as a force capable of affecting state policies is usually explained in terms of a decline in the relative power of states after the Cold War. Some have gone as far as to suggest that the salience of transnational non-state actors reflects a fundamental shift in the make-up of world politics, issuing a call for ontological revisionism in international relations (e.g., Strange 1996). Others have been more circumspect in their claims, hesitant to deny the continuing significance of states while acknowledging their growing limitations. Florini and Simmons, for example, write that “Although the state system that has governed the world for centuries is neither divinely ordained nor easily swept away, in many ways that system is not well-suited to addressing the world’s growing agenda of cross-border problems” (2003: 3). For this reason, they argue that “Transnational civil society is a piece—an increasingly important piece—of the larger problem of global governance” (p. 3).

If state retrenchment explains the rise of global activism, then relative capabilities have been the key to problematizing its domestic impacts. The leverage exerted by TANs on state policy-making is a marvel considering the disparate resources each has at their disposal and the specific tactics they are able to employ. Within the realist framework, a state’s power is conceptualized in terms of its material capabilities, that is,
its military might and ability to wage armed conflict (Waltz 1979; Mearsheimer 2001; Kagan 2004). By contrast, transnational advocacy networks are ideational, moral constructs. Their power comes from the strength of common convictions among like-minded individuals and groups, and from their credibility and authority when speaking to an issue. They rely on strategic campaigning, framing and persuasion to change minds, not violence or disruption as militias or guerilla groups do. By definition, transnational advocacy networks are neither inclined toward nor capable of matching the military prowess of states, but instead rely on “soft power,”—or in their case, good, credible information—to get what they want done. ⁴ Sometimes state power is conceptualized in this way rather than purely in terms of military capability and considers, for example, the potential for economic incentives to add to a government’s international bargaining power (see Keohane and Nye 1998). But here too, transnational networks are at a disadvantage, since they are informal, loose associations that lack the organizational means to counter the financial resources of states. As Kathryn Sikkink rightly points out “The term ‘soft power’ [as applied to advocacy networks] suggests weak or superficial power” (2002: 301). By calling attention to the limitations of soft power capabilities, she reiterates the classic puzzle of effective intervention by transnational non-state actors against national governments.

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⁴ Habermas (1986) and Dryzek (1999) have both referred to it as “communicative power.” Nye refers to soft power as a means to the achievement of ends through attraction rather than coercion, though in some instances, such as the campaign against apartheid, TANs have advocated economic sanctions as a tool of persuasion against their targets.
Although they are normally presented as competing explanations, realist and institutionalist theories of IR are grouped here within the same paradigmatic family. This is because international institutions are fundamentally state creations designed to represent and advance national interests, albeit through interstate cooperation rather than conflict (Keohane 1989; Katzenstein, Keohane and Krasner 1998). Premised on an assumption of common or overlapping state preferences, such institutions also offer a means by which these may be collectively addressed. Complex interdependence of the kind first described by Keohane and Nye (1977) enables states to pursue their preferences in at least two main ways. First, it serves to mitigate the effects of anarchy that are a central preoccupation of all states. Second, interdependence facilitates more rule-bound state interactions that allow for the advancement of non-security related interests, especially shared economic ones.

| Fig. 2.1: The State-Oriented/Realist Paradigm | |
|---|---|---|---|
| **Proponents** | IR Realism | International Institutionalism | State-oriented Comparativists |
| **Common Core Assumption** | Primacy of state preferences/national interests (as mediated by institutions of control) | |
| **Central Hypothesis** | TANs influence policy when it serves the national interest | |

Domestic institutions also have an impact on the realization of national interests, and of course, not all states possess equal capabilities in this regard. Some are more
able than others to control social inputs and convert their preferences to authoritative actions. As Michael Mann explains, “We must distinguish between the two principal meanings of a strong regime: Power over civil society, that is, despotism; and the power to coordinate civil society; that is infrastructural strength” [emphasis in original] (1986: 477).

Adhering to Mann’s definition, the concept of capacity as it is used here applies to the institutions of control used by states to enforce their preferences, such as those described by Huntington for the imposition and maintenance of order (1968). Cross-national variation in institutional strength affects advocacy campaigns in a complex manner, since greater infrastructural strength may produce less access but no impact while lesser infrastructural strength might lead to more access but less impact. The comparative literature on “bringing the state back in” makes the point that high-capacity states are less accessible but more autonomous and insular, and are thus more able to execute their preferences free from external interference (Nordlinger 1987: 353; Skocpol 1985). Therefore, the reason they might be more open to TANs, from a realist or state-centered perspective, is because it is in the national interest of such states is to be open to them. Weak states, on the other hand, may be more permeable but not necessarily any more likely to yield effective results for TANs. As Jeffrey Haynes points out, “easy access for

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5 Unlike IR realism, which sees domestic regime type as more the province of liberalism, the state-oriented comparative literature tends to conflate the degree and form of government in measurements of insularity against outside forces to a greater degree.
external actors does not necessarily translate into significant leverage on state policies. This is because while [foreign activists] may readily penetrate countries with fragile political institutions, they may find that when they gain access there is little institutionally to work with and hence help achieve their goals” (2005: 97). Even when external actors do influence the policy choices of lower-capacity states, governments are often too weak to effectively implement or enforce the new measures.

As a high-capacity authoritarian state, China presents a strong test of effective advocacy. While the capabilities of the central government have scarcely ever been in dispute, many argue that the decentralization of political authority in the post-Mao era has strengthened, not weakened, the local state and improved governance capacity at the sub-provincial level (Huang 1996; Edin 2003; He 2007; Tsai 2007). State offices across the country face few obstacles in eliminating opposition or stifling protest where and when they have made up their minds to do so. According to figures tabled at the 2011 session of the National People’s Congress, China also spends more on domestic security and surveillance than on its military (Buckley, March 5, 2011).  

6 Reporters Sans Frontières claims China possesses the world’s most extensive and advanced internet filtering technology, which has curtailed the activities of social groups and limited the

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6 China will spend an estimated 624.4 billion RMB (about 95 billion USD) on domestic security in 2011, in contrast to the projected 601.1 billion (91.5 billion USD) allocated for military expenditures, according to the report.
flow of information vital to effective advocacy campaigns (2006; Zittrain and Edelman 2002).

*The Liberal Society-Centred Paradigm*

A second body of theory gives causal primacy to social preferences and their constraining effects on state decision-making. Liberal theories of international politics are a prime exemplar of this paradigm, since they understand states as less unitary and call attention to the way competition among groups at the sub-national level affects the formation and execution of state interests. In the version advanced by Moravcsik, social preferences formed from an amalgam of interests and identities exert force through “varying forms of domestic representation and the resulting incentives for social groups to engage in rent-seeking” (1997: 517). Unlike the institutions of control described above, the representative institutions central to this paradigm operate as a link between society and the state that tell us whether and which preferences get voiced. The more representative and contestable institutions are, the stronger the possibilities for advocates to penetrate and influence the target state. Thus, for proponents of this paradigm, it is the not the strength but the type of state that most strongly affects the ability of TANs to influence policies. Where they succeed in doing so, it is because

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7 Understood in this way, liberal theories provide a process-based counterpoint to the “systemic” or “structural” approach of realists (see Fearon 1998: 289-292).
states are compelled by social interests exercised through enabling structural and legal channels
to adopt new policy positions.

<table>
<thead>
<tr>
<th>Proponents</th>
<th>IR Liberalism</th>
<th>Society-centered comparative theory</th>
<th>Theories of legitimacy</th>
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<tr>
<td>Common Core Assumption</td>
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<td>Primacy of social preferences (as mediated by institutions of representation)</td>
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<td>Central Hypothesis</td>
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<td>When TANS influence policy, it is because states are compelled by social interests exercised through enabling legal or structural channels to adopt new policy positions.</td>
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IR liberalism finds a conceptual equivalent in theories of comparative politics that paint a picture of state-society relations in which states are seen as far more susceptible to, or even the mirror image of, social preferences. Society-oriented theories such as David Easton’s structural-functionalist framework (1965), and some Marxist approaches, for example, treat the state as merely a reflection of competing social interests or as an arena where social conflict is played out. In its most extreme iteration, the society-based perspective “has portrayed the state as almost totally impotent in the swirl of dizzying social changes...changes largely independent of any impetus from the state itself” (Migdal 1988: 6). A more moderate view, dubbed the “state-in-society” approach, offers a dynamic snapshot of the interaction between state and social forces that portrays neither as dominant in all arenas all of the time (Migdal 2001).

Nevertheless, this approach allows for the possibility of social preferences having...
periodic or dispersed effects on state behaviour while simultaneously acknowledging state capacity, form and preferences. Developed specifically in order to better understand patterns of contention and domination in the Third World (Kohli and Shue 1994), the approach represents a kind of middle ground that recognizes the contributions of state-centric analysis while opening the door to social actors, even in high-capacity non-democracies like China.

The society-based paradigm also encompasses the comparative literatures on democratic transitions and regime types, as these provide important clues about whether and which social preferences get voiced. The fact that democratic states make for easier targets of advocacy campaigns may be true, but it is theoretically unsurprising. Indeed, democracies are *supposed* to be more accessible and open to societal input than non-democracies by definition. Where democracy has been consolidated—where it is “the only game in town” and realistic alternatives seem unthinkable (Przeworski 1991)—it provides citizens with genuine opportunities to form oppositional opinions and participate in political decision-making by means of routinized institutional methods or access points (Schumpeter 1943; Dahl 1972; Diamond 1999; Schmitter and Karl 1991). Levels of citizen participation differ across democracies and change over time. However, the existence of a procedural framework that makes participation legal and possible also makes these regimes more permeable than non-democracies that either lack this feature, or extend opportunities for accessing
the political system in inconsistent, superficial or exclusionary ways. This is not to say that democracies are incapable of deflecting those attempts at advocacy they see as being at odds with their own interests, but that the likelihood of successful advocacy in these cases is generally stronger due to more open and accessible political institutions (See Diamond 2001: 360; Oksenberg 2001; Holland 2002; Hague and Harrop 2001).

A democracy’s permeability is even greater where the qualifier “liberal” is attached to indicate the freedom of social groups from overt state supervision or direction. As Larry Diamond explains, a liberal democracy is “a political system in which there exists autonomous spheres of civil society and private life, insulated from state control” (1999: 3). That separateness, or lack of organizational dependence on the state, allows civil society to function as a space for the formation and articulation of private interests (or privately held views expressed in the public interest). This provides a method of citizen participation in public affairs between electoral cycles and a key point of contact between the government and the governed, an arrangement that benefits transnational organizations as much as domestic ones. Not only does the legal protection of civil society against undue state interference enable the thickening of structural linkages within and among advocacy groups at the national and transnational levels, but because citizens do not have to wait for an election year to
make their concerns known, they are able to petition politicians on a continual, ongoing basis, tabling policy recommendations or demands almost any time.¹

Non-democracies usually display the inverse characteristic, operating with a greater degree of autonomy through their supervision and control of social actors. As a result, non-democratic regimes are relatively insular and invulnerable, capable of isolating themselves from external influences, both foreign and domestic. A lack of institutional openness restricts access to the state, reducing opportunities for mobilization, penetration, and impact by activists. Moreover, the elevated threat of repression often acts as a deterrent to social groups even where opportunities for advocacy are present (Goldstone and Tilly 2001: 183).

Relative insularity resulting from the imposition of limits on popular expression and mobilization is common to nearly all non-democracies, regardless of their particular institutional forms. For example, the model of bureaucratic authoritarianism sketched by Guillermo O’Donnell depicts a regime focused on “the restoration of ‘order’ by means of the political deactivation of the popular sector,” a process that “involves closing the democratic channels of access to the government” (1988: 32). Likewise, Paul Brooker’s research on military and party dictatorships highlights the adeptness of both “as developers and controllers of mass-mobilizing social

¹ Because civil society organizations often cooperate with the state or accept substantial government funding even in consolidated democratic systems, it is perhaps best to speak of civil society’s degree of autonomy from the state, defining it as “more authentic” the greater is that autonomy.
organizations” through “their permeation of the armed forces, state bureaucracy, and other areas of public and private life” (2000: 124-25, 127). “Sultanistic” or “neopatrimonial” regimes, characterized by intensely personalistic leadership styles, allow only those groups or individuals in society favoured by elites in office to access the state, and thus may be described as “selectively insular” (Linz and Stepan 1996; Chehabi and Linz 1998, Bratton and Van de Walle 1994).

However, variations in the nature of non-democratic regimes do produce differing degrees of openness and mobility for domestic actors. Generally speaking, insularity from society corresponds to the degree of corporatism and repression exercised by non-democracies. Permeability and influence by social actors grows more difficult as the degree of state control becomes increasingly severe and access to government more closed. Under the most extreme type of authoritarianism, totalitarianism, the institutions of the state are virtually impenetrable. A single official party holds a complete power monopoly, pluralism has been eliminated and no separate sphere exists for the formation of private interests. The only mobilization permitted occurs within organizations created by the regime itself and in which membership is often compulsory. Political power is exercised exclusively through a leadership whose authority is as limitless as it is unpredictable. To borrow Weber’s words, absolutist rulers, exercising such complete authority and being so little
concerned with social support, treat the public as “any ordinary object of possession” (1947: 347).

As the most frequently occurring and widely dispersed of all totalitarianisms, communist regimes historically comprise an important sub-type of this category (Linz 2000, Brooker 1995). Leninist party-states in almost every corner of the world combined a total absence of rival political parties with extreme forms of state-mandated mobilization to stoke revolutionary fervor and reinforce ideological conformity. Their goal was not merely to control social organizations, but to eliminate their autonomy altogether by remaking society in the state’s image. As the authors of one text on Soviet governance explain, “The traditional authoritarian dictatorship asked no more from its citizens than political passivity and acquiescence, but the leaders of the Communist party have demanded more. Even under Stalin, they strove for “the total and active involvement of all citizens in the affairs of a rapidly changing and ever more complex society”” (Hough and Fainsod 1979: 277). In effect, by reconstituting all of society as an instrument of state policy, proletarian dictatorships were able to maintain the highest levels of control over their citizens. Further, the export of Lenin’s particular emphasis on the imperialistic nature of capitalism promoted a deep hostility and mistrust toward foreign powers and led to the adoption of self-reliance in many socialist countries, effectively shutting them off from threats of encroachment by transnational forces.

In his seminal study of the Spanish case, Juan Linz depicted authoritarian
regimes as existing somewhere between the extremes of democracy and totalitarianism, describing them as

Political systems with limited, not responsible, political pluralism, without elaborate and guiding ideology, but with distinctive mentalities, without extensive nor intensive political mobilization, except at some points in their development, and in which a leader or occasionally a small group exercises power within formally ill-defined limits but actually quite predictable ones (1964 [1970]: 255).

Although the limited tolerance for mobilization makes them less permeable than democracies, regimes having these “minimalist” characteristics sit at the milder end of the autocratic spectrum. Post-totalitarian systems, representing a phase of political evolution between totalitarianism and authoritarianism (Linz and Stepan 1996), typically show a slight slackening of repressive control but remain highly insular and resistant to external influence. A tiny space for private interests may emerge from tolerated state structures or dissident groups, aided by malaise within the leadership and waning enthusiasm for state-mandated mobilization in pursuit of ideological conformity. Limited reforms may even be undertaken to (re)legitimize post-totalitarian regimes when cracks begin to appear in the façade of ideological unity. These may include economic liberalization to spur growth and shore up performance, and may be accompanied by some modicum of interdependence with the outside world. This rarely makes regimes more susceptible to outside influence, however, as the ruling
party’s power monopoly remains fundamentally strong, and genuine, responsible political pluralism is almost non-existent. Indeed, as much recent research has shown, the introduction of nominally democratic institutions is often a strategic response by dictators to neutralize potential challenges to their rule with certain policy concessions, something that can convey an impression of greater openness and permeability while in fact providing a means of autocratic survival (Gandhi 2008; Magaloni 2006).

Finally, the legitimacy literature also suggests the relevance of social preferences. Theories of political legitimacy suggest that since the moral authority of those in government depends on the approval of those they govern, the rational political leader should be attuned to popular sentiment and receptive to societal input. Legitimacy refers to the extent to which citizens view and treat the state as rightfully holding and exercising political power (Gilley 2006: 48). Generally speaking, authoritarian regimes are no less sensitive to changes in levels of legitimacy than are democracies. Indeed, they may be more attuned to them, since the maintenance of popular support is a crucial factor underlying stability in political institutions. Legitimacy affects institutional continuity and change when it operates as part of an endogenous feedback loop where institutions generate performance outputs which are then subject to popular assessment, resulting either in continuation of the status quo or the modification of output methods in accordance with the level of popular satisfaction. The wider the gap between outputs and expectations, the stronger public pressure for some measure of
institutional change is likely to be. Seen in this way, legitimacy can be both a cause and a consequence of regime dynamics, or even of the outright replacement of one regime type with another, as occurred in October 1989 when seemingly unbreakable communist regimes across Eastern Europe saw the last of their public support suddenly evaporate into thin air.

Social preferences matter to most authoritarian regimes, but the process of receiving and responding to them is fundamentally different than in democracies. The core distinction is that democratic states offer a direct pipeline to citizens for the articulation of social preferences, while authoritarian regimes normally lack legal assurances of their inclusion in political decision-making. Mechanisms linking popular preferences to state power are often non-existent, weakly institutionalized or done only for show. Democracies, on the other hand, win the consent of citizens by subjecting themselves to multiple forms of accountability from above and below. In addition to elections, “modern democratic constitutionalism requires elected political leaders, the state, and even the sovereign citizenry to agree to a complex series of ‘self-binding’ mechanisms” (Schedler, Diamond, and Platter 1999: 1). By definition, the rules of politics in democratic states dictate that political leaders have to be responsive to the public’s wishes. But authoritarian regimes, exercising greater despotic control over civil society, are simply not as bound by the rules of the game to listen to what the public has to say. They make a conscious choice to pursue or not pursue legitimacy instead of
having it regularly conferred on them by way of an open and legally guaranteed process. Simply stated, the relative underdevelopment or absence of representative institutions in authoritarian regimes means that legitimacy must be registered by other means.

In China as elsewhere in the non-democratic world, social preferences matter a great deal, more so now more than at any point in the regime’s sixty-year history. China’s reforms and growing international linkages have opened up new space for social organizations to operate alongside the state, though not in opposition to it. The privatization of many state-owned enterprises during the 1990s removed the burden of public service delivery from the government agencies previously responsible for them, leading to a greater recognition of the non-state sector’s importance for China’s continued social and economic development (Ma 2002: 311). As a corollary, recent years have witnessed a dramatic expansion in the number of Chinese NGOs (fei zhengfu zuzhi). Estimates vary, but the World Bank currently pegs the total number of domestic NGOs at around 415 000 (World Bank 2009). The international community has also taken a greater interest in supporting China’s budding NGO sector, with groups like the Ford Foundation and the Carter Centre making major financial and technical contributions toward developing the capacity and autonomy of civil society (Bentley 2003; Tan 2008; Lang 2008).
As a result of these changes, one expert has gone as far as to claim that international and domestic NGOs in China “have created an increased organizational sphere and social space in which to operate and to represent social interests, and to convey those interests into the policy-making process” (Saich 2000: 124). “An exclusive focus on ‘state-dominant’ theories,” he writes, “and even the more ‘society-informed’ concepts of social corporatism or a state-led civil society, risk obscuring the dynamics of change in China and the capacity of the ‘co-opted groups’ to influence the policy-making process or to pursue the interests of their members” (p. 125). Katherine Morton concurs, adding that “a purely corporatist perspective that views [China’s] civil society simply as an extension of state interests fails to capture the recent rise in social innovation from below” (2005: 519-20).

Representative institutions remain fundamentally underdeveloped in China, however. Indeed, nowhere are the persistent pathologies of Marxism-Leninism more readily apparent than in China’s attitude toward its new social organizations. Regime penetration of civil society remains very high, and genuine autonomy in the NGO sector is highly suspect (Frolic 1997; He 1997; Pei 1998; G. White 1996; Whyte 1992; Zhang 1997; Béja 2008). Since 1989, official policy—as set by the Bureau of Management of NGOs (minjian zuzhi guanliju), housed within the Ministry of Civil Affairs (MOCA)—has required the registration of all NGOs in China, a process that must be repeated periodically and requires sponsorship from a state body that will oversee the group’s
political, social, economic or cultural activities. Considerable evidence exists highlighting the frustration among many NGOs at the near-constant supervision of their day-to-day work, with many referring to hovering sponsors as “mother-in-laws” (Ma 2002: 309). Additionally, NGOs having more than three CCP members on their membership lists must establish a “party branch” to ensure its work is properly supervised, in accordance with a document issued jointly by MOCA and the CCP’s Central Bureau in 1998. Studies by both Chinese and western scholars also indicate that a majority of NGOs in China were in fact government-owned (GONGOs), as of the late 1990s (Li 1998: 264-67; Fisher 1998: 24). The regime’s official line indicates that the purpose of new social organizations is “to solve social problems, alleviate social contradictions, effectively promote the stable development of society, and to create the best possible social climate for economic construction,” and thereby serve the state (Shue 1994: 77).

NGOs in China also face the challenges of an uncertain working environment, one that is still emerging and not well equipped to handle them. Part of this uncertainty stems from a deep mistrust of civil society groups by the authorities that has yet to be shaken. The term “non-profit organization” (NPO, fei yingli zuzhi) is officially preferred over NGO, as the latter translates to “anti-government organization” in the Chinese context. As one NGO practitioner in Beijing explains, “The attitude of the government towards social organizations is ambivalent. It relies on their services
but does not want the advocacy” (Interview 8). Sensing the government’s lack of enthusiasm for unsolicited input, many NGOs are reluctant to offer it, and stick to service delivery. More than anything else, however, China’s NGO sector is hamstrung by the lack of a coherent, enabling legal framework. One Shanghai-based NGO worker remarked that “NGO [sic] are very new to China. The legal institutions for accommodating [sic] have still not caught up” (Interview 10). In turn, this condition has bred competition, infighting and a continual struggle over limited resources among domestic groups. While government regulation of the NGO sector has been justified by a professed desire to promote efficiency and reign in such competition, it has also sought to prevent NGOs from growing too large or establishing regional branches, something that has crippled their ability to extend their organizational reach and develop internal capacities (Y. Lu 2009: 91).

The Global Norm Constructivist Paradigm

The previous two paradigms understand state and social preferences as given objectively, and thus as relatively fixed and suited to predicting the outcome of TAN campaigns to influence domestic policy. By contrast, the third paradigm provides a richer insight in the origins of those preferences and their propensity to change through an interactive process of norm diffusion and socialization. Because the preferences and identities of relevant actors are prone to shift over time, this “constructivist” paradigm
makes no ex ante predictions about whose interests are likely to prevail. Instead, it posits that TANs can influence policies when state preferences are altered via the diffusion of norms and values about acceptable behaviour.

At its core, constructivism treats the preferences and behaviours of states as a product of their own self-reflection, rather than something fixed by the structure of the international system (Wendt 1992). Yet constructivism as a whole lays claim to a wide swath of theoretical, methodological and epistemological territory. Scholars have described it as an attempt to “seize the middle ground” and “bridge the divide” between rationalist and interpretive approaches to international politics (Adler 1997; Checkel 1997a). Moreover, while theories belonging to this paradigm categorically view the domestic influence of TANs as the function of a state’s subjective understanding of norms and what they mean, they also possess a structural component in the sense of requiring the ideas transnational campaigns embody to have a vehicle. As Checkel writes, “ideas in and of themselves matter little; more important is how they become empowered politically,” (1997a: 8). “Ideas do not float freely,” but acquire political significance only when they attach themselves to mechanisms of conveyance and compulsion (Risse-Kappen 1994).

For several of the theories in this family, that requirement is satisfied by the construct of “global society” or “global culture,” for which the observance of international norms is a kind of “shibboleth” that signifies belonging. Peter Katzenstein
explains that “in some situations norms operate like rules that define the identity of an actor, thus having ‘constitutive effects’ that specify what actions will cause relevant others to recognize a particular identity” (1996: 5). Understood this way, norms provide a benchmark for threats of exclusion that serve as a powerful means to socialize outsiders to collective values and moral codes.

<table>
<thead>
<tr>
<th>Proponents</th>
<th>English School of IR</th>
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<td>Common Core Assumption</td>
<td>Subjective constitution of actors and their preferences (incl. states, societies and international institutions) via norms and values</td>
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Fig. 2.3: The Global Norm Constructivist Paradigm

To take one prominent example, the creation of an international society that operates as an instrument of norm socialization has been a leading contribution of the English School to the study of world politics. According to Hedley Bull,

A society of states (or international society) exists when a group of states, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another, and share in the workings of common institutions (1977: 13).

Under this definition of international society, identification with collective values is taken as an essential criterion for membership. In turn, this implies that the society
consists of fewer than the total number of states in the system, and suggests the existence of those who do not subscribe to collective values. However, the predominant view within the English School is that agents are socialized by the structure, not the other way around. As Dunne notes, international society is seen as “having the potential to enforce universalist ethics” on non-members (Dunne 1998: 10-11).

This perspective is closely related to that of the World Polity School in international sociology, which emphasizes the importance of cultural or institutional frames and the role of actors in their development (Jepperson 1992). Boli and Thomas explain that,

Like all polities, the world polity is constituted by a distinct culture—a set of fundamental principles and models, mainly ontological and cognitive in character, defining the nature and purposes of social actors and action. Like all cultures, world culture becomes embedded in social organization, especially in organizations operating at the global level (1997: 172).

Put another way, theories of global culture see the crystallization of moral frames into concrete rule systems as providing a strong inducement for norm-resistant states to adopt new forms of behaviour, especially where these are accompanied by credible threats of sanction. In this sense, the World Polity School bears a striking affinity to some theories of international institutions, such as those of Krasner (1985) and Ruggie (1998). Yet even in situations where official sanctions are not well-institutionalized, the
World Polity School argues that global culture can sometimes affect state practices simply by “naming and shaming” prominent rule violators.

Ultimately concerned with where norms come from, constructivism can also work the other way, and differs from the English and World Polity Schools insofar as it envisages the possibility that national interests and identities shape the structure of global society, and by extension, the rules and norms it embodies. It is sometimes suggested that because China was a relative latecomer to global governance negotiations, and was therefore not really a party to creating the rules of the game, its acceptance of those rules and of international norms in general is naturally weaker (Saich 2004: 307). Yet China now finds itself in a position to interpret or re-write the rules as it sees fit, demonstrating how global society itself can be reconstituted with the introduction of new and important players. China’s geopolitical significance and underwriting of the global banking system in particular give it extra bargaining chips when negotiating with members of international society seeking its socialization to, say, human rights norms. With other prominent states beholden to it financially, it is China that largely sets the terms of its own international engagement. The real question, therefore, is “whether global culture is actually powerful enough to overcome the commitment of an authoritarian superstate such as China to ‘world plurality’” (Lynch 2006: 9).
Explaining the Effectiveness of Advocacy Networks

The theoretical paradigms sketched above form the basic building blocks of a larger causal inquiry. Each one relates to well-established schools of social movement theory containing independent variables that, taken together, provide well-rounded insight into when and how transnational advocates may influence the policy choices of states. The basic breakdown of these relationships is given below in Figure 2.4.

![Figure 2.4: Points of Complementarity Between the Three Paradigms and Independent Variable Groupings](image)
The realist state-centred paradigm takes account of domestic institutions of control, as well as those international institutions that serve as vehicles for states to pursue their preferences. The liberal society-centred paradigm incorporates factors related to the institutions of representation within the target state that indicate the degree to which social preferences may be articulated. By extension, it also includes variables pertaining to the availability and mobilization of resources by transnational and domestic social actors. All are interrelated to a fourth set of variables concerning issue characteristics, or the nature of specific normative claims advanced by TANs. These are presented below as belonging to the constructivist, norm-based paradigm, which is shown separately from the other paradigms in Figure 2.4 in order to indicate its ontological distinctiveness, and reiterate that each paradigm implies a process of norm creation, diffusion and socialization.

**Realist State-Centred Factors**

Connections to international organizations and foreign governments can enhance or limit opportunities for TANs to affect political change. On the one hand, the backing of particular institutions and actors often brings access to resources—financial, technological, human, legislative, and so on—that may improve prospects for the successful penetration and leveraging of target states.
On the other hand, international institutions are state creations representing national interests, in particular the interests of the most powerful within them. Thus, the benefits of linkage to international institutions hold only for as long as the balance of international interests they reflect remains stable.

As Nadelmann argues, states capable of exerting “hegemonic influence” are the biggest supporters of international prohibition regimes, since they are in the strongest position to create and enforce value systems congruent with their interests worldwide (1990: 485). Historically, this notion of “might makes right” has meant that the US and western European powers made the most attractive allies for TANs. Indeed, much evidence exists to support the claim that their apparent moral clout makes western governments and international institutions especially valuable as raisers of consciousness about particular norm-violating states, for placing issues before the global public, assisting in empowering and mobilizing domestic opposition, and creating pressure for norm compliance from both “above” and “below” through enhanced monitoring practices (Risse, Ropp, and Sikkink 1999: 5). To take one example, the UN has proven itself a valuable asset in the struggle of activists to strengthen and legitimize independent human rights work in China, maintaining pressure on the

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9 This fact occasionally brings charges that activist networks are little more than mouthpieces for the interests of the wealthy West and has raised discussion within the academic literature on the ethics and inequalities of global civil society (see Clark 2000).
government to improve its human rights record, ratify human rights documents and accept international monitoring (He 1997: 88).

However, the make-up of interests reflected in international institutions is not necessarily static. A rising China, for example, is likely to produce a change in the profile of national interests as reflected in international organizations and hence the advantageousness of certain resources or forms of support. For instance, TAN opportunities may be constrained by the status or reputation of certain partner states in China’s eyes. U.S. backing (or perceptions of it) is prone to generate as many challenges as possibilities for activist groups targeting China. Another example is that Taiwan’s ambiguous constitutional status and corresponding diplomatic weaknesses make partnerships with the Taiwanese government or NGOs a clear liability for TANs wishing to make inroads on the mainland (J. Chen 2001: 613-14).

A separate cluster of variables deals with environmental characteristics of the target state, or what are generally known in the social movements literature as political opportunity structures. Descended from political process theories of the kind developed by Tilly (1978), McAdam (1982), and Tarrow (1983), which considered how shifting state structures and the ideological profiles of those in power influenced the timing and result of insurgent movements, the concept normally refers to “specific configurations of resources, institutional
arrangements, and historical precedents,” that facilitate mobilization in some cases and constrain it in others (Kitschelt 1986: 58). With its establishment as a leading paradigm in the study of social movements in the mid 1990s, however, the opportunity structures framework has been applied in many different ways to a wide range of research areas, so much so that it is, as Gamson and Meyer have argued, “in danger of becoming a sponge that soaks up every aspect of the social movement environment” (1996: 275). Indeed, opportunity structures have come to be identified with exogenous conditions in general, encompassing an assortment of political, social and economic institutions at both the domestic and international levels.

As it is used here, the concept includes all state-based characteristics related to their degree of institutionalization, as these factors can enhance or limit possibilities for transnational collective action by creating or altering incentives for social actors who lack resources on their own (Tarrow 1998: 2). To reiterate a point already made above, there is a strong correlation between a state’s infrastructural capacity and its level of permeability, and hence the probability for advocacy networks to ultimately influence policy-making. Four measures of state capacity are seen as being especially important.

First, a state’s degree of centralization matters because, generally speaking, the more centralized the structure of the state and the greater the
degree of control over the periphery by the centre, the more restricted opportunities for accessing and influencing policy are likely to be. On the other hand, more decentralized political systems suggest a greater number of semi-independent centres of power, or at least a greater potential for their existence. As Migdal has argued, interaction between state and social forces is brought into sharper relief when one adopts a more fragmentary picture of the state itself (2001). Some parts of a state may respond quite differently than others to the claims of foreign groups, generating diffuse opportunities for access and impacts. The more autonomous local power bases are, and the more widely distributed they are across various levels of state authority, the stronger the opportunities for successful interventions by transnational activists.

Second, effectiveness often depends upon a state’s level of openness to new actors. Though the reception met by foreign activists usually varies according to the issues they come touting at any given time, newcomers may have greater difficulty accessing the necessary institutions and figures than others having more experience working in the target state.

Success in gaining access for the first time is often linked to a third characteristic, the availability of allies or supporters within the target able to assist activists in advancing their cause. Direct links to governmental power are thought to be particularly salient. For instance, Baogang He described the
acceptance of his proposals for local deliberative democracy experiments in China as the product of “trusting interpersonal relationships, built over several years” with CCP officials at various levels (personal communication, April 20, 2008). In his study of international support for village elections and self-governance, Qingshan Tan similarly concluded that as a result of connections and cooperation with central and local election officials, “foreign participants have gained unprecedented accesses, and reached millions of villagers in so many different locations including some of the most remote and backward areas of Guangxi, Yunnan, Shanxi, Gansu, and the northeast region” (2008: 207).

Alternatively, activists may find that connections may develop where key individuals are concerned for their reputation or that of their unit, agency or country, as noted by Burgerman (2001: 4-5).

Fourth, the results of activist interventions are dependent upon the extent to which a state is able to repress or accommodate collective claim-making. All regimes sometimes seek to silence social groups viewed as potentially embarrassing to the political leadership or at odds with their interests, though their methods of doing so are subject to considerable systematic variation. In the literature on domestic institutions and social movements, opportunities for mobilization have traditionally been linked to the perceived threat of state repression, its nature and scale. As the threat level goes up, windows of
opportunity close. When threats recede, claims against the state tend to rise. Threat, in this understanding, is just the conceptual flipside of opportunity. However, as Tilly and Goldstone point out, the two are analytically distinct. Changes in the probability of successfully achieving the desired outcome of collective action (“opportunity”) interact with the expected costs of acting or failing to act (“threat of repression”) to shape a network’s decision about whether to mobilize at a given time (2001: 183).

*Liberal Society-based Factors*

Within the opportunity structures literature, state capacities and regime types are often conflated and conceptualized in terms of “target characteristics” (see Price 2003: 591-598; Tarrow and Tilly 2007; Tilly 2006). Doing so makes sense much of the time, since states may be democratic and insular (Japan), democratic and open (the Philippines), authoritarian and insular (North Korea) or authoritarian and open (Cambodia). Here, however, those aspects of domestic opportunity structures related to regime type are grouped within the liberal society-oriented paradigm because they indicate whether, which, and to what extent social interests are represented and heard by the state, and hence affect the ability of TAN to mobilize grassroots constituencies.
The effects of representative institutions, held constant in this study by virtue of China’s selection as the sole case, may nevertheless vary over time in non-democracies. For instance, opportunities for social mobilization can be affected by periodic fluctuations in the stability of political alignments, which are a direct function of party system structure. In hegemonic party systems like China, the lack of competition from opposition forces and overreliance on personal connections to gain influence makes politics inherently subject to instability. Shifting alliances between powerful individuals or leadership factions sometimes create circumstances for previously rejected ideas to suddenly become politically meaningful. The same structural arrangement can lead to intra-party rifts potentially fatal to the regime itself. Battles over leadership succession are particularly precarious, presenting critical junctures at which autocracies are prone to collapse under their own weight. A combination of deep intra-party factionalism, secrecy and widespread use of personal client networks to get ahead makes the Chinese party system highly unstable, though it shows signs of developing more informal mechanisms for passing the torch and resolving internal disputes (Nathan 2003). As has been noted already, regime type also affects the power and resources of domestic social movements, and thus is an important determinant of the availability of indigenous partners for foreign activists. The more authoritarian the state and the greater its mistrust of
the domestic non-state sector, the more limited the opportunities for their participation.

Institutions of representation beyond the state may also endow opportunities. John Guidry, Michael Kennedy and Mayer Zald write of a "transnational public sphere," in which "forms of organization and tactics for collective action can be transmitted across the globe," and where "material resources can be developed and distributed across national boundaries in ways that limit the nation-state’s capacity to sanctify and demonize practices with cries of patriotic and alien influences" (2000: 7). For them, globalization itself is a political opportunity structure that "modifies, and in many cases amplifies, the ability of national movement organizations to frame their claims in terms that resonate beyond territorial borders, thereby allowing national organizations to obtain resources from abroad" (p. 2). John Meyer and his colleagues similarly describe the institutionalization of a "world society," where the many complex interactions of transnational organizations create new possibilities and prospects for these entities to challenge conventional nation-state structures (1994: 164-65).

The internet constitutes one such representative institution at the supra-state level. "Going global" online has presented many disenfranchised individuals and groups with new opportunities to participate in and influence political debates with a frequency and magnitude never before possible. As
Ronald Diebert argues, “changes in modes of communication—the various media by which information is stored and exchanged—have significant implications for the evolution and character of society and politics at a world level,” tilting the playing field in favour of horizontal transnational networks over the centralized, hierarchical structures of states (1997: 2). The need to coordinate actors from a variety of geographic localities, including some within politically closed or economically impoverished countries, makes access to global communications technologies essential to the success of transnational advocacy campaigns.

Few could doubt the impact of digital technology on the coordination of collective action across great distances, its ability to raise consciousness or reach ever-wider audiences, making the obscure much less so. Yet for all the talk of a revolution in global communications over the last two decades, “information poverty” remains a problem for many around the world wishing to make their claims known (Norris 2001). Access to technological resources, and thus the ability to reach supporters and targets with important messages, remains significantly uneven, both internationally and within many strong, developed states. Milner, however, points out that domestic institutions matter a great deal in understanding internet penetration cross-nationally, since authoritarian
regimes tend to restrict and inhibit its spread while democracies promote and encourage it (2006).

A separate family of explanations grouped within the society-based paradigm examines the internal organization and structural features of transnational networks. These are derived from resource mobilization theory, which gained attention in the 1970s as a response to the social-psychological approaches that dominated the study of social movements during the previous decade, especially those of Gurr (1970), Turner and Killian (1972), and Smelser (1963). While these works differ in a number of important respects, they are linked by a common emphasis on the development of shared grievances or generalized beliefs in response to some structural factor (i.e. material deprivation) as a precondition for collective mobilization. Those belonging to the aggrieved population provide the necessary infrastructure in terms of resources to support the movement’s activities. Resource mobilization theory, by contrast, took a pre-existing ideology of discontent as neither necessary nor sufficient to mount collective action. Rather, it sees the infrastructure required for mobilization as endowed by the external environment and focuses on what movements can do to capitalize on it. As elaborated in the seminal work of McCarthy and Zald, the approach
Emphasizes both societal support and constraint of social movement phenomena. It examines the variety of resources that must be mobilized, the linkages of social movements to other groups, the dependence of movements upon external support for their success, and the tactics used by authorities to control or incorporate social movements (1977: 1213).

The approach takes as its starting point the central problem of Mancur Olson’s *Logic of Collective Action* (1965). When and where others are willing to shoulder the burden of contributing to collective goods, rational individuals within the group have lesser motivation to participate themselves. In the absence of some added carrot, free-riding on the shared benefits of social mobilization makes the most logical sense. Resource mobilization theory gives attention to movement structures as mediating the costs and incentives associated with participating in social movement activity, suggesting them as a means to overcome Olson’s free-rider dilemma.

Because the aggregation of resources is crucial to understanding how collective action occurs and is sustained, some form of organization is required to manage and oversee that process. Resource mobilization therefore stresses the importance of formal “social movement organizations” that formulate preferences—referred to in the literature as “target goals”—and design strategies for their execution. Organizations pursuing target goals or the implementation of changes they seek to make comprise a “social movement industry,” which in turn makes up part of the “social movement sector” within society as a whole. In
advanced industrial settings, part of belonging to this sector and navigating it and the state successfully depends upon the internal professionalization of a movement (McCarthy and Zald 1977). Specialized skill-sets and training are often required to optimally deploy finite human, financial and technological assets, and to effectively compete with other movements over their availability. Gaining the competitive edge is important because, as Rucht notes “public attention toward the plethora of groups is limited...if too many concerns and actors compete with each other the audience becomes highly selective or even bored” (1999: 217). Besides taxing their attention, such fierce competition places a special premium on the material support of external actors. McCarthy and Zald explain that “in accounting for a movement’s successes and failures [the resource mobilization approach carries] an explicit recognition of the crucial importance of involvement on the part of individuals and organizations from outside the collectivity which a social movement represents” (1973: 1216).

The literature on transnational civil society widens this framework to encompass the characteristics of advocacy networks more broadly, while retaining the core focus on mobilizing structures and organizational forms. As Keck and Sikkink write, “the network-as-actor derives a great deal of its effectiveness from the network-as-structure, within which ideas are formulated, reformulated, tested and negotiated” (1998: 207). Because networks are by
definition the embodiment of shared principles and goals, their structures reflect to a great extent the breadth and depth to which individual actors and groups subscribe to them. Accordingly, one pertinent hypothesis concerns a network’s strength and density, conceptualized as “the total number and size of the organizations in a network, and the regularity of their exchanges” respectively (Keck and Sikkink 1998: 206). Measuring both is much simpler where actors belonging to a network are confined to a single city or country, but much more difficult in the case of transnational networks whose members are more dispersed. In the empirical chapter that follows this one, considering strength and density in relative rather than absolute terms facilitates ease of measurement. Indicating that one network is stronger and denser than another is much more feasible than specifying, beyond certain minimums, exactly how large or dense a network has to be to achieve a certain impact on policy.

Stronger, denser networks can be expected to disseminate their message more widely, to generate greater awareness of their issues among the global public, to administer and gather larger financial sums through direct mail or internet campaigns, and to catch the attention of powerful and resourceful allied governments and international bodies. The larger the constituent parts and the greater their numbers, the larger is the stock of resources a network can marshal against its target. Networks having a greater density of linkages between actors
within them also benefit from richer flows of information. For this reason, strong, dense networks typically include grassroots organizations in the target country that can provide partners abroad with up-to-the-minute knowledge about situations developing on the ground. Local connections are especially valuable in authoritarian contexts where freedom of information is institutionally restricted and access tends to be idiosyncratic.

Because it leads to better information flows, greater density also suggests greater internal cohesion and unity of purpose within advocacy networks. In their examination of issue acceptance within the WTO, He and Murphy found a strong link between internal solidarity and substantive impacts on policy discussions. “Consensus among NGOs on campaign objectives and strong transnational alliances,” they argue, “are important ingredients for ensuring a coherent campaign message and successfully mobilizing public opinion” (2007: 725). Dense, cohesive networks are evidence of a kind of transnational social capital at work in which good information is the lynchpin. Successful, reliable communications within and among organizations in a network is a requirement for building the trust between actors that strengthens and sustains advocacy campaigns over time. Trust is an invaluable commodity for transnational networks. It binds together actors from different parts of the globe and helps
maintain their faith in the common cause even where information may be slow in coming or incomplete, or unclear.

This is not to say that networks are always egalitarian or that power and information flows necessarily adhere to a horizontal structure. A further hypothesis suggests that activist campaigns can benefit from norm entrepreneurship, or the involvement of persuasive, altruistic figureheads who raise the profile of an issue through strong leadership or the iconic embodiment of shared principles. Much literature calls attention to situations where the championing of an issue by just such a person (or, on occasion, a small group of individuals) proved indispensible for bringing it to prominence on the international stage. Nadelmann (1990) points specifically to moral entrepreneurship as the backbone of global prohibition regimes, citing the importance of domestic and transnational lobbying, educational, organizational, and proselytizing efforts of individuals and NGOs as a key ingredient for their emergence and success. Martha Finnemore has highlighted the role of singular international organizations like the Red Cross, UNESCO and the World Bank in promoting the norms that shape national interests (1996). Likewise, David Lumsdaine describes the strong moral convictions of influential people as a major reason for the emergence of an international aid regime. “The programs which led up to aid—colonial development programs, technical assistance to
Latin America, the World Bank, the Marshall Plan, the UN—were the work of liberals like Bevin, Keynes, Marshall, Rockefeller and White, and were opposed by those, like Robert A. Taft, who later opposed aid,” he writes. “Early advocates for world economic planning tended to be those concerned with domestic poverty and humanitarian causes as well” (1993: 65).

*Ideational/Cultural Factors*

Together, the independent variables described under the preceding headings comprise the structural, “supply-side” conditions critical to effective advocacy campaigns. No less important, however, are the “demand-side” factors that tell us when the preferences and cognitive frames of target state elites are likely to be in flux. Descended from the cultural turn in social movement theory that focused on the symbolic roots of collective identity (Melucci 1989, 1996), a third group of variables, based in the constructivist paradigm, examines how the characteristics of specific issues and the way they are presented affects norm socialization at the domestic level.

One pertinent hypothesis in this family asks whether some issues might simply be more conducive to effective advocacy than others. For example, it is often expected that campaigns focusing on issues like the environment are more likely to succeed than those with national security implications, since states will
be more reluctant to compromise on matters related to their own survival. However, as Matthew Evangelista’s study of Soviet arms reduction has shown, activists can induce changes in domestic security policy, even in states whose institutional structures make them less permeable by foreign and domestic advocates (1999: 5-7).

To be sure, some kinds of issues do seem to have a genuinely universal appeal. Keck and Sikkink make the argument that “issues involving bodily harm to vulnerable individuals…speak to aspects of belief systems or life experiences that transcend a specific cultural or political context” (p. 204), and thus tend to figure prominently in successful campaigns. Carpenter (2007) has demonstrated the strong international agreement on the need to protect children born into conflict zones as a result of sexual violence. The elderly and handicapped are two further groups around which there is broad consensus. Generally speaking, issues that speak to human security concerns are given higher priority by states than those that do not, or do so less directly. Not all cultures subscribe to the liberal normative interpretation of human rights in the sense of being universal and individualistic, but nearly all value human dignity (Donnelly 1989: 49-50).

A related factor underlying success or failure is how well an issue fits or can be tweaked to fit the historical and cultural context of the target, or its level of support within the target society. Such hypotheses bear a closer resemblance
to the more structuralist and instrumentalist versions of cultural framing theories
developed by social movement theorists like Klandermans (1992). The better an
idea resonates with existing attitudes and ideologies, the higher its chance of
influencing state behaviour (Hall 1989: 383-384; Keck and Sikkink, 204-206). In
order to be successful, therefore, transnational networks have to frame issues in
ways complementary to specific national experiences, myths, stories, and belief
systems.

Although perhaps excessively static, this expression of the
“cultural/ideological match” hypothesis is useful for highlighting the pitfalls of
attempting to introduce new norms willy-nilly, and thus for demonstrating
cross-context variation in the outcome of advocacy campaigns on a given issue,
or within a single context on a set of issues. To be sure, situations do arise where
goodness-of-fit is undeniably hard to achieve. In Russia, for example, where
foreign development goals failed to resonate with certain domestic norms, the
result was the patchwork success of international efforts to promote civil society
organizations (McIntosh-Sundstrom 2006). Likewise, Japan has exhibited strong
resistance to international whaling prohibitions until very recently, justifying its
continued consumption on grounds of cultural traditionalism and entitlement
(Flowers 2008). When viewed less statically, however, initial mismatches become
surmountable by cross-cultural civility. Indeed, a central point of the extant
literature on advocacy networks is that activists not only confront cultural value systems, but by introducing new ideas also shape and mould them. Stephanie Chan has noted how in evangelical Christian networks like China Agape and Serve China, volunteers and staff acted as “cross-cultural brokers,” allowing “religious ties [to] supply the bonding and bridging of social capital” to further their humanitarian and ecumenical work (2008: 239).

Beyond cultural compatibility and domestic support, success also depends on the political will for acceptance of an issue by the target government. Issues are more likely to succeed not only where they mesh with existing cultural sensibilities but also when they are politically expedient for those in charge of the state. Seamus Cleary has shown how the preferences of authoritarian leaders often wax and wane in response to changing political or economic circumstances, both domestic and international, providing impetus for the adoption of new policies from time to time (1997: 13). However, the despotic nature of political decision-making in authoritarian regimes like China enables them to make judgments about certain issues in relative isolation from public opinion. Proneness to coercive control also makes them theoretically more capable of ignoring or overriding popular support for an issue where it exits. Thus, “demand” for action on an issue at the state level and its resonance with public
opinion need to be treated and measured separately, even if they sometimes overlap in practice.

A further, related aspect of issue characteristics is the ease with which they can be grafted onto a pre-existing set of moral standards. Successful linkage to other norms, values or ideas which already have broad acceptance often gives emergent issues cover by making them appear more credible or legitimate and less extreme or radical. Issues that are controversial or uncertain seem easier to swallow when related to those that have already come up and for which similar measures have been adopted previously. Price, for instance, has cast the taboos against certain chemical weapons as developing out of a genealogy of arms control prohibitions extending back several decades (2007; see also Price and Tannenwald 1998).

Conclusion

The purpose of this chapter has been to construct a theoretical model for investigating transnational activism in China. In doing so, it has sketched three explanatory paradigms representing divergent traditions of inquiry and premised on competing assumptions. Drawn from realist theories of IR and state-based comparative scholarship, the state-centric paradigm conceives of
effective advocacy as a function of national interests. A primary focus on capabilities supplies the common ground for theories in this family. For realists, hard power capabilities should make all states in general resistant to non-state influences, while comparativists are more prone to recognize that strong, high-capacity states are more insular and invulnerable to external interference than are weak, low-capacity ones. The society-centred paradigm, on the other hand, sees state preferences as shaped by social interests where institutions of representation permit. Based on liberal theories of international politics and comparative approaches to the study of regime types, the paradigm holds that authoritarian countries are less susceptible to activist incursions because they lack formal mechanisms of public accountability. The third paradigm is not only distinct theoretically but ontologically as well, as it envisions a sociological process of norm creation and treats the identities and interests of particular states as a key determinant of their socialization to those norms.

Each of these paradigms suggests a different hypothesis concerning when and how TANs influence domestic policy changes, all of which are perfectly plausible and no doubt relevant to some extent. To restate these formally, the realist paradigm posits that TANs affect policies when and where it is in the interest of target states to be receptive to them. According to the liberal paradigm, states adopt new policy positions when compelled to do so by
competing social interests acting through institutions of representation. Finally, the constructivist paradigm argues that TANs influence policies where state and social preferences are reconfigured via a process of norm development, diffusion, and socialization. Therefore, one expects that TAN campaigns will experience difficulty in penetrating Chinese institutions and affecting policy changes unless it is in the state’s interest for them to do so.
CHAPTER 3

Issue-Advocacy in China: The Natural Cases

Given the highly state-dominated nature of its politics, the case of China affords an opportunity to test the limits of existing theories and to develop a new one that accounts for the results of transnational campaigning in similar environments. The selection of China as a crucial case is especially appropriate considering that, as an important presence on the world stage, China is the target of advocacy on a broad spectrum of issues, yet still presents a range of outcomes on the dependent variable. That is, shifts in central government policy have occurred in some of the issue-areas but not others.

The four campaign narratives explored in this chapter are collectively referred to as “natural cases” because the results for each one are exactly as one might expect them to be in relation to state preferences. While national interests are anticipated to play a major role in determining the outcome of TAN campaigns in strong, insular autocracies like China, the theoretical value of the exercise lies in gaining an understanding of the patterns that produced the outcomes in each case, and the mechanisms underlying changes in state preferences where they occurred. Each of the narratives is structured according to the theorized hypotheses from chapter two, outlining the role of international
and target state institutions, TAN characteristics, and issue features in determining campaign effectiveness. They then conclude with a brief discussion of the pattern-matching results and implications for the predictions of our three explanatory paradigms.

I. Redress for the Alleged Persecution of Falun Gong Practitioners

On April 25, 1999, some 10 000 members of the spiritual sect known as Falun Gong converged on the Zhongnanhai complex in central Beijing, headquarters of the CCP and home to the Party’s top brass including then-president Jiang Zemin. The crowd had come to petition the nation’s top lawmakers after a rising tide of official measures and critical press had damaged the group’s public image. Though it was by all accounts non-violent and not intended to provoke the authorities, the demonstration nonetheless provoked anger and alarm within the Politburo, touching off a firestorm of repression in response to what Party leaders called “the most serious political incident since June 4” (Zong 2002: 66). The following month, state leaders launched a nationwide blitz to defame and destroy the movement, calling it an “evil sect” that threatened social order, as well as the “vanguard role and purity” of the Party itself (Chang 2004: 10). The result was thousands of allegations of harassment,

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10 Estimates vary as to the size of the protest. The figure of 10 000 comes from Leung (2002: 761), while James Tong estimates the number of demonstrators on April 25 at 20 000 (2009: 6).
unlawful detention, torture, death in police custody, and, ultimately, the virtual eradication of the organization within China.

More than a decade later, Falun Gong has morphed from a spiritual movement based on ancient traditions of Buddhism and Daoism into a transnational political organization composed not just of practitioners of the faith, but globalized networks of NGOs, lawyers, politicians and human rights activists seeking redress and freedom of religious belief on behalf of those persecuted. For example, Friends of Falun Gong (FoFG), a US-based advocacy group formed in 2000, aims to “stop the persecution and bring to justice those who have perpetrated human rights crimes targeting Falun Gong Practitioners” (February 20, 2007). The Falun Dafa Information Centre, which serves the TAN as a major information and framing hub for the network, “advocates for the rights of Falun Gong adherents inside China, particularly under the current circumstance in which they are denied legal representation or fair trials” (June 8, 2008). Yet of all the campaigns considered here, the one seeking redress for the alleged persecution of Falun Gong practitioners has been the least effective, as nothing resembling an open door, much less policy concessions or a hint of contrition from the state over past events, have ever materialized for Falun Gong’s advocates. Despite the group’s considerable skill with information-sharing, ability to sustain mobilization across vast geographic distances, strong
backing from foreign governments and the wider human rights community, the
global call for justice over its suppression continues to fall on deaf ears.

    The campaign counts representatives of several western governments
among its chief allies. The US Congress, for example, has been especially vocal
in its support of the movement. Authored by Chair of the House Foreign Affairs
Committee Ileana Ros-Lehtinen (R-Fla.), Resolution 605 calls on China “to
immediately cease and desist from its campaign to persecute, intimidate,
imprison, and torture Falun Gong practitioners, and to immediately abolish the
6-10 office, an extrajudicial security apparatus given the mandate to ‘eradicate’
Speaking in support of the resolution, other House members declared that
“Falun Gong practitioners have been great witnesses of courage and peace,” and
exhorted the Chinese government to “put a stop to this inhumane persecution”
(Falun Dafa Information Centre, March 17, 2010).

    Members of the Canadian government have been particularly supportive
of Falun Gong and its cause. In a letter dated May 13, 2011, World Falun Dafa
Day, Minister of Citizenship, Immigration and Multiculturalism Jason Kenney
wrote to members of the Falun Dafa Association of Canada, thanking them for
“sharing with all of us the principles philosophy of Falun Dafa”
In 2009, an all-party organization calling itself Parliamentary Friends of Falun Gong (PFoFG) was formed, the first of its kind from any Western government. According to founding member and chair Bill Siskay, its primary goal is to make sure Parliamentarians are better-informed about issues related to Falun Gong, and to “encourage respect for fundamental human rights in China” (Friends of Falun Gong, October 27, 2009). In March 2006, ex-parliamentarian David Kilgour and fellow lawyer/human rights activist David Mattas were contacted by a Washington-based advocacy group known as the Coalition to Investigate the Persecution of Falun Gong (CIPFG) with a request to probe allegations of trafficking in human organs harvested from Falun Gong practitioners incarcerated in China. Their report, released January 31, 2007, concluded that “the Chinese government and its agencies in certain parts of the country…since 1999 have put to death a large but unknown number of Falun Gong prisoners of conscience,” and that “there has been and continues today to be large scale organ seizures from unwilling Falun Gong practitioners” (Kilgour and Mattas 2007).

Intergovernmental bodies have roundly condemned the persecution of Falun Gong as an attack on practitioners’ human rights. EU officials had raised the issue in negotiations with Chinese as far back as 2001, calling the situation

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11 Peter Kent, MP for Thornhill, wrote that “Canadian pluralism only benefits from sharing the teachings of Mr. Li Hongzhi,” (Clearwisdom.net, May 15, 2011).
“unacceptable” regardless of the true numbers of those detained, harassed or tortured (American Foreign Press, February 23, 2001). Despite its stature as a permanent member of the UN Security Council, China has also been subject to investigation by UN Special Rapporteurs who have verified as credible the allegations of torture and other forms of persecution against Falun Gong in annual reports extending as far back as 2000 (UN Working Group on Falun Gong 2010). A 2007 report by Asma Jahangir, Special Rapporteur on Freedom of Religion and Belief stated,

The Special Rapporteur continues to be very concerned by the continued violations of freedom of religion or belief suffered by members of the Falun Gong. In her previous reports to the Commission on Human Rights, she explicitly mentioned members of the Falun Gong as targets of various human rights violations because of their beliefs and she strongly condemns the continued lack of freedom of belief of members of Falun Gong (UN Human Rights Council, A/HRC/4/21/Add.1, p. 25).

These international resources notwithstanding, the ongoing repression and complete legal ban against Falun Gong has severely limited the ability of its supporters to advocate on its behalf to the Chinese government. During the summer of 1999, following the April 25 demonstration, the Jiang administration
launched a concerted, top-down campaign to eradicate the sect.\textsuperscript{12} James Tong recounts that Jiang, domestic security czar Luo Gan, and other members of the Politburo were resolute and of one mind with respect to the need to nip Falun Gong’s challenge to CCP authority, the most brazen in the history of the People’s Republic, in the bud (2009: 33-34). Jiang himself was reportedly obsessed with the movement, and gave local officials carte blanche in implementing the crackdown. As one source recalls, “No questions would be asked about how this was achieved; success was all that mattered” (Chang 2004: 9).

Their first step was the creation of the so-called “6-10 office” on June 6. Answerable directly to the Politburo and State Council, its mission was to coordinate and oversee the campaign against Falun Gong, and to ensure the full cooperation of state agents in enforcing the ban on Falun Gong and supervising the activities of suspected practitioners and their families (Ownby 2008: 175; Chang 2004: 9). While the Chinese government has always been cagey regarding its existence, available sources indicate that it has a complex organizational structure with organs at the provincial and municipal levels, in Heilongjiang, Jilin, Hunan, Shandong, Zhejiang, Shanxi, Henan, Sichuan and Yunnan, and is composed of personnel seconded primarily from local law enforcement offices.

\textsuperscript{12} Official plans to eliminate Falun Gong were kept secret between April and July, 1999. Tong suggests this was done in order for the state to collect evidence and marshal the maximum resources against the group (2009: 32).
conducting a variety of activities related to surveillance and the general handling of Falun Gong (Tong 2009: 139-146). This information is corroborated by a 2007 report of the US Congressional Executive Commission on China, which concluded that

6-10 Offices throughout China maintain extrajudicial 'transformation through reeducation' facilities that are used specifically to detain Falun Gong practitioners who have completed terms in reeducation through labor (RTL) camps but whom authorities refuse to release. The term 'transformation through reeducation' (jiaoyu zhuanhua) describes a process of ideological reprogramming whereby practitioners are subjected to various methods of physical and psychological coercion until they recant their belief in Falun Gong (US Congressional Executive Commission on China 2007: 90).

Creation of the new state organization was merely a prelude to the events that followed. On July 19, Jiang went public with his plans to destroy the group, beginning with the seizure of Falun Gong paraphernalia, including books, recordings, and iconography. Two days later, the Ministry of Civil Affairs formally banned the Falun Dafa Research Association, and the Ministry of Public Security criminalized the sale or possession of Falun Gong materials. CCP members were prohibited from practicing Falun Gong, and an estimated 300 000 Party members formally renounced their beliefs (Ownby 2008: 175). State media
overflowed with anti-Falun Gong propaganda. A July 22 article in the *People’s Daily* entitled “The Truth About Li Hongzhi,” derided the movement’s founder as nothing but a huckster out to fleece the unsuspecting public. Chinese officials contacted Interpol requesting assistance in extraditing Li from the US to stand trial in China, a request it refused (Chang 2004: 11). Academic accounts tell of thousands arrested, interrogated and beaten in cities across the country (Wong and Liu 1999: 8; Chang 2004: 10; Tong 2009: 52-54). Most seriously, it is alleged that following the July 22 crackdown an estimated 3000 practitioners died in police custody, many as a result of being tortured (Ownby 2008: 162). These reports have been verified as credible by NGOs such as Amnesty International, which has called on the Chinese government “to stop the mass arbitrary detentions, unfair trials, and other human rights violations resulting from the crackdown on the Falun Gong and other groups branded by the government as ‘heretical organizations,’” (2000: 1).

While the intensity of the suppression has downgraded since Jiang left office, there is evidence that the state’s campaign against the group has continued under Hu. In fact, attacks on Falun Gong in the national print media continued until 2005. Tong reports that anti-Falun Gong editorials or articles appeared in *Remin Ribao* every month from July 1999 to May 2004, with an

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13 Both Tong (2009) and Ownby (2008) offer exceptionally detailed accounts of anti-Falun Gong discourses in China during this period, and of the state’s propaganda war in particular.
additional nine stories appearing in 2005 (2009: 90). There have also been allegations of continued physical and psychological abuse under the current leadership. Of the 14,474 practitioners taken into police custody during between 1999 and 2005, 2,731 were tortured to death, with a reported 554 of these fatalities occurring in 2004 and another 437 in 2005, though these figures derive mostly from Falun-Gong sources (see Tong 2009: 122-125). Moreover, considerable diplomatic resources have gone into undermining Falun Gong internationally. A recent statement by the Chinese Embassy in the United States asserts that “there are numerous cases demonstrating the disastrous effects of Falun Gong” and that “Li Hongzhi is in fact an evil figure who, by deceiving [sic], has been seriously disrupting social order and sabotaging the hard-earned social stability of China,” (Embassy of the People’s Republic of China in the United States). Another urges foreign government officials to “take effective measures to stop ‘Falun Gong’ from engaging in anti-China activities” (Embassy of the People’s Republic of China in the United States 2002). More broadly, the CCP’s relentless branding of the group as a cult has created links in the global popular consciousness to groups such as Japan’s Aum Shinri Kyo, which perpetrated a poison gas attack on the Tokyo subway system in 1995, and the Branch Davidians in the United States, limiting Falun Gong’s ability to leverage popular support abroad.
For a group that experienced such intense repression, Falun Gong, as it survives today, exhibits surprising strength and density. Suppressed within China, the group gained popularity among Chinese expatriates abroad after 2000, and has since made inroads with some non-Chinese adherents as well. Indeed, the most important long-term consequence of the government crackdown has been Falun Gong’s spread throughout North America, Australia, Europe and Asia. Ethnographic studies of Falun Gong outside China, dubbed “advocacy anthropology” (Porter 2002: 17), show that sizable practitioner communities can be found in Canada, the United States, Britain, Australia, Japan, Taiwan and elsewhere. (Ownby 2008: 125). Fieldwork by Ownby has shown that members of Chinese diasporas account for approximately ninety percent of practitioners in North America, and that they tend to be wealthier and better-educated than the average American or Canadian (2008:160). Thus they may be in a stronger position to contribute financially to advocacy efforts at levels ranging form the transnational to the local. Falun Gong websites, especially clearwisdom.net, provide contacts for local practitioner associations in most medium-to-large cities in the US and Canada, giving an indication of the group’s geographical breadth within North America where the bulk of those participating in the network reside (Ownby 2008: 126). Because these local groups do not maintain any official registration or membership lists, precise
estimates of the total number of practitioners internationally are impossible to obtain, though Falun Gong itself pegged its worldwide following at 100 million individuals as of 2002 (Falun gong zhenshi di gushi, 14).

Followers of the faith make up only a part of the TAN, however. In addition to Chinese and western adherents of the practice, the network also includes large numbers of advocates in NGOs whose concern for the group derives strictly from its political situation, not the content of its religious message. According to its website, the Falun Dafa Information Centre “does not seek to promote the teachings or practice of Falun Gong” but rather concentrates on documenting abuses and disseminating information to “all relevant entities who seek to learn more about the plight of Falun Gong in China” (http://faluninfo.net/category/10/). Among the more notable NGOs publicly condemning the Chinese government’s handling of Falun Gong include Human Rights Watch, Human Rights in China, the National Organization for Women, Freedom House, and Physicians for Human Rights. Others are devoted to advocacy on behalf of Falun Gong exclusively. For example, the World Organization to Investigate the Persecution of Falun Gong (WOIPFG), a global network of lawyers and human rights activists headquartered in New York, makes it its mission
To investigate the criminal conduct of all institutions, organizations, and individuals involved in the persecution of Falun Gong; to bring such investigations, no matter how long it takes, no matter how far and deep we have to search, to full closure; to exercise fundamental principles of humanity; and to restore and uphold justice in society (2004).

Likewise, FoFG pursues a broad repertoire of advocacy tactics, including litigation and the organization of protest rallies, all focused specifically on “preventing and ending violations of the right to practice Falun Gong openly, freely, and with dignity, worldwide” (http://www.fofg.org/ourwork/our_work_top.php).

Dense information exchanges have allowed the Falun Gong network to sustain its campaign for redress over vast distances and long periods of time. Cyberspace plays as especially pivotal role in coordinating Falun Gong activities transnationally, with clearwisdom.net, falundafa.org, and faluninfo.net being among the most important (though not the only) sources of up-to-the minute information for the TAN about happenings on the ground in China. The latter purports to be “both the official press office for Falun Gong as well as a primary resource for information about the human rights abuses Falun Gong practitioners face at the hands of the Chinese Communist regime” (http://faluninfo.net/category/10/). Indeed, Falun Gong may owe its very existence to the internet, not only because it enabled the recruitment of millions of new followers, making Falun Gong, “the largest religious movement born
alongside the rapid global proliferation of the internet” (Bell and Boas 2003: 277), but because it has allowed the group to coordinate many of its activities while evading Chinese authorities. As one study put it, Falun Gong “cannot be subjugated by the Party because it has…a high degree of elusiveness, and is able to communicate through a medium, the internet, that cannot be easily controlled” (Leung 2002: 784).

The network’s skillful use of media, however, is not limited to the World Wide Web. The Epoch Times newspaper, which publishes in ten languages and is distributed in over thirty countries, also serves as a key mouthpiece for the group internationally. In Canada alone, it operates 6 regional offices, with print editions available weekly in Montreal, Toronto, Ottawa, Calgary, Edmonton and Vancouver. Though a legitimate news outlet featuring national and local coverage, the Times also serves as a means to publicize Falun Gong’s political message, primarily though its “Nine Commentaries on the Communist Party,” which appears in every edition. Among the more provocative statements made in the Commentaries is the claim that “the history of the Communist Party is written with blood and lies” and that “the demise of the Chinese Communist Party is only a matter of time” (http://ninecommentaries.com/). By framing the group’s struggle in terms of CCP brutality versus the “benevolence, compassion, and forbearance” of Falun Gong, the publication has a direct influence on the
nature and orchestration of sit-ins by local practitioner communities around the world. Demonstrators can be found cross-legged with their heads bowed in silent protest outside Chinese embassies in many cities, under banners lettered with political slogans such as “Bring Jiang Zemin to Justice.” In some cases, the methods of torture are reenacted to show the general public the extent and severity of Falun Gong’s treatment by the Chinese state. One such display at the intersection of Granville Street and King Edward Avenue in Vancouver has continued around the clock for more than twelve years.

This ability to sustain mobilization is all the more impressive given Falun Gong’s relatively loose, informal membership structure, and the lack of any distinct organizational hierarchy. There are no specific registration requirements or criteria for enrolment. No official records are maintained. One does not “join” the faith in the conventional sense, nor are they confirmed or initiated into Falun Gong as one is baptized into Christianity. For the most part, believers meet in practitioners’ houses, at open-air gatherings in public parks, or periodically at outdoor protests and demonstrations. Certain individuals may serve as designated contacts for practitioners in a given local area, but are simply conduits for information, not leaders as such (Personal communication, May 30, 2010, name withheld).
Unlike most religious organizations, Falun Gong has no ordained clergy, maintains no offices or staff, and has been essentially “headless” since its founder, Li Hongzhi, left China for the United States in 1995 shortly before the sect was repressed. Although still revered by practitioners the world over, Li now communicates with his flock only rarely in sporadic online postings and lives a life “off the radar” at an undisclosed location somewhere in the New York City area. For its part, the regime has always vilified Li as a dangerous quack who preys on the most suggestible and vulnerable in society (Ji 1999). It also claims that Falun Gong in fact had a clear hierarchical structure that mirrored the administrative apparatus of the state, with several subordinate levels working under the supervision of a centralized authority, headed by Li. “At the institutional apex was the Beijing Falun Dafa Research Society, with four subordinate management levels—main station, branch stations, tracts (pian), and practice sites (liangongdian)—that formed an organizational pyramid” (Tong 2002: 638). The mere possibility that there existed a parallel organization, largely unsupervised by the state, with an ability to mobilize and in numbers that, at the peak of its popularity, might well have dwarfed the communist party, constituted a major threat to order and justified the move to eradicate Falun Gong for CCP leaders. But that structure, if indeed it existed, was completely dismantled with the July 1999 crackdown and subsequent banning of the group.
The informality characterizing Falun Gong today is a product of its clandestinity in China after that date.

However, it is clear that the moral entrepreneurship of Li Hongzhi was a key catalyst of Falun Gong’s rise, first as a religious craze in China, and later in its transformation into a transnational political group. As his own brother would later recount, “Master Li was the right man in the right place at the right time, but more than that, he had the right stuff” (Adams et al, 2000: 11). A charismatic speaker, Li’s teachings were expertly packaged for a society eager to receive them. Arriving on the national scene in 1992, he capitalized on a booming public interest in qigong practices, differentiating his simple exercise regimen by synthesizing it with a message of salvation, transcendence, and mystical aspects of multiple Chinese religious traditions (Lu 2005: 177). In this way, he “laid claim to a great deal of territory, nudging the boundaries of what was advisable or permissible for a garden variety qigong master to say” (Adams et al, 2000: 13).

It was not until well after his departure from China, however, that Li’s statements took on a more inflammatory tone. Railing against what he called a “wicked dictatorship” challenged by the “goodness” of Falun Gong, a series of online postings in 2001 urged his followers not to back down even under threat of torture and death (Chang 2004: 22). Yet Li’s sporadic encouragement, which now helps to sustain the mobilization of Falun Gong practitioners
internationally, is also a major liability for human rights advocacy on the group’s behalf. Even though he is a source of inspiration to millions, both he and the movement he began remain enemies of the Chinese state.

None of these internal resources has made the Falun Gong issue any more palatable in China, however. The grafting of its core claims onto broadly accepted human rights discourses has made little difference, and, for all its skill in issue framing and transnational bridge-building, there remains considerable dissonance between the central claims of the campaign and those of the state over what transpired in July 1999. As Ownby writes, “the Chinese government has consistently refused to allow third-party verification, either of its claims concerning the abuses or ‘crimes’ allegedly committed by Falun Gong, or of its claims that Falun Gong practitioners who are incarcerated are well treated” (2008: 162). The resulting quagmire of contradictory, circular, untraceable or unsubstantiated evidence, regrettably endemic to scholarly research on Falun Gong, has produced a situation in which there is no definitive proof of the numbers allegedly tortured or killed, something that the regime touts as a sign of its deniability. Yet even if this were not the case and the historical record were more clear-cut than it is, the official ban on practicing Falun Gong remains in place with no indication that it will be lifted anytime soon.
Nor is there much sympathy or support for Falun Gong from Chinese society. In part, this is because the state won the domestic propaganda war with relative ease. Justifying its response as a matter of public safety (rather than a human rights case, as the campaign has), the government succeeded in turning public opinion against the group. Chinese sources are in lock-step regarding their condemnation of Falun Gong as a cult harmful to society, (Chen and Dai 1999; J. Feng 2000; Wei 1999; K. Zhao), and their defense of the state in preserving stability (Hua and Zhong 1999; Kang 2000; Tan, Qin and Kong 1999). Even those who do not hold strong anti-Falun Gong opinions likely do not care about mending fences with what underground remnants of the group may still exist on the mainland. Ten years after the crackdown, Falun Gong has faded from the headlines, its claims against the state long since crowded out by the more pressing issues of economic, social and environmental change, all of which are far more consequential and hold much greater revolutionary potential from the standpoint of Chinese society.

All things considered, it is no exaggeration to claim the transnational campaign around Falun Gong as the single largest and most cohesive source of opposition to CCP rule currently in existence. As historian David Palmer puts it, “Falun Gong appears as one of the best organized and persistent oppositional movements...far surpassing democratic dissidents in its organizational and
mobilizational capacity, both in China and abroad” (2007: 281). Yet in the end, it comes as little surprise that Falun Gong’s campaign for justice turned out as it did. While a strong base of external support combined with internal network capacity and attachment to principle has allowed the campaign to sustain itself for more than a decade, the same unwavering mobilization has fueled, not weakened, China’s resolve on the issue. While many who previously wrote on the Falun Gong phenomenon believed the movement held within it the potential to transform China spiritually, socially and politically, it was crushed by a determined CCP with relatively little resistance. The lasting effect has been consistently restricted access for the TAN, and no impetus for the regime to reverse its policy. With neither side willing to retreat from its position, the causal process unfolded in precisely the manner expected. This is depicted in Figure 3.1 below.
This result confirms the realist hypothesis. The campaign failed to gain access or achieve any substantive political impacts because it was not in the state’s interest to be open to advocacy on that issue. Equally, the Falun Gong narrative provides evidence for the liberal claim that policy changes result when social preferences are exercised through representative institutions. In this case, support for the campaign’s claims within domestic society is so low that there is no political incentive for the state to reverse its position. Even if some forum existed for members of the Chinese public to come out in defense of the group, most would not do so since Falun Gong, its spiritual and political message, and alleged persecution are not viewed by anyone on the mainland with the seriousness they once were. Finally, the Falun Gong saga is compelling evidence of China’s continued resistance to global human rights norms. While global integration has increased pressure on the state to reform itself and modest improvements in the post-Tiananmen era are touted as evidence of its gradual socialization to international protocols, the many credible allegations of torture and repression arising from the Falun Gong narrative suggest that human rights in China may not have come as far as is often supposed.

II. Abolition of Capital Punishment

As reflected by its adoption of several recent reforms, the current leadership’s commitment to “kill fewer, kill carefully” (shaosha shensha) represents the latest in China’s evolution toward a moderate, restrained death penalty system. In 2007, the central government introduced a package of new
measures designed to curtail the number of executions held in the country each year. Of these, the most important and internationally recognized was the decision to reinstate powers of death penalty review to the Supreme People’s Court, a move that reversed a 1983 policy decentralizing appellate review in order to encourage executions as a means to deter crime. The reform package also mandated the institution of new procedural guidelines for convicting and sentencing in death penalty cases, established the use of lethal injection as an alternative to the more conventional method of execution by shooting, and even floated the controversial notion of a cash-for-clemency system in which the executions of those able to pay may be commuted to a non-lethal form of punishment. Additionally, legislation was tabled at the 2011 meeting of the Standing Committee of the National People’s Congress to remove thirteen economic offenses from the list of capital crimes, reducing the total number from 68 to 55.

However, these policies remain a far cry from the outright abolition of capital punishment sought by a transnational network of human rights activists.

Indeed, while groups such as Amnesty International consider the death penalty...

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14 All scholarship on the death penalty in China is beset by the difficulties of estimating the true number of executions carried out each year, a figure that is carefully guarded by the state. For an excellent discussion of these challenges and the consequences for measuring the impact of new policies on the annual rate of executions, see Johnson and Zimring 2009: 231-243.

15 There has been considerable debate as to whether this latter measure is likely to reduce the number of yearly executions, as few if any prisoners have been put to death for these offenses since the mid-1990s (Brook, September 16, 2010).
to be “the ultimate cruel, inhuman, and degrading punishment,”
(http://www.amnesty.org/en/death-penalty), the intentions underlying China’s recent reforms remain unclear. At a March 2007 meeting of the UN Human Rights Council, Chinese delegate La Yifan stated that the scope of China’s death penalty laws was under reconsideration and that their application was to be reduced “with the final aim of abolition” (Macbean 2008: 205). Yet no timeline has ever been established for the phasing-out of executions by CCP leaders and, as Johnson and Zimring argue, “this aspiration usually comes attached to qualifications that posit a long-term future in which the country is economically developed and its legal system is significantly more advanced than it is today” (2009: 226). For the moment, Party leaders and the Supreme People’s Court appear to simply be more concerned with balancing leniency and severity in law enforcement, and “prone to err on the side of leniency when sentencing all but the most egregious crimes” (Travaskes 2008: 393). Seen in this light, China’s recent move to more restrained, judicious use of the death penalty and rule of law development amounts to the deepening institutionalization of capital punishment in Chinese jurisprudence, and thus may be seen as part of an ongoing trend toward moderating use of the death penalty in ways that contribute to the long-term viability of its retention. As one recent study concluded, “under the current sociopolitical conditions in China, the death
penalty seems to have sufficient official and grassroots support to play a continued role in crime prevention and order maintenance even in the face of a global movement toward its abolition” (Lu and Miethe 2007: 121).

Interstate organizations and treaties have been crucial to the gestation of international norms aimed at ending capital punishment. Indeed, “the limitation and abolition of the death penalty is a central theme in the development of international human rights law” (Schabas 1996: 30). The UN in particular has been a primary engine of support for abolition on humanitarian grounds almost since its inception. Both the Universal Declaration of Human Rights, written in 1948, and the International Covenant on Civil and Political Rights of 1966, are among the earliest international legal documents now routinely invoked by abolitionists who argue that the death penalty violates two basic human rights: the right to life, and protection against cruel, inhumane or degrading punishment. More concretely, UN organizations have provided a venue for the advancement abolitionist ideas, most often through the tabling of specific resolutions by issue entrepreneurs in national governments. One such document, sponsored by Austria, Ecuador, Sweden and West Germany and presented at the Sixth UN Congress on the Prevention of Crime and Treatment of Offenders in 1980, urged retentionist states to consider dropping the death penalty, arguing that doing so would make “a significant contribution to the
strengthening of human rights, in particular the right to life” (UN, Doc.A/CONF87/14/Rev.1 (1980), p. 60). A more recent and high-profile example is the Moratorium on Capital Punishment introduced by Italy and Chile in 2007, which calls for an immediate general suspension of capital punishment across the world. The resolution passed the UN General Assembly twice, once on November 15, 2007, and again on December 15, garnering large majorities on both occasions.

European support for abolition has been especially strong. While the European Convention on Human Rights initially protected the right of states to impose capital punishment, a specific protocol concerning abolition of death penalty has been in force since 1985 (Hodgkinson 2004: 21). The EU now specifically cites ending the death penalty as a core diplomatic objective, making clear its intentions to “progressively restrict the number of offenses for which it can be imposed,” and “establish a moratorium on executions with a view to completely abolishing the death penalty” (1998). Additionally, death penalty practices have been an important factor in assessing human rights among states being considered for EU membership, most notably in ex-Soviet satellites and successors of the former Yugoslavia. Ending the capital punishment has also come under discussion at the Organization for Security and Cooperation in
Europe, though in that case the adoption of official measures has been hampered by objections from prominent retentionist states such as Russia.

There is some evidence to suggest that this international pressure has influenced domestic debates, contributing over time to an emerging global consensus around eliminating the death penalty (Lu and Miethe 2007: 6; Schabas 1996: 25; 2004). More than two thirds of all countries have now abolished capital punishment, and of the fifty-eight that have death penalty laws still on the books, most do not use them, and only five countries now execute minors (Amnesty International 2009). There have also been signs of the death penalty becoming less common in Asia. 2009 marked the first time in many years that no executions were scheduled in Afghanistan, Mongolia, Indonesia, or Pakistan. It must be noted, however, that despite considerable institutional support and the global trend toward abolition, there exists no “stable and universal standard” regarding application of the death penalty (Asad 1997), and its abolition is not fully recognized as a customary norm of international law. Rather, “the use of the death penalty sits squarely within those issues which are fundamentally matters of domestic criminal policy” (Schabas 1996: 17) and is therefore not subject to international law in any formally binding way. As such, claims as to the influence of human rights norms propagated by international institutions must be qualified by pointing out the obstacles to abolition imposed by
prominent and powerful defenders of capital punishment, including the United States, Singapore, Iran, and Saudi Arabia, as well as China.

The passage of time has brought with it noticeable changes in the Chinese leadership’s position on the death penalty, though attitudes toward the practice developed under Mao continue to mark official policy in subtle but meaningful ways (Zhang 2008). Specifically, capital punishment has remained consistently important as a way for the Party to shape socialist society and preserve its rule. As Michael Palmer explains, “Law, including in particular the Criminal Law and its provisions on the death penalty, are seen as ‘weapons’ (wuqi), by means of which the Chinese Communist administration continues its dominance of the Chinese people” (1996: 106; see also Clarke Feinerman 1995). In keeping with the Leninist principle that severe forms of criminal punishment were necessary in order to protect the people’s democratic dictatorship against bourgeois reactionaries, the death penalty was widely and vigorously employed throughout the Maoist period, but especially during the early years of the PRC when criminal justice institutions in general “served as a blunt instrument of terror” (as cited in Johnson and Zimring 2009: 259). No distinctions were made at this time between class enemies and criminals. In a 1957 speech concerning the “Correct Handling of Contradictions Among the People,” Mao roundly identified “exploiters, counterrevolutionaries, landlords, bureaucrat-capitalists,
robbers, swindlers, murderers, arsonists, hooligans and other scoundrels who seriously disrupt social order” as fit for death (Macbean 2008: 208).

It was not until after the worst excesses of the Cultural Revolution—which entailed an unknown but undoubtedly huge number of extrajudicial killings—that communist China took its first official, albeit tentative, steps toward reigning in its use of the death penalty. Introduced by Deng Xiaoping at the Third Plenary of the Eleventh Central Committee in 1979, the Criminal Law and Criminal Procedure Law provided a formal framework for the exercise of capital punishment in China. Although it was in part a response to the extreme radicalization of executions under Mao, the new legislation nevertheless retained an emphasis on suppressing counterrevolutionaries but stipulated that the death penalty was only to be applied in these cases “when harm to the state and the people is especially serious and the circumstances especially odious” (Palmer 1996: 112). Moreover, while the Criminal Law envisaged a brand new category of capital offenses related to “endangering public security” (weihai gongong anquan zui), it also introduced new strictures in several areas, including, for example, the killing of juvenile offenders, and institutionalized death by a single gunshot to the back of the head as the only officially sanctioned method of execution. Amendments to the Criminal Procedure Law approved in March 1996 advanced the rule of law still further by allowing for enhanced protection of
defendants’ rights. Among the more notable provisions was the mandatory appointment of defense counsel in all capital cases, as well as the strengthening of trial procedures to prevent executions resulting from gross miscarriages of justice (Zhou 1996).

Despite these attempts at reform, the state has remained determined not to relinquish capital punishment, however. In an address to the Politburo Standing Committee in January 1986, Deng Xiaoping declared executions an “indispensable means” of educating the masses about proper conduct. Accusing the courts of being “too soft” on repeat offenders, he called for stiffer use of the death penalty against corrupt regime officials, recidivists, and organizers of “secret reactionary societies,” among others (Scobell 1990: 506). Jiang Zemin, who famously earned his post as President through his tough-on-crime stance and no-nonsense approach to the June 1989 sympathy demonstrations in Shanghai, took a similarly tough stance, adding more than twenty new capital offenses to the criminal code during his time in office, bringing the total to sixty-eight (Wei 1998). Written in English for an international audience, a 1991 White Paper on Human Rights takes pains to highlight China’s death penalty controls, while affirming its commitment to punishing those “guilty of the most heinous crimes” and defending its own right to protect “national stability” (Information Office of the State Council).
As further evidence of China’s continual retentionist stance, the Strike-Hard (*yanda*) campaigns of 1983, 1996, and 2001 all attest to the regime’s prioritization of capital punishment as a means of seeking vengeance in cases of violent crime and bureaucratic corruption. The first of these, which lasted from September 1983 until January 1987, was a response to growing public fear over certain types of crimes, especially kidnapping and human trafficking, and saw new mandatory death sentences for those specific crimes as well as a major increase in the overall number of capital offenses (Tanner 2000). Additionally, the central government took steps to restrict judicial oversight, and granted local courts first authority to try capital cases. While a lack of official data renders any precise determination of the increases in execution rates impossible, the result in each case was a reportedly massive surge in death sentences carried out across the country. One scholar places the death toll from the first campaign at 10,000 (Tanner 2000). Estimates of the annual execution rate between 1998 and 2001 have topped 15,000 (Nathan and Gilley 2003). Further, it is thought that the number of erroneous executions resulting from corruption and incompetence in local court systems reached its peak during the Strike Hard campaigns of the 1980s and 1990s (X. Chen 2002: 544).

Leading officials of the current administration, including President Hu Jintao, Premier Wen Jiabao, and President of the Supreme People’s Court Xiao
Yang, have all indicated that capital punishment will not be abolished, but will be meted out more cautiously and fairly than in the past. These intentions were first made public in the Second Five Year Reform Programme for the People’s Courts (2004-2010), which mapped out an aggressive strategy to overhaul China’s death penalty laws. In 2007, this plan was put in full motion with a comprehensive new set of measures aimed at moving China away from the unnecessary, excessive use of criminal executions. Most important was the restoration of power to the Supreme People’s Court to review all decisions handed down for immediate execution (sijing liji zhixing), which took effect January 1. Other significant initiatives include the issuance of guidelines by the Supreme People’s Procuratorate to its own prosecutors and judges regarding changes to the appeals process (Li 2007), instructions to provincial courts outlining specific conditions under which seeking the death penalty is appropriate, financial incentives for local authorities to switch to lethal injection as the primary method of execution (Johnson and Zimring 2009: 275-276), and the expansion of earlier reforms regarding the suspension or commutation of death sentences for minors and, under limited circumstances, women (see Lu and Zhang 2005).

Compared to others examined here, the campaign to abolish capital punishment in China is one of moderate strength and density, with members
hailing from a wide variety of professional and cultural backgrounds. For example, the Hong Kong-based Anti-Death Penalty Asia Network (ADPAN) calls itself “an independent informal network with almost 40 members made up of lawyers, parliamentarians and human rights activists from 21 countries,” (http://www.worldcoalition.org/modules/smartpartner/partner.php?id=1).

According to its website, the French-based World Coalition Against the Death Penalty (WCADP) brings together “about sixty NGOs, bar associations, local bodies and unions,” in its effort to end the use of execution as a means of seeking justice for criminal offenses (http://www.worldcoalition.org/modules/membres).

While transnational support for abolition crosses cultural lines, information exchanges among groups in the network and their external supporters depend on a relatively small set of large, professionalized INGOs, the most prominent and well-known of which is Amnesty International. While the exact number of death sentences and executions carried out in China each year are technically state secrets, data compiled by Amnesty International from government press releases on high-profile cases are considered the most accurate and reliable currently available, making Amnesty International the single most trusted source and framer of information for death penalty activists around the world. No other NGO or government working on the issue has compiled so large a body of research or had their work so widely cited. As one report
concludes, this is because “accounts of each case can be traced to their original source, and because the organization employs research practices resulting in more conservative estimates of the number of executions” (Lu 2008: 1).

The campaign also benefits directly from the participation of several “indigenous” NGOs, made up predominantly of lawyers, journalists, and other human rights advocates, whose experience and connections to the Chinese legal system make them valuable partners in generating and framing information that drives death penalty activism from the outside. The details they provide are mostly micro-level and anecdotal but essential for putting together the larger picture of how death sentences are carried out, and on what scale. Among the best known of these organizations is Human Rights in China (HRIC), which describes itself as an “international, Chinese, nongovernmental organization with a mission to promote international human rights and advance the institutional protection of these rights in the People’s Republic of China” (2010). Headquartered in Hong Kong and New York, and founded by Chinese students and scholars in the spring of 1989, the group aims to generate social pressure for change within China in order to force the central government to comply with international human rights norms on capital punishment. It also seeks to maximize its resources and leverage, and that of the wider campaign, through collaboration with other NGOs, locally, nationally, and transnationally. Other
domestic notables include Chinese Human Rights Defenders (CHRD), the China Human Rights Lawyers Concern Group (CHRLCG), and the Dui Hua Foundation (DHF), which articulates its mission as one of improving cooperation around human rights in both the US and China and has been influential for the network both as a source and framer of death penalty data in regions less accessible to non-Chinese activists (2007a). Remarking on the 2007 reforms, one DHA paper argued that as a consequence of restoring the authority of the Supreme People’s Court to review death penalty cases, “it should be possible to cut [China’s] rate of executions in half over the next two to three years, from 7000 in 2006 to 3500 in 2009” (2007b).

Although perhaps less influential overall, two further groups are worth noting as important providers and framers of information for the TAN. First, academics have been major compilers of credible data on capital punishment, and in small ways their work has helped to advance international legal and policy debates on the death penalty. For example, Roger Hood’s estimates of worldwide death penalty figures (e.g. 1989) are widely used alongside Amnesty International’s in scholarly investigations (Johnson and Zimring 2009: 231-243) and UN reports. Second, although they are often overlooked, medical doctors have been vocal advocates of abolishing the death penalty on grounds that the
physical and mental suffering it produces is unduly cruel and inhumane (Ferris and Welsh 2004).

China’s continued resistance to abolition is rooted to a significant extent in claims of its cultural exceptionalism. As noted above, the contemporary debate around capital punishment takes place within the larger context of global human rights, in particular the right to life. By painting abolition as a moral imperative already recognized in international law and grounded in principles upheld in international accords to which China is a signatory, activists hope to compel the regime to drop the death penalty or else face condemnation as an unrepentant rights violator. However, China’s rationale for retention rests in part on the notion that severe forms of criminal punishment, including the death penalty, are a part of Chinese culture and incommensurable with international human rights discourses. Historiography on the death penalty in China highlights a tradition of capital punishment stretching back as far as the Qin dynasty, one that incorporated some especially gruesome methods of execution such as burning, decapitation and “death by a thousand cuts” (e.g. Bodde and Morris 1967; MacCormack 1990; Brook, Bourgon and Blue 2008). Such narratives are often deployed in scholarly research in ways that portray China’s current death penalty practices as embedded in that tradition (Ho 2005: 277). For example, Lu and Miethe argue that “the death penalty has been widely used throughout
Chinese history for purposes of social control, order maintenance, and regulation of individuals and private groups” (2007: 27). When presented in this way, China’s retention of the death penalty brooks no justification to the global community, but is rather a natural, essential characteristic of Chinese governance, one that allows the current regime to reject international human rights norms with a clear conscience. For older generations of CCP cadres steeped in Marxist-Leninist and Mao Zedong thought, “western creeds promoting abolition, such as ‘humanitarianism’ (rendao zhuyi) and ‘human rights’ (renquan) are infused with class characteristics and are therefore unsuitable for the socialist context of the PRC” (Palmer 1996: 125). More concerned with balancing retention and restraint, the current administration pays lip service to these values while remaining true to China’s cultural and ideological mores.

Moreover, there is broad support for the death penalty within the Chinese public (Ho 2005: 280). As one study put it, “most Chinese have a deep-rooted fear of lawlessness and chaos [and] approve of the execution of violent criminals” (Scobell 1990: 503). Recent research confirms that social support for the death penalty has remained consistent over time and is prevalent even among segments of the Chinese public thought to be relatively liberal, such as

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16 This long-standing cultural norm of punishing individuals to make them a fearful example to others is captured in traditional Chinese sayings such as “killing one to warn a hundred,” (sha yi jing bai) and “killing a chicken to warn a monkey” (sha ji jing hou).
college students (Liang, Lu, Miethe, and Zhang 2006; Jiang, Lambert, and Wang 2007). Studies also show a wide belief in the deterrent effects of the death penalty, as well as very little gender gap in attitudes toward capital punishment, unlike in the US where men are typically thought to hold more punitive views (Jiang and Wang 2008; Lambert, Jiang, Jin, and Tucker 2007). Moreover, Chinese society demonstrates strong support for the death penalty as retribution for official corruption, as evinced by the strong sense of satisfaction and “festival-like thrill” (Qiu 2007: 17) reported at the executions of public servants such as a former head of Jiangxi province convicted of embezzlement and, more recently, disgraced former head of the State Food and Drug Administration Zheng Xiaoyu.

In sum, while many practices and policies surrounding the institution of capital punishment in China have indeed changed, this shift is at odds with the stated objectives of the TAN, and there is little to suggest that the observed shift is the result of transnational pressure for compliance with human rights norms. Indeed, as Kent notes, China’s continued use of the death penalty illustrates how global advocacy around such norms have produced at best only “temporary, superficial, and instrumental change” in policy (2008: 624). With simultaneous interests in mollifying the public by keeping the death penalty for serious crimes, scaling back its use as an instrument of social control, and standardizing criminal
justice procedures, the “kill fewer, kill carefully” policy conforms to shifting patterns of state demand, not the persuasiveness of foreign activists or a Damascus-road conversion to international values (see Li 1995: 34-35). All of this adds up to a general confirmation of the realist hypothesis and a rejection of the constructivist one. However, to the extent that the more rationed and delineated use of capital punishment conforms to popular preferences on matters of criminal justice and good governance, the case also appears to support the liberal claim concerning the role of social forces in configuring national interests. Indeed, when viewed as part of a larger ongoing program of rule of law development, something that has been in growing demand by Chinese citizens for more than twenty years (Kelliher 1997), the new “kill fewer, kill carefully” policies provide evidence of an overall trend toward more socially responsive governance in China.

The outcome of the campaign and the pattern that produced it are summarized below in Figure 3.2.
III. Improvement of Intellectual Property Law

Recent years have seen the creation and development of a comprehensive policy regime to strengthen the protection of intellectual property rights (IPR) in China, in accordance with the objectives of a transnational campaign on the issue. Specific laws regarding trademark, patent and copyright protection, adopted in increments after 1979, form the legislative underpinnings of a national framework that has since expanded to include protection in other areas such as unfair competition, advertising, and technology transfers, among others. Originally conceived “with a view to protecting consumer interests, and to promoting development of the socialist commodity economy” (Gongheguo Shangbiao: 2001), the regime’s larger purpose is now to help safeguard China’s position as an emergent economic superpower by keeping it attractive as a place
for foreign firms to do business. Recent events, such as the 2008 Beijing Olympics, have been regarded by ranking members of the Party as a special opportunity to expand the rule of law and the Chinese economy with more robust IPR protection reforms (S. Wang 2005: 293).

Yet a considerable gap remains between the commitments expressed in Beijing’s anti-piracy legislation and its impact on bringing the problem under control, something that has sparked further transitional advocacy for the strengthening of China’s IPR laws. As one study points out, “critics have argued that China’s current system of intellectual property protection is more of a wish list for foreign investors than a realistic and effective system of enforceable rules to protect actual rights” (S. Palmer 2000: 450). The challenge of making China’s IPR regime more enforceable and effective is connected to larger issues of bureaucratic inertia and state capacity-building persistent in the country and too often absent from contemporary discussions of Chinese governance, as scholars have previously argued (e.g. Dimitrov 2009). But to some extent, this situation is also an inevitable byproduct of China’s economic rise. Andrew Mertha explains that, “having embraced the entrepreneurial spirit that is a mainstay of today’s China, many IPR violators have developed increasingly sophisticated methods of manufacturing and selling pirated and counterfeit goods (2005: 2). The problem is widespread across multiple sectors of the burgeoning Chinese economy.
Manufacturers of electronics, pharmaceuticals, clothing, computer software, cigarettes and liquor have all been the victims of brand-name rip-offs or intellectual property theft of one sort or another, as have the digital music, motion picture, and autoparts industries. Knock-off CDs and DVDs can be purchased from vendors manning ramshackle carts on the street corners of virtually every major Chinese city. In 2004, a lawsuit by General Motors against Chinese automaker Chery over the latter’s apparent piracy of a minicar developed by GM’s Korean affiliate Daewoo made international headlines. Even the retail outlets and manufacturing facilities that make and sell legitimate goods are vulnerable to counterfeit. In July 2011, it was reported that operators of a fake Apple computer store in Kunming had fooled their own employees into thinking they actually represented the company and that the products they were selling were authentic (Reuters, July 21, 2011).

Multilateral institutions have presented conditions favourable to the development of China’s IPR protection system. Promoting IPR safeguards has become a major foreign policy goal among the world’s leading economies, and as a corollary, the last thirty years have witnessed a proliferation of international agreements removing the barriers to trade imposed by weak IPR legislation at the domestic level. China has been a signatory to nearly all of them, including the Paris Convention of 1984, the Madrid Protocol and the Washington Treaty of

However, prior to the General Agreement on Tariffs and Trade (GATT) and its successor, the World Trade Organization (WTO), few of these international accords contained any formal mechanisms to ensure the compliance of national policies. Instead, developed and developing countries took fundamentally divergent approaches to IPR regulation at the interstate level, the former viewing them as a means to protect their industries from piracy and the latter as a path to economic development (Nie 2006: 110). Ratified as part of the WTO system in 1994, the Agreement on Trade-Related Aspects of Intellectual Property Rights—commonly known as the TRIPS Agreement—gave some teeth to IPR regulations absent from WIPO by introducing meaningful provisions for enforcement and set meaningful standards for IPR protection requiring all signatories to adopt compliant domestic policies and institutions
(Torremans 2007). Thus, with its accession to the WTO in November 2001, China found itself under heightened pressure and international scrutiny to strengthen its own IPR laws and institutions. Although it had put in place several of the required measures prior to WTO accession under the terms of the GATT, the need for more TRIPS-compliant domestic restructuring was a key factor motivating revisions to China’s Patent, Trademark and Copyright Laws in 2002, and the further broadening of its IPR protection regime thereafter (C. Zheng 1996; Guo and Zuo 2007).

In addition to the issue’s ascendance in multilateral trade talks, its considerable importance in the foreign policies of the world’s economic powers undeniably gives IPR protection added force in China. The issue is especially salient in Sino-American relations, where it has been a persistent barrier to strengthening bilateral ties and deepening economic cooperation (La Croix and Konan 2002; Mertha and Pahre 2005). Indeed, “many in the US IPR community argue that the best way to get China to act is by exerting pressure to compel Beijing through the use (or threat) of sanctions and blandishments to improve IPR enforcement” (Mertha 2005: 2). While the US is hardly alone in its concerns, others have been more circumspect about the possible use of coercion against China, preferring instead to ensure that their own business communities are fully aware of and equipped to deal with the potential risks imposed by China’s IPR
situation. The UK Intellectual Property Office, for example, issues a guide for British companies intended “to explain, rather than play down, the current level of IPR abuse (Intellectual Property Office of the United Kingdom 2008: 14).

The slow but steady opening of China’s domestic institutions since 1978 has been mirrored by the gradual development of its intellectual property laws. That year, the Communique of the Third Plenary Session of the Eleventh Central Committee of the Communist Party examined the question of a “socialist legal system” to give structural support to the new economic reforms and serve as a source of renewed legitimacy for the CCP (Potter 1994: 325). Creation of an effective intellectual property rights protection regime was viewed by the Deng leadership as an essential component of China’s overall modernization plan that would encourage China’s science and technology sectors while also providing assurances to foreign firms parting with their own technology and investments (S. Palmer 2000: 457). One of the earliest and most consequential signs of the new policy in action was the adoption of the Agreement on Trade Relations in 1979, which aimed to normalize economic ties between the US and China by introducing basic standards of trademark protection beneficial to the interests of both countries. Over the following decade, a more comprehensive system of IPR protection began to take shape that included China’s joining WIPO in 1980, adoption of the first Trademark Law in 1982, the Patent Law in 1984, and the

Since WTO accession, these and other regulations have been overseen by an increasingly complex web of ministries, agencies and commissions devoted to upholding IPR standards. According to its website, China’s State Intellectual Property Office (SIPO) is charged with “organizing and coordinating IPR protection work nationwide and improving the construction of IPR protection system [sic].” It also conducts preliminary examinations of patent applications and has the power to investigate patent infringement, (SIPO, January 9, 2009). Trademark issues are the purview of the Trademark Office, part of the State Administration for Industry and Commerce (SAIC), while the National Copyright Administration (NCA) handles all issues related to copyright protection and the administration of sanctions against violators. In some cases, bureaucratic bodies have been created to combat trademark or patent violations in specific industries. For example, the State Drug Administration, which reports directly to the State Council, houses the Office for Administrative Protection of Pharmaceuticals, which takes an interest in intellectual property issues relating
to prescription medication (Thomas 2007: 89). All told, the administrative apparatus is not only wide but deep, with sub-provincial offices to oversee and investigate IPR matters in local jurisdictions. Additionally, China’s national IPR framework includes a growing body of case law, both criminal and civil. The Supreme People’s Court has created an intellectual property division, and specialized intellectual property courts have been set up in Beijing, Shanghai, Guangdong, Fujian and Hainan to consider and decide on individual disputes. Thus, China’s IPR system consists of a “two-way protection mode, namely administrative and judicial protection” (Information Office of the State Council of the PRC 2005). All told, it has settled some 62,997 administrative cases and 8,717 judicial cases since 2005, with ninety percent of the latter being civil actions (Thomas 2007: 88).

The transnational network of anti-piracy advocates behind the campaign is unique among those considered here insofar as it is comprised mostly of private businesses, industry associations and trade guilds whose motivating principles are grounded in material interests. Consisting of multiple “national clusters” of organizations representing different commercial sectors in China’s

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17 For example, the Shanghai Intellectual Property Administration (SIPA), formerly the local patent office, is “the competent governmental authority in charge of patent affairs and the coordinating authority for foreign-related intellectual property issues in Shanghai Municipality” (2010).
18 For excellent and in-depth discussion of the relevant case law and its implications, see Zheng 1997 and Xue and Zheng 2002.
largest trading partners, the network as a whole is relatively loose and less cohesive than others in this study. For example, while they may share the common objectives of stronger patent law and protection against illegal foreign competition, industry associations in the US, European Union, Australia or Canada are motivated by different factors. This means that cooperation among these groups in China is tied to the specific needs of businesses in each national context, and thus occurs more informally and sporadically than in other networks. As a result, information-sharing across industry sectors and countries of origin has been somewhat slow to develop and tends to happen in an ad-hoc fashion (Interview 22). In some cases, participation in an industry association involves cooperation among direct competitors, resulting in reluctance to share certain information and thereby weakening the internal bonds among these subunits and within the network as a whole. This same fragmentary characteristic also makes it difficult to ascertain the precise size of the network, since each industry association theoretically speaks for all firms within a given national jurisdiction either doing business in China or attempting to break into the Chinese market.

It is clear, however, that the largest and most resourceful organizations represent the industries most deeply affected by piracy, and that the majority of these are based in the United States. Often, these are amalgamations of smaller
trade groups or firms pooling their resources for maximum impact. For example, TechAmerica, which calls itself “the largest and strongest voice and resource for technology in the United States,” is a merger of the American Electronic Association (AeA), the Cyber Security Industry Alliance (CSIA), the Information Technology Association of America (ITAA), and the Government Electronics and Information Technology Association (GEIA) (TechAmerica 2010). A recent report by the organization makes the focus of its advocacy plain: “China must pursue fair and responsible trade policies to avoid straining the US-China relationship. This includes fair exchange rate policies, respect for intellectual property rights (IPR), complete WTO compliance and acceptance of international standards” [emphasis added] (2008: 1). Similarly, the Motion Picture Association of America (MPAA) represents six major US studios including Paramount Pictures Corporation, Sony Pictures Entertainment, The Walt Disney Studios, Twentieth Century Fox Film Corporation, Universal City Studios LLLP, and Warner Bros. Entertainment Incorporated. A recent statement of the organization’s Vice President to the US Congressional-Executive Committee on China read “Better access to the Chinese market lies at the heart of the American film community’s strategy to protect the American jobs at risk from the attacks of Chinese film and television pirates” (September 22, 2010).
In addition, this multi-industry transnational contingent is complemented by a swath of organizations working on the ground at the domestic level that represent the interests of leading multinational firms and are responsible for much of the actual lobbying. One such organization, the Shanghai-based Quality Brands Protection Committee (QBPC), works collaboratively with People’s Congresses and courts at the national and local levels “to continuously improve the effectiveness and transparency of IP policy, legislation and legal system reforms favorable to the protection of IPR and innovation” (2010). From its regional headquarters in Singapore, the Asian office of the MPAA partners with many domestic content protection groups such as the Motion Picture Association of China (MPA-C) in the fight against illegal video distribution. Despite the often inflammatory nature of their rhetoric when addressing US law-makers, engagement with Chinese groups, some of which operate as arms of the state at the local and national levels, is vital to the satisfaction of TAN interests. As one pair of legal experts conclude, “it is important that intellectual property rights owners forge close links with law enforcement agencies, including customs, police, the agencies in charge of intellectual property protection, and other supporting enforcement organizations [in China]” (Lagerqvist and Riley 1997: 10).
China has no indigenous legal tradition of IPR protection, and indeed, only a weak tradition of rights recognition more broadly. Instead, the notion of individual property rights in general and IPR in particular was imported to China through contact with foreign legal cultures which are one among many sources of contemporary Chinese law, along with Marxist theories and traditional precepts derived from Confucian and Legalist philosophy (see Alford 1995: 9-29). The enduring and pervasive influence of traditional ideas combined with the relatively recent introduction of foreign concepts into Chinese legal culture may explain the generally weak rights consciousness of the Chinese public described in several surveys (e.g. Xia 1995; Y. Zheng 2000; Han and Wang 2002), as well as social attitudes toward IPR. Theorizing that a broad lack of recognition for IPRs contributes to non-compliance with intellectual property law and the escalating number of infringement cases each year, Nie argues that “many Chinese, in particular in the countryside, do not know, or do not care about IPRs,” (2007: 266-267). The same lack of cultural acceptance may also be responsible for the absence of consciousness or respect for IPRs observed among Chinese enterprises (J. Wang 2004).

Without a significant basis in Chinese legal culture or much popular support, successive generations of post-Mao leadership have viewed IPR protection in an instrumental light. Instead of denouncing the pressure around
global trade rules as foreign imperialism, China has embraced them, signaling to its trading partners that it is serious about tackling the problems of IPR infringement and corporate espionage within its borders, and thereby advancing the growth of its heavily export-based economy. In other words, the state views the adoption and effective enforcement of IPR laws crucial to the larger imperatives of rule of law development and economic modernization (Oksenberg, Potter and Abnett 1996). As one scholar has bluntly put it, China’s “IP[R] structure has been set up in a hurry in order to meet the needs of economic development,” (Yang 2003: 1). “The legitimacy of establishing IPRs in China is justified on the belief that IPRs may contribute to China’s economic development and strengthen the state,” writes another (Nie 2006: 265).

In sum, the campaign to improve IPR protection in China unfolded as expected given the nature of state preferences. A strong interest in promoting economic growth led to the development of an extensive, if not wholly effective, policy regime. Yet while its results differ from those of the Falun Gong and capital punishment cases, the basic pattern of issue advocacy remains the same. This is illustrated in Figure 3.3.
The effective outcome of the IPR campaign translates to an unambiguous confirmation of the realist proposition that where TANs succeed in accessing state institutions, it is because it is in the state’s best interest to be open to them. In this particular case, receptivity to anti-piracy advocacy serves to placate foreign investors and keeps China competitive, both of which are prime determinants of economic performance and load-bearing pillars of the CCP’s own justification for its continued rule. Probably more than for any other campaign considered in this study, the Chinese state has worked to strengthen legal mechanisms and procedures for the representation of private commercial interests and the resolution of intellectual property disputes. Moreover, to the extent that this has been done in the of face widespread indifference and ignorance of IPRs, liberal claims about the role of social preferences in motivating state choices appear in doubt. Rather, the lack of rights consciousness and respect for IPRs within the Chinese public suggests that the state’s decision to
comply with international trade rules was premised on an independent belief in
their importance for social prosperity, and the possible consequences of failing to
secure it. Finally, the constructivist hypothesis is also difficult to sustain, since
although China’s IPR regime reflects a gradual socialization to the rules
embodied in international trade agreements, its acceptance of those rules was
essentially strategic. Thus, the fact that the particular objectives of the CCP
leadership converged with those of the global economic community resulted in a
happy accident for the TAN in this case.

**IV. Improvement of Treatment for Persons with HIV/AIDS**

Since the late 1990s, China has made significant strides in addressing its
HIV/AIDS crisis with the passage of several key pieces of legislation. To the
extent that the state paid attention previously, HIV was heavily politicized as
symptomatic of decadent foreign societies. State regulations were designed to
keep HIV out of China, and to shame those suffering from the disease as victims
of their own depravity (Xia 2002: 37). As late as 1995, the official Opinions on
Strengthening HIV/AIDS Prevention and Control stated that “HIV/AIDS
prevention is tightly related to prohibiting drug use and prostitution, purifying socialist atmosphere, and developing socialist culture and ethics” (Xia 2006: 46).19

But by 2003, official attitudes and policies had undergone a radical 180-degree change. That year, provincial and local governments spent a combined total of 22.2 million on HIV/AIDS prevention and care (Gu and Renwick 2008: 100). Central government funding reached approximately 48 million USD, up from 12 million in 2001 and virtually no appropriations the year before that (Wu et al. 2007: 684; Liu and Kaufman 2006: 76). 2003 also marked the adoption of Beijing’s China CARES program in fifty-one of the most affected counties nationwide, and the landmark “Four Frees and One Care” policy. The goal of the latter initiative was to provide, a) free antiretroviral drugs to patients living in rural areas but have no medical insurance, b) free voluntary counseling and testing, c) free drugs to all pregnant women infected with HIV to reduce risk of mother-to-child transmission, as well as HIV testing of newborns, d) free education to AIDS orphans, and e) care and economic assistance to households of those living with HIV/AIDS (Zhang et al 2007). This was then followed in 2006 by two additional pieces of legislation, the State Council’s AIDS Prevention and Control Regulations, and the Five Year Action Plan to Control HIV/AIDS (2006-2010).

19 Several studies chronicle the escalation of a relatively localized epidemic into a full-blown national health emergency in the 1990s. Kaufman, Kleinman, and Saich’s volume (2006) is probably the most comprehensive.
Together, these measures now form the basis of a comprehensive national treatment and prevention regime resulting from careful communication and coordination between officials from various agencies at all levels of government, foreign aid providers, international organizations and NGOs, expert scientists, and domestic pressure groups.

Since discovery of its first case in 1984, China’s rate of HIV infection has developed from a relatively localized epidemic in Yunnan province to a major national health concern. The crisis began around 1985 in the border region with Myanmar, spreading to neighbouring southwestern cities via communities of intravenous drug users through the mid-to-late 1980s (Kaufman and Jing 2002). By 1994, it had mushroomed to some 31 provinces and municipalities nationwide. There is every indication that the situation has continued to worsen in the years since, with infection rates jumping from increases of thirty percent per year in 1999 to forty-four percent by 2003 (Kaufman, Kleinman, and Saich, 2006: 3; Wu et al 2004). In 2002, UNAIDS projected that the total number of cases would reach 20 million by 2010 unless drastic action was taken to combat the spread of the disease (Gill, Chang, and Palmer 2002: 97). Although recent estimates indicate that less than 0.1 percent of China’s population currently lives with HIV/AIDS, a seemingly small number when compared to many sub-Saharan African countries where infection rates routinely top thirty percent, this works
out to more than 740,000 individual patients—roughly as many as in Swaziland, Botswana, and Lesotho combined, which have the three highest infection rates in the world (CIA World Factbook 2011). Multiple sources also report that the overall number of sexually transmitted infections (STIs) in China doubled between 1996 and 2000, with HIV chief among them (e.g. Jiang et al. 2003; Parish et al. 2003).

The escalating crisis drew the attention of the international community, which responded with a wide range of multilateral and bilateral aid programs and the advocacy of enhanced treatment and prevention strategies in China. Not only have they provided financing for essential research and the purchase of medication, but many are also involved as partners in treatment, prevention and policy discussions on the ground. For example, the UNAIDS task force brings together experts from more than ten co-sponsoring agencies all involved in one way or another with AIDS in China, including the WHO, WFP, UNICEF, UNHCR, and the World Bank. According to the program’s website, its mandate involves “advocacy for political commitment and multisectoral involvement and cooperation for resource mobilization,” in concert with the Chinese government leadership (2008). Much of its involvement in these processes entails providing clear, credible information to Chinese partners on the urgency of the situation. According to a February 2009 report issued jointly by the UN and Chinese
central government, AIDS ranked as the leading cause of death among all infectious diseases in China for the first time in 2008 (http://news.bbc.co.uk/2/hi/asia-pacific/7896133.stm). Additionally, bilateral funding initiatives dedicating specific funds for AIDS programming include those of the US Agency for International Development (USAID), Japan International Cooperation Agency (JICA), the Australian Agency for International Development (AUSAID), the Canadian International Development Agency (CIDA), and the UK-China AIDS program (DFID) to name just a few.

Shifting opportunities for advocacy domestically have been influenced by a range of factors, including some related to the administrative organization of state health agencies in China, their varying capacities, and understandings of the country’s AIDS crisis. A lack of comprehensive coverage and standardized, modern care procedures has long been a feature of China’s healthcare system, and those living in relatively poor, rural parts of the country, or those without insurance, have often had to make do with less than adequate health services (Liu, Hsiao and Eggleston 1999; Blumenthal and Hsiao 2005). This has meant that health authorities in some parts of the country were better equipped to respond than others when faced with sudden, unforeseen challenges. It is not an accident that the parts of the country hardest hit by HIV/AIDS are also the least
developed. These include the relatively impoverished rural areas of Yunnan, Sichuan, Guangxi, Guizhou and Henan.

In many such places, the lack of modern facilities and dereliction of duty by health officials has greatly exacerbated the epidemic. Prior to the ban on imported blood products imposed by the central government in 1996, collection stations were established in many poor rural areas offering 50 RMB for plasma and 200 RMB for blood donations in order to make up the shortfall in supply. In one well-publicized incident in 1994, residents of Shangcai county—later dubbed “AIDS County”—most of whom were subsistence farmers, contracted HIV after selling their plasma at these makeshift clinics. Reportedly, blood taken from them was pooled with that of other donors in unsanitary containers and the plasma removed before being re-injected back into their bodies. One estimate claims that over sixty percent of the population of Wenlou village became infected in this way (T. Zheng 2009: 3).

For years afterwards, the Chinese government remained largely in denial of the escalating crisis, and refused to acknowledge the culpability of state health services in what had happened. Between 1999 and 2002, coverage of the Henan blood sales scandal in state media outlets downplayed or whitewashed the

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20 The Shangcai story is tragic though not uncommon. UNAIDS now estimates that of the 85 000 Chinese who currently have full-blown AIDS, about 35 000 first contracted it through commercial blood donation and transfusion (2008).
extent of government involvement, fearful this would expose the woeful inadequacies of public health policies throughout much of rural China (Dong 2004). Allegations of more hostile state responses were also made, including the jailing of several prominent HIV/AIDS activists. Wan Yanhai, probably China’s most high-profile AIDS crusader, was arrested and held for almost a month after distributing a report of the Henan Health Bureau that allegedly covered up that office’s extensive involvement in the disaster. Another noted activist, Hu Jia, has spent time behind bars for speaking out on the regime’s indifference and alleged complicity in the AIDS crisis. Hu has written of how state officials worked to impede access and withhold information from World Health Organization (WHO) experts visiting China during the 2003 outbreak of Severe Acute Respiratory Syndrome (SARS) for fear they would be implicated in the earlier blood sale disaster (2007). Indeed, he goes further, claiming that AIDS patients in places like Shangcai have been stigmatized and neglected, even denied medical care on the grounds that they were, in the words of one county secretariat official, “not people, but demons” (2007: 27).

Slowly, however, government attitudes began to change in ways that opened up new possibilities for transnational involvement. Large-scale public health scares like the one in Shangcai, and the 2002-03 outbreak of SARS in Hong Kong and other parts of the south, led to a growing realization that steps would
have to be taken to address the epidemic, driving demand for new policy.
Beginning in 1998, a series of workshops were held at which international
experts presented scientific evidence showing that China’s infection rates were
still climbing and that targeted interventions could slow down the rate of
transmission. These resulted in the adoption of several new publications
charting a course for future AIDS policy development. Among the most
important were the Chinese National Medium and Long-term Strategic Plan for

The definitive turning point came in 2003 with the transfer of state
leadership to Hu Jintao, which brought to power a new cohort of policy
entrepreneurs for whom fighting AIDS was a top priority. Vice Premier and
Minster of Health Wu Yi, lauded as the “Goddess of Transparency” for her
handling of the SARS crisis, was particularly visible, and publicly declared AIDS
to be her primary focus while in office. On December 1, 2003, World AIDS Day,
Wu and Premier Wen Jiabao visited a Beijing hospital and shook hands with
AIDS patients, a symbolic gesture that signaled the new leadership’s intent to
take the epidemic seriously, develop new measures for prevention and
treatment, and, importantly, de-stigmatize AIDS as solely an affliction of addicts, prostitutes and homosexuals.  

The new stance dovetailed neatly with the spirit and ideology of the new administration. Linked to the principle of harm reduction and protection for the most vulnerable and marginalized in Chinese society, funding for health programs, particularly AIDS prevention, was viewed as essential to the achievement of social harmony and made key features of the “Scientific Outlook on Development.” Importantly, the new official ideology also signaled a pronounced shift in the demand for scientific evidence as the basis of policy-making, in contrast to the moralistic stances that had predominated through the 1990s. As one author concludes, the adoption of new HIV/AIDS prevention measures have “forcefully demonstrated the utility of evidence-based health policy in comparison to political or morals-based policy” (Knutsen 2010: 39). As evidence of the shift in state thinking accompanying the leadership transition, a 2004 directive of the State Council declared that

HIV/AIDS prevention and control is linked to economic development, social stability, and national security and prosperity. Long-term commitment to respond to HIV/AIDS is hence necessary. In order to

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21 While homosexuals remain an at-risk group, much recent data indicates that the disease is increasingly spread through heterosexual contact in a booming commercial sex trade (Kaufman, Klein, and Saich 2006: 3-4; Kaufman and Meyers 2006: 50).
respond to and contain HIV/AIDS in China, local governments must: realize the importance and urgent need for prevention and control; integrate HIV/AIDS into the routine government agenda as an important item; strengthen the leadership, streamline and coordinate efforts; and, urgently and effectively respond to and contain HIV/AIDS, which is a priority linked to the interest and benefit of China and its people (State Council Notice on Strengthening HIV/AIDS prevention and Control 2004).

While incomplete donor lists make it nearly impossible to pinpoint the precise number of transnational organizations or dollars spent fighting AIDS in China at any given moment, the evidence suggests that the network encompasses a large number of well-funded international NGOs and professionalized charity groups who maintain an active and visible presence there. Among the most notable are the Ford Foundation, Clinton Global Initiative, Save the Children UK, Avert, the Bill and Melinda Gates Foundation and Médecins Sans Frontières. Though perhaps better-known for their ventures outside AIDS activism, the issue-entrepreneurship of high-profile couples like the Gates’ and the Clintons’ benefits the campaign materially in various ways, not least by harnessing those families’ established fundraising and research contacts.

Because local organizations are the main recipients of foreign AIDS relief money and are often the preferred method of program delivery, the burgeoning transnational campaign against AIDS in China has built significant links to
domestic social organizations. A 2005 directory lists over one hundred-thirty
Chinese NGOs, GONGOs, think tanks and grassroots groups engaged in HIV
education and prevention (Aids-China). Another more recent estimate pegs the
number at over two-hundred (T. Zheng 2009: 4). Most of these domestic
organizations are service-oriented and committed to prevention and fighting
discrimination against those infected with HIV through sexual health education
in affected areas, though some are also engaged in condom distribution and
provision of anti-retroviral medication (Interview 14).

With so many international and domestic organizations participating, the
campaign does not suffer from a shortage of information. However, it is not just
the density of its internal communications, but the quality and character of
information outputs that affect its credibility in China. Perhaps the campaign’s
single greatest asset is the authority it derives from the participation of scientific
experts. The reliable, transparent data collection methods of trained
professionals, coupled with a clinical approach that presents findings as medical
facts rather than highly-politicized human rights issues, allows organizations in
the network to be seen as partners with the state in the fight against AIDS, rather
than foreign adversaries out to expose government oversights. As Knutsen
concludes, “the government adopted many human rights paradigm components
without labeling them as “human rights,” but instead calling them ‘care,’ a philanthropic, not political, term” (2010: 39).

Goodness of fit between the issue of HIV/AIDS, its treatment and prevention, and domestic social values is a matter open to dispute. Despite significant pressure from activists and dissidents in the past, and a plethora of surveys indicating that Chinese society is undergoing a sexual revolution and adopting more liberal, informed attitudes about sex (e.g. Rosenberg and Merson 2003: 14; Pan 1993; Hyde 2003), the stigmatization of high-risk groups persists (L. Zhang 2001). This is especially true in the case of migrant workers, both men and women, who are often at elevated risk due to their close association with the commercial sex trade. Moreover, many in China are still ignorant of the disease and what can be done to prevent it. One recent study revealed that seventy-seven percent of those surveyed were unaware that condom use could cut the risk of transmission, while nearly seventeen percent had never even heard of HIV/AIDS (Hunter 2005). At other times, condoms are rejected as symbols of state repression because they are distributed primarily for purposes of family planning in accordance with the one-child policy. As Tiantian Zheng writes in her fascinating study of the mainland sex trade, “clients [of sex workers] regard the dissemination of information about AIDS [including condom use] as just another state strategy to scare them and control sexual behaviour” (2009: 2).
Due to the timing of key variables and the sequence of their introduction, the pattern revealed by the campaign around HIV/AIDS is unique within this study. Prior to 2002, the state took a highly moralistic stance against those infected with HIV/AIDS, and was far less inclined to heed the warnings and advice of the global medical community concerning the growing epidemic within its borders. It was not until after a new generation of state leadership valuing more scientific approaches to health and development came to power that China’s government began to fully recognize the gravity of the situation and new policy initiatives began to emerge, giving rise to greater opportunities for foreign and domestic groups to participate in HIV/AIDS prevention. Unlike the prior case studies, foreign activists came to play a role in policy development after state priorities had been determined but before policies had. The campaign did not configure the national interest but helped the state make decisions about what could or should be done to address those interests after the state chose to listen. Put another way, the TAN campaign was an intervening variable in the policy development process. This divergent pattern is represented in Figure 3.4.
The fact that the TAN provided the state with options for pursuing interests that appear to have been formed independently rather than by exposure to global norms indicates the primacy and validity of realist predictions in this case. Activists expressed concern over China’s growing AIDS crisis well before opportunities for intervention presented themselves. These came about only when it was clearly in the state’s interest to a) change its official position on HIV/AIDS in ways conducive to addressing the epidemic and accompanying governance problems, and b) to consider the advice of foreign medical experts in designing specific courses of action. However, the case has overlapping implications for liberal and constructivist paradigms as well. In particular, it points to the internal capabilities of the TAN in recognizing new opportunities for advocacy where they emerged, and its ability to mobilize clear, credible information that was trusted and used by elites in the development of new policy. Finally, although it seems the state made up its own mind to change
positions on HIV/AIDS, the growth in the number of Chinese partner NGOs that followed foreign advocates insertion of themselves into the policy process suggests that TAN succeeded in developing and socializing new domestic social organizations to scientifically-grounded views of the disease and the importance of acting, as constructivism predicts they should.

Conclusion

The campaign narratives explored in this chapter represent a set of ‘natural’ cases that generally conform to theoretical expectations of advocacy in China. As such situations suggest the elevated potential for unrestrained state preferences to play a central role in shaping the results of transnational activism, it comes as no surprise that realist hypotheses proved the most widely and easily confirmable. In these cases at least, national interests proved crucial not only for the adoption of policies convergent with TAN objectives in some cases but not others, but in mediating the opportunities for foreign advocates to access the target state.

Crucially, the chapter also points to multiple types of causal processes at work in China. The Falun Gong, capital punishment and IPR campaigns are all examples of critical causality, characterized by a similar sequence of steps. The
HIV/AIDS campaign stands out from this crowd in that the first two steps of the sequence are reversed, reflecting the TAN’s intervening role in policy development. Thus, while not all advocacy campaigns are effective neither do they follow a single path.

The further divergence of causal processes is explored in chapter four.
Unlike the narratives sketched in the previous chapter, which generally unfolded in China as one might expect them to, those presented here do not conform to the predictions of established theories of TANs. Instead, they represent a third model of causality in which the TANs were shaped by the target government. In the first of these, the campaign for a “free Tibet,” the futility of a decades-long attempt to secure territorial sovereignty eventually produced a change in the central objective of the campaign, which now seeks greater representation and autonomy within the quasi-federal structures of the Chinese state. In the second, the campaign for climate change mitigation, foreign activists advocating a cap on China’s greenhouse emissions abandoned that goal as a consequence of their cooperation with and subsequent incorporation into state agencies. Therefore, while established definitions of TANs envision little room for their moral flexibility, this chapter points to multiple mechanisms by which “advocacy drift” can occur.

IV. Tibetan Independence

More than five decades of tireless campaigning has failed to result in policy concessions from Beijing on the subject of Tibetan statehood. While
sovereignist aspirations have existed in the territory since well before the
Republican period, the calls of “free Tibet” activists for self-determination since
the PRC’s formal takeover in 1959 have been repeatedly rebuffed and demonized
by the communists as the machinations of foreign anti-Chinese conspirators. The
CCP’s position on the matter, consistent throughout its six decades in power,
was summed up unequivocally in a 1992 White Paper which asserted that, “For
more than 700 years the central government of China has continually exercised
sovereignty over Tibet, and Tibet has never been an independent state.” It went
on to state that “so-called ‘Tibetan independence,’ which the Dalai clique and
anti-Chinese forces fervently propagate, is nothing but a fiction of the
imperialists who committed aggression against China in modern history”

Seen by the Party as a potential threat to China’s own territorial integrity
and monopoly on defining Chinese identity, mere dialogue with independence
advocates has been a non-starter for the regime. Indeed, the primary effect of the
campaign for Tibetan independence has been the increased visibility of the issue
on the world stage, and its linkage to global human rights discourses. Even so,
the debate over Tibet’s constitutional status remains framed primarily in
binaries, with Beijing unwaveringly asserting that the region is part of China,
and the campaign arguing that the Dalai Lama is Tibet’s only legitimate head of
state (Sautman and Dreyer 2004: 6). As one observer writes, “both sides have expended an enormous amount of time and effort to spread their representations of past history and contemporary politics, the result being diametrically opposed constructions of reality” (Goldstein 2004: 186).

Considering the historic support of foreign powers for Tibetan independence, China’s charges of early imperial aggression appear to have been justified. Historian A. Tom Grunfeld recounts that, “Tibet, at the end of the nineteenth and the beginning of the twentieth century, found itself at the junction of the world’s three great empires: the British, the Russian, and the Chinese—each of which either considered, or desired, Tibet to be in its exclusive ‘sphere of influence’” (1987: 48). The notion of sovereignty was especially popular with the British during this period, who were eager to shore up their slowly declining influence in Asia and saw Tibet as having strategic importance for defense of their interests in India (See Addy 1994). Concerned with keeping Chinese influence at bay but unwilling to provoke regional instability, they advocated “a policy based on the idea of autonomy for Tibet within the context of Chinese suzerainty, that is to say, de facto independence for Tibet in the context of token subordination to China,” (Goldstein 1989: 822). In British legal parlance of the day, “suzerainty” referred to an arrangement whereby one nation exercised control over another’s international affairs while allowing it domestic
sovereignty (Hess 2009: 237). Tabled at the Simla Convention of 1914, this proposal has served as the authoritative legal basis for Tibet’s independence claims ever since (Shakya: 1999: 15). China, for its part, refused to ratify the document. On July 3 of the same year, Chen Yifan, China’s chief delegate to the convention meeting acted on official instructions when he wrote, “Government of China [sic] refuses to recognize any agreement which His Majesty’s government and Tibet might conclude independently, either now or in the future.”

The subsequent transformation of Tibet under PRC control provided a pretext for US involvement in the conflict, beginning a period of transnational support for Tibetan independence in the West that has lasted more than fifty years. While the earlier appeals of the Kashag (the Dalai Lama’s Cabinet) to the United Nations for help in forestalling the threat of Chinese invasion fell on deaf ears, the Americans were relatively eager to become involved, anxious to contain the growing communist presence in Asia. Indeed, plans for US action on the Tibet question were falling into place even before the Communists had emerged victorious in the civil war. One narrative recounts that early in 1949

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22 The 1992 White Paper issued by the State Council conjectures that the introduction of “suzerainty” into the terminology of the Convention document was a deliberate attempt of foreign powers to take advantage of China’s unstable political climate in the early years of the first Republic, and that such action was only taken after the military incursions launched in Tibet by British and Russian forces failed to establish the dominance of either power in the territory.
Ruth E. Bacon of the Office of Far Eastern Affairs, Department of State, argued that a communist expropriation of Tibet would grant the region ‘ideological and strategic importance’ so that in the event of a communist victory in the civil war, the United States should no longer consider Tibet under Chinese authority. She urged establishing a covert relationship by sending American officials to Lhasa immediately but ‘inconspicuously,’ cautioning against ‘giving rise to speculation’ that the United States ‘might have designs upon Tibet’ (Grunfeld 2006: 323).

Later the same year, an ardent anti-communist crusader and US ambassador in Delhi named Loy Anderson met secretly with representatives of the Tibetan government pledging money and weapons in support of a guerilla resistance against the PLA. While it is not clear whether direct military aid ever materialized, American sponsorship of covert operations in east-central Asia continued as the Cold War intensified. With the situation in Korea adding a sense of urgency to intervention on the Tibetan plateau, the CIA hatched plans in 1952 to airdrop teams of Tibetan counter-insurgents into the mountains, and by 1958, some one-hundred seventy guerillas had trained at Camp Hale in Colorado, the same facility that later trained insurgents for the Bay of Pigs invasion (see Conboy and Morrison 2002).²³

Even after the Cold War, the fully-fledged transnational campaign in support of Tibetan statehood has been greeted more warmly in Washington than any other world capital. In the 1980s and 1990s, an effort to raise the profile of

²³ Jamyang Norbu (1994) offers a Tibetan perspective on the CIA’s role in supporting the Tibetan resistance during the early years of Chinese socialism in the territory.
the Tibet issue in Congress and the White House was taken up by the prominent DC law firm of Wilmer, Cutler and Pickering, and was registered with the US Department of Justice in 1985 as an agent of the Tibetan government-in-exile. Its message found particular resonance with members of the House of Representatives, who, already upset with China over a host of other matters ranging from trade to arms sales, voted in June 1987 to approve an amendment to the Foreign Relations Authorization Act specifically denouncing what it called “human rights violations” in Tibet and the illegal occupation of the region by the Chinese (see Tian 1995: 103-107).

Tibet’s right to self-determination has also been upheld by the international community, at least rhetorically, if not always in practice. A 1959 report of the International Commission of Jurists concluded that the actions of the CCP and PLA in Tibet were tantamount to genocide (ICJ 1959). The UN General Assembly has set in motion no fewer than seven resolutions in support of the campaign since 1959, with the most recent coming in March 1995. Introduced on December 12, 1961, Resolution 1723 (XVI) affirmed the UN’s commitment to “the cessation of practices which deprive Tibetan people of their fundamental human rights and freedom, including their right to self-determination.” Four years later, Resolution 2079 (XX) referred to freedom and
self-determination as rights Tibetans had “always enjoyed” (http://www.freetibet.org/about/united-nations-tibet).

Yet the force and effect of these resolutions is uncertain. Since joining the UN in 1971, China has repeatedly and effectively quashed dialogue on the Tibet question. Between 1992 and 1994, discussion of all would-be resolutions was blocked by a procedural maneuver known as a “motion for no action,” introduced each time by China. According to FreeTibet.org, 1994 marked the fourth year in a row in which the Chinese delegation succeeded in persuading the UN to drop a draft resolution criticizing its human rights record that made specific mention of Tibetans (http://www.freetibet.org/about/united-nations-tibet). On several occasions, votes ‘not to take a vote’ on the proposed resolutions passed by a significant margin, in part due to large numbers of abstentions. In the case of the 1994 resolution, debate was stifled by the refusal of seventeen countries to participate in the vote. Thus neither the UN or Tibet’s allies within it have done much to bring the campaign appreciably closer to achieving its goal. Although claiming to support greater autonomy for Tibet in principle, many in the global diplomatic corps are understandably reluctant to provoke China, or pressure it directly on the subject. Moreover, the attempts of the campaign to shame Chinese leaders by calling alleged human rights abuses to light seem to have had no discernible impact on foreign investment in China,
and not even the Dalai Lama’s staunchest allies have ever formally recognized Tibet as anything but a part of China. As a result, the campaign has been limited in its ability to give its claims legitimate grounding in international law and marshal the express support of key intergovernmental bodies for the cause of independence.

The changing profile of Chinese institutions has seen opportunities for dialogue on the Tibet question wax and wane through the years. It is clear, however, that trends in the state’s approach to Tibet were pivotal in the formation of Tibetan nationalist aspirations in the early to mid twentieth century. While representatives of the Qing government known as Ambans were stationed in Lhasa as a symbol of Chinese authority from 1644 onwards, the fall of the Imperial regime in 1912 and subsequent departure of the Ambans left no significant Chinese presence in the region during the early years of the first Republic. Amid the political chaos of the period, the thirteenth Dalai Lama Thubten Gyatso unilaterally declared Tibet’s independence the following year upon his return from exile in India, proclaiming that the relationship of China to Tibet had always been “that of patron and priest and had not been based on the subordination of one to the other” (1913; translated from Tibetan in Shakabpa 1967: 246-248)

The Kuomintang (KMT) made reassertion of control over Tibet a key part of
its nation-building strategy during the early years of the Republic of China. This
task proved exceedingly difficult, however, not least because of the Republic’s
own internal fragmentation, military deficiencies and weak political institutions.

Thus, Tsering Shakya concludes that

When the Republic of China was founded, its authority in Tibet was
virtually non-existent….Tibetans were convinced that they should have
their rightful place in the world as an independent nation and were thus
determined to oppose Chinese attempts to gain a foothold in Lhasa (1999: 2).

Even after the resumption of an official Sino-Tibetan dialogue in 1936, in which
Chinese emissaries demanded the Kashag formally recognize Tibet as part of
China and cede control over its foreign affairs to Nanjing, KMT influence in the
region remained tenuous. The meeting resulted in the establishment of a
permanent Chinese mission in Lhasa, but the Nationalists soon found themselves
pre-occupied with the far more pressing matters of Japanese invasion and
impending civil war, and were ultimately unable to bring Tibet back into the
Chinese fold.

Like those that ruled before them, the Communists were determined to
incorporate Tibet into the larger Chinese nation, but proved far less inclined to
negotiate terms with the Tibetan government and far more capable of coercion
by military means. As Shakya states, “it was an anathema to them that Tibet
should have an international personality beyond being a region of China….Tibet
was an ‘integral part of China’ which had been encouraged by anti-Chinese and imperialist forces to break away from the ‘Motherland’” (1999: 4). Recognizing Tibetan aspirations of statehood would have been impossible for the CCP right from the start. For one thing, nationality policy in the new regime was to be grounded in Marxist-Leninist theory holding that class identity transcended ethno-national consciousness, just as in other communist states (Norbu 2001: 370). As Warren W. Smith concluded in his examination of the CCP’s intentions toward Tibet, “the fundamental purpose of Chinese nationalities policy was to deny nationalities’ separatism in favour of multinational unity, to diffuse nationalist sentiments and to prepare the way for the socialist transformation of nationalities areas” (1994: 55). Moreover, with its victory over the KMT, the CCP suddenly found themselves in control of a huge swath of land containing a large number of national minorities. Since granting independence to even one could jeopardize the entire revolution, no piece of territory, no matter how small or inconsequential, was to remain outside PRC jurisdiction. An editorial published on September 2, 1949 in the newspaper *Hsin Hwa Pao* read in part:

The People’s Liberation Army must liberate the whole territory of China, including Tibet, Xinjiang, and so forth….We tolerate no longer the aggression of foreign countries. This is the unchangeable policy of the Chinese Communist Party and the Chinese People’s Liberation Army (see Shakya, p. 9).

Thus, Mao made it clear immediately upon taking power that Tibetans
would soon be ‘liberated,’ by force if necessary, and immediately thereafter
sought to establish a strong military presence in Kham and Amdo—parts of
present-day Qinghai and northwestern Sichuan regarded by Tibetans to be part
of their traditional homeland (Shakya 1999: 3, 38-45). By early 1950, PLA troops
had pushed into the region of central Tibet known as Ü-Tsang, the borders of
which coincide roughly with those of the modern Tibet Autonomous Region
(TAR, Xizang Zizhiqu). After a decisive battle at Chamdo that May, the PRC
assumed de facto control over all of historical and cultural Tibet. On May 23,
1951, the Agreement of the Central People’s Government and the Local
Government of Tibet on Measures for the Peaceful Liberation of Tibet—better
known as the Seventeen Point Agreement—was signed by delegates from both
sides, effectively formalizing Beijing’s control in the region. While explicitly
stating that the “Central Authorities will not alter the established status,
functions, and power of the Dalai Lama,” and that “the Tibetan people have the
right of exercising national regional autonomy,” the document’s primary
objective was made plain in its first article, which stipulated that “the Tibetan
people shall return to the big family of the Motherland—the People’s Republic of
China” (1951).

The imposition of the Seventeen Point Agreement represents a significant
turning point in the development of Tibetan nationalism, and the ideological
genesis of the transnational campaign for independence. Members of the Kashag claimed never to have supported the document, and the Dalai Lama later claimed only to have signed it at the point of a gun, stating that “we [the Tibetan government] sent a delegation to Peking, in the hope of making an honourable treaty, but it was coerced by threats into signing away our sovereignty” (1962: 5, see also p. 95). From the Tibetan standpoint, this lent an air of moral legitimacy to the notion that their land had been unlawfully taken from them, an idea given further credence by Beijing’s tabling of the Agreement in the first place. As Grunfeld explains, “the fact that the Chinese were so insistent on a document formalizing their control shows that even they recognized Tibet as existing beyond the boundaries of China proper and something requiring legal incorporation” (2006: 327).

By dividing up the land in ways designed to facilitate central control, implementation of the Agreement also promoted the formation of specific territorial claims. Most of Kham and Amdo, where the Dalai Lama’s authority was mitigated by the influence of fiercely independent local chiefs, were to be absorbed into the existing administrative structure of the PRC and governed as part of any other province (Smith 1994: 51). By contrast, successfully imposing Chinese rule in Ü-Tsang, where allegiances to the Dalai Lama were much stronger and Tibetans more committed to the idea of independence, would
require a different strategy. The solution was a separate, joint custodial arrangement involving the complicity of local officials in converting Tibetans to the cause of socialism. This was envisaged by the Preparatory Committee for the Autonomous Region of Tibet (PCART), which remained the official government of the territory until creation of the TAR in 1965.

The illegitimacy of the Seventeen Point Agreement from the Tibetan point of view led directly to a string of popular uprisings in 1959 that were put down violently by the PLA. In turn, these actions were interpreted by Tibetan authorities as a breach of the Chinese obligations under the Agreement, and prompted to Dalai Lama’s flight to Dharamasala, India, where his government remains in exile to the present day. In a press conference held June 20, 1959, the Dalai Lama issued his formal repudiation of its terms, saying “the Sino-Tibetan Agreement was imposed by the Chinese in accordance with their own desires and has been violated by the Chinese themselves, thus giving rise to a contradiction. Therefore we cannot abide by this” (Shakya 1999: 223).

The creation of a government-in-exile is in itself evidence of the Dalai Lama’s commitment to the principle of all-out independence for Tibet. However, this conviction has been reiterated in public statements at various points over the years, providing motivation to the contemporary campaign to achieve that end. In a speech commemorating the March 10 uprising in 1961, he declared that in
mounting their resistance two years earlier, Tibetans had “asserted their independence after almost nine years of foreign domination” (http://www.dalailama.com/messages/tibet/10th-march-archive/1961). Published in 1962, his first autobiography, entitled My Land and My People, made numerous references to Tibet’s rightful status as an independent state (see for example pp. 76-78, 85). A second autobiography released in 1990, titled Freedom in Exile, exhorts the international community to “Help deliver us [Tibetans]. Help us to be free, to be independent, to be able to do what we choose—in our own country” (p. iv). During a 1991 visit to the UK, he referred to Tibet as “the largest occupied country in the world” (State Council White Paper 1992). Finally, a 1994 address on the Future of the Tibetan Polity stated that “When Tibetans inside and outside Tibet finally realize the joyful occasion of their reunion, Tibet shall become a nation made up of all of its three provinces [Kham, Amdo, and Ü-Tsang],” indicating an expectation to reclaim lands now internationally recognized as legally belonging to China (http://www.tibetjustice.org/materials/tibet/tibet8.html).

China’s government has remained obstinate on the question of Tibetan independence since the days of the revolution, speaking to the matter unequivocally and with a single voice. A 1992 White Paper on the issue makes plain the CCP’s policy on the matter, stating that “’Tibetan Independence’ brooks
no discussion,” and that “The Dalai’s words and deeds show that he is no longer only a religious leader as he claims. On the contrary, he has become a political leader engaged in long-term divisive activities abroad” (Information Office of the State Council). Another accuses him of “waving the banner of religion to conduct activities aimed at splitting the motherland” (Information Office of the State Council 1998).

To be sure, there have been sporadic periods of détente during which time both sides showed a willingness to engage in more cooperative dialogue. For several years after Mao’s death, the Dalai Lama temporarily softened his tone, retreating from open calls for independence, most notably in his “5 Point Peace Plan.” Introduced on September 21, 1987 before the US Congressional caucus on human rights, the plan called for, among other things, the international recognition of Tibet as a “zone of peace,” and the conduct of earnest negotiations with China concerning human rights in Tibet and the future of Sino-Tibetan relations (http://www.tibetjustice.org/materials/tibet/tibet3.html). The regime’s more conciliatory post-Mao stance was prompted by a 1980 visit of CCP General Secretary Hu Yaobang to Lhasa, which brought to light the appalling living conditions and developmental problems of Tibet. Hu stated at the time that “We feel that our Party has let the Tibetan people down….We have worked for nearly thirty years but the life of the Tibetan people has not been notably improved.
Are we not to blame?” (see Wang 1994: 288). The enthusiasm for reform generated by Hu’s visit spurred a renaissance in Tibetan culture that was supposed to bring greater tolerance for Chinese rule, as well as political stability and economic development to the region. Accompanying this, the Panchen Lama, who is second in status only to the Dalai Lama in the Tibetan Buddhist pantheon, was released after fourteen years under house arrest as a sign of good faith.

Yet the willingness of key Party officials to engage Tibet advocates in dialogue during the 1980s remained contingent on any whiff of independence being kept off the table. Indeed, Deng Xiaoping agreed to negotiations on the subject of human rights improvement only on condition that the Dalai Lama recognize himself as a Chinese citizen. Thus, when the Dalai Lama raised the so-called Strasbourg Proposal in 1988, calling for a peaceful renewal of the suzerain and vassal relationship, the central government rejected it, declaring “Of Tibet there could be no independence, nor semi-independence, nor independence in disguise” (State Council 1992). As a result of the regime’s ongoing perception that the Dalai Lama had ulterior motives and that his government continued to cultivate support for Tibetan statehood internationally, as evinced in the 1992 White Paper, talks between the two have fizzled time and again. Party policy on the matter of Tibetan independence has remained consistent through four
generations of CCP leadership.

Sitting president Hu Jintao has a unique personal history with Tibet, where he served as Party Secretary from 1988 until 1992. Upon his arrival in Lhasa it was hoped that, as a one-time patron of Hu Yaobang, he would continue the revival of Tibetan culture that was to have followed the reformer’s visit. However, his tenure in Tibet suggests a greater concern with maintaining the Chinese presence and order in the region. Indeed, it was Hu Jintao who presided over the imposition of martial law in Lhasa in March 1989 just three months prior to the Tiananmen Square demonstrations, a crackdown thought to have resulted in the deaths of hundreds of Tibetans (Associated Press, August 15, 1990). One observer remarks that, at best “his record in Tibet shows that he acted more as a transitional figure, who led Tibet out of cultural reform and into the hands of even more conservative leaders in 1993 and 1994” (Karmel 1995: 491). During his tenure as President, Hu Jintao has devoted much greater attention than his predecessors to redressing Tibet’s relative social and economic underdevelopment. In accordance with the overarching goal of his administration to promote stability through the creation of a “relatively well-off, middle class-oriented society” (xiaokang shehui), efforts have been made to encourage the migration of educated Chinese citizens from the eastern part of the country to provide new industries in Tibet with a larger supply of skilled labour.
The central government more broadly believes itself to have made significant strides in recent years in addressing the political demands and material needs of Tibetans. The 1998 White paper states that “Thanks to the care and support of the central government…the region’s economic and social development has been remarkably speeded up, thus further promoting the development of the cause of human rights there” (State Council). However, the aims of this policy and sincerity of CCP goals remain contested.²⁴ For example, the policy of encouraging migration from the east has been interpreted by many Tibetans in China and abroad as evidence of Han Chinese chauvinism expressed by way of a deliberate attempt to flood the region with non-Tibetans, thereby limiting the influence of Tibetan culture. The Dalai Lama has publicly condemned the policy as one of cultural genocide (The Telegraph, March 16, 2008). Such claims are supplemented by allegations that the CCP under Hu has continued its Patriotic Education Programs in the region in an effort to eradicate Tibetan identity, (Smith 2008: 170) though the state maintains its interests lie only in economic development and in keeping Tibet as “a member of the big, multi-ethnic family of China” (State Council 1998).

Compared to other campaigns considered in this study, the TAN formed around Tibetan independence is small but centralized. Now in its sixth decade,

²⁴ To the extent that the central government’s development policy in Tibet has been effective, it is seldom reported in the West.
it comprises a truly global network of some 170 organizations wielding an impressive array of financial, technological and diplomatic resources (http://www.tibetnetwork.org/). At the centre of the network is the Dalai Lama, whose presence as a unifying figurehead has been an undeniable asset in mounting and sustaining the contemporary campaign for a free Tibet. Indeed, it is difficult to overestimate the Dalai Lama’s skill as a moral entrepreneur, and his pivotal role in constructing transnational identities and preferences by framing the Tibetan cause in the context of western human rights discourses. As Grunfeld rightly points out, “the Dalai Lama’s major success has been his ability to create interest and fascination with himself, his cause, and his religion around the world” (2006: 341). During the late 1980s and early 1990s he travelled widely, speaking about the goal of Tibetan statehood with virtually anyone who would grant him an audience, working to establish what became the international Tibet lobby.25

His efforts were directly responsible for the overseas expansion and eventual professionalization of the network, especially in the US, where it attracted a substantial following of human rights NGOs and established new organizations of its own. The International Campaign for Tibet (ICT) was created in 1988, and began to disseminate its message more widely through

25 During this period, those who received the Dalai Lama primarily granted him visas as a spiritual leader, rather than a foreign head of state.
publications such as the Tibet Daily (Xizang Ribao) and the China Tibet Forum, which were aimed at Chinese expatriate communities and dissidents living abroad. 1990 was proclaimed the “Year of Tibet” by the Dalai Lama and was heralded with the opening of Tibet House, a major cultural and advocacy centre in New York City. Among the advocacy groups housed in the building over the years have been the Office of Tibet, the US-Tibet Committee, The Tibetan Women’s Association, The Tibetan Youth Association, Potala Publications, Eco-Tibet, TibetNet, the Tibet Fund, and the Tibetan-US Resettlement Project. Such strong support in the US provided a basis for further expansion into other countries such as the UK, India, Denmark, and Germany, where numerous conferences were held through the late 1980s and early 1990s to coordinate professional advocacy activities. The growing strength of the network during this period also contributed to increases in the density of its internal communication flows, especially as digital technologies came more widely into use. Free Tibet.org, now the most recognizable source of information about the campaign online, was originally founded in 1987.

Outside its professional core, the network also includes a less formal grassroots component, thanks in large part to its framing of a “virtual Tibet”—a romanticized image of the region as an idyllic, peaceable Shangri-La—and to the support of many artists, musicians and Hollywood celebrities (Schell 2001). For
example, actor Richard Gere chairs his own foundation devoted to supporting the government-in-exile and refugees from “the continuing brutal occupation of the Chinese” (http://www.gerefoundation.org/charter.html).26 Between 1997 and 2001, several rock concerts dubbed “Tibetan Freedom Festivals” were held in cities across North America and Europe, with one show on the steps of the US Capitol attracting some 120,000 people. The participation of many such notable performers as Dave Matthews Band, Pearl Jam, R.E.M., Radiohead and others contributed to the increased visibility of the Tibet sovereignty issue on college campuses in the US, in turn spawning a number of student organizations with links to chapters in other countries. Of these, Students for a Free Tibet is the largest, working “in solidarity with the Tibetan people in their struggle for freedom and independence” (http://www.studentsforafreetibet.org/section.php?id=69).

The very nature of the issue itself creates seemingly insurmountable barriers to its acceptance in China, where it is portrayed by state media as the attempt of the Dalai Lama and his foreign allies to sow disunity. Viewing any whiff of sovereignty for Tibet as inimical to the ideology of “One China,” the CCP has taken up its own domestic propaganda war against the “Dalai clique,” and “hostile Western forces.” As Warren Smith comments, “ultimately, Chinese

26 Other celebrity followers of Tibetan Buddhism and advocates of the Free Tibet movement include John Cleese, Adam Yauch, Sharon Stone, Steven Seagal, Jet Li, and Allen Ginsberg.
propaganda reverted to the traditional themes and justifications for Chinese rule over Tibet, primary among which was Tibet’s inability to govern itself as demonstrated by its ‘savage, cruel, and barbaric feudal serf system’” (2010: 79).

In the words of one Foreign Ministry spokesperson,

The Dalai group has always claimed that the Tibetan culture, religion, and environment have been destroyed. There is something destroyed in Tibet, but it is not Tibetan religion or culture. Rather, it is the dark serfdom system that has been destroyed and will never be restored again (Smith 2010: 81).

Moreover, grafting of the Tibet issue onto international human rights discourses seems only to have made things more difficult, leading not more compliant responses from China but to stronger denunciation of the campaign’s objective as nothing but the neo-imperial machinations of foreigners who would see China splintered and weakened. For example, Tibet Party Secretary Guo Jinlong characterized Tibetan independence as “a vain attempt to divide the Chinese nation. It is the outcome of class struggle on an international scale” in a widely – cited news article (Tibet Daily, October 18, 2000: 1). In October 2007, Foreign Minister Yang Jiechi, acting as deputy to the seventeenth Party Congress, referred to the Dalai Lama as a “tool of anti-China forces” (Smith 2008: 93).

Nor does domestic opinion favour Tibetan independence. While this may be in large part to the state’s media campaign against the Dalai clique and the
corresponding lack of pro-independence perspectives, there are other reasons to doubt the support of Chinese citizens for Tibetan statehood. First, scholarship on the subject by Chinese nationals overwhelmingly supports the regime’s position. For example, Xu and Yuan accuse the United States and other Western governments of leveling “Cold-War-style accusations of human rights abuses in Tibet,” in order to “discipline” China (2006: 305). Others call the Dalai Lama a “splittist” in exile (Zhiyunbianji 1997). Second, there is every indication that popular nationalism in China is on the rise, especially online, and that it occurs partly in response to perceptions of international events (Lagerkvist 2005: 119; S. Zhao 1998, 2000; Y. Zheng 1999). Given established patterns of majority-minority relations and the interests of China’s Han majority in continuing to develop Tibet’s oil, gas, and rare earth mineral reserves, it is safe to assume that the support of the Chinese public for greater regional autonomy is very low, except among a few political dissidents.

Over time, failure to move China from its position has had a reflexive impact on the campaign itself, altering its core values and objectives, and even what it means to support the Tibetan cause. Although “self-determination” originally meant an unequivocal backing for Tibetan independence and creation of a sovereign state that included the territories of Kham and Amdo, the Dalai Lama himself has recently acknowledged that this is absolutely “out of the
question” (BBC News, March 18, 2008). Instead, the goal is now to secure greater autonomy and cultural protection for the Tibetan people within a multinational or quasi-federal China, precisely the aim of the communist’s nationality policy given years before. Advocacy of this “middle way” has been accompanied by the use of less inflammatory rhetoric by many of the NGOs and human rights groups that have supported the Dalai Lama’s government in the past. For example, the ICT claims to be “firmly committed not to seek separation or independence” but rather to finding “a solution to the Tibetan problem through genuine autonomy, which is compatible with the principles on autonomy in the Constitution of the People’s Republic of China” (http://tibet.net/en/index.php?id=115&rmenuid=11). Save Tibet, a New York-based non-profit that provides humanitarian assistance to refugees, now advocates “progress toward a mutually agreeable solution for Tibet,” and that “Tibetans be able to maintain their distinctive Tibetan identity into the future” through governance as a single administrative unit under a unified, coherent policy, rather than as an independent state (http://www.savetibet.org/policy-center/topics-fact-sheets/ict-recommendations-policy-makers).

In addition to shifting the nature of advocacy goals, Chinese intractability on the Tibetan independence issue has also contributed to fractionalization within the campaign over the preferred methods of advocacy. Traditionally, the
campaign has identified with the principle of non-violent resistance to the so-called Chinese occupation. Ardley (2002) calls this the “Gandhian” paradigm of Tibet independence. The Dalai Lama has referred to himself as “a steadfast follower of the doctrine of non-violence which was first preached by Lord Buddha,” and stated that “Our [Tibetans] only wish is to live our own lives in peace and friendship with all our neighbours, including the Chinese (1962: 6-7). That personal commitment to pacifism was recently reaffirmed when he wrote of his “life-long study of Buddhism and involvement in the Tibetan people’s non-violent struggle for freedom” (1999: 2). Yet there is now much greater diversity of opinion over tactics within the campaign compared to a decade ago, including a minority who support the use of any means necessary to secure independence, including violence (Frechette 2002: 166). As Jamyang Norbu writes “Tibetans who have vocally insisted on maintaining the cause of an independent Tibet have often been seen by supporters of Tibet as dangerous extremists undermining the good intentions of all those working toward the far nobler goals of establishing Tibet as a zone of peace” (1999: 21). Nevertheless, to the extent that a violent fringe has emerged as a result of the failure of non-violence to secure Tibetan sovereignty, it suggests renegotiation of defining TAN principles in response to the position of the target state.

In sum, what began as a campaign for Tibetan independence wound up as
something else entirely. China’s immovability on the question of minority nationalism within its borders forced a change in both the structural composition and normative orientation of the TAN. A lack of clarity and cohesion on the central objective and how best to pursue it has thrown the campaign into disarray, shaking the very core of collective identity and common purpose that has enabled the campaign to sustain itself for so long. Given the Dalai Lama’s plans to step down as head of the government-in-exile, it is uncertain when, if, or in what form the campaign may continue. This reverse causal pattern is shown in Figure 4.1.

![Figure 4.1: Sequence of Causal Steps in the Tibet Independence Campaign (Reverse Causality)](image)

That the campaign failed to achieve any significant domestic-level impacts comes as no surprise to realists, since engaging Tibet independence advocates in dialogue is and remains contrary to the objective interests of the central government. The granting of concessions is seen as a significant threat to China’s stability and survival, considering the broad assortment of nationalist claims.
present within the country. Despite the lack of properly representative institutions central to the liberal paradigm, the strength of grassroots Chinese nationalism only furthers the disincentive for compromise. Serious negotiations for Tibetan statehood are likely as not to be interpreted by the Han majority as a betrayal or unacceptable kowtowing to meddling foreigners by the state that has acted predominantly in their interest for more than sixty years. Talk of partitioning Tibet from China also threatens economic interests, as it would almost certainly mean reduced access to the region’s resources that keep an increasing number of Han Chinese employed. Lastly, it is difficult to see how constructivism would be vindicated even if the Chinese government relented, since the “right” to secede is not an established norm of international society to which states socialize or are inclined to endorse.

II. Climate Change

Addressing climate change is a key feature of environmental policy under the Hu-Wen administration. While continually insisting that it is only fair and proper that the developed world shoulder its share of the burden in contributing to global warming, China appears to take seriously the threat posed by climate change on its own soil and is committed to balancing a reduction of its carbon emissions with its economic and social development plan. An Annex 2 signatory
to the Kyoto Protocol and several other international accords including the
Framework Convention on Climate Change (UNFCCC), China’s central
government has pledged “to make significant progress on controlling
greenhouse gas emission, continue to advance the national adaptive capacity to
climate change, enhance climate change related scientific and technological
research to reach a new level, greatly improve public awareness of climate
change, and strengthen the organizational and institutional development in the
area of climate change” (China’s National Climate Change Programme 2007: 23).
As Xie Zhenhua, deputy head of the National Development and Reform
Commission (NDRC) and Head of the National Climate Change Coordination
Committee put it, the policy shows “the sincerity and determination of China to
actively address climate change and participate in related international
cooperations [sic]” (Embassy of the People’s Republic of China 2007).

However, China’s policy, as presently stated, offers no indication of its
intentions to accept a cap-and-trade agreement limiting its carbon output, as
advocated by a global network of climate change activists.27 Indeed, China has
consistently and repeatedly rejected the notion of a cap on its emissions, on the

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27 Also known as “emissions trading,” cap-and-trade agreements generally refer to any market-based tool for controlling pollution that provides economic incentives to reduce emissions and imposes set limits on the emissions of signatories according to a “polluter pays” logic.
grounds that the imposition of such limits belie the culpability of the developed world in contributing to global warming, leading to asymmetrical expectations with regard to burden-sharing. As Chen Yaobang, Chinese Minister of Forestry and Vice-Chairman of the State Planning Commission told his fellow delegates at a Conference of the Parties to the UNFCCC, “these schemes were unacceptable because they would allow industrialized countries to shirk their responsibilities of cutting emissions at home while disregarding the living environment of people in other countries” (as cited in Z. Zhang 2003: 5). Moreover, many Chinese officials “still regard meeting GDP growth expectations as their primary objective” (Lieberthal and Sandalow 2009: 33) and see environmental regulation as a possible drag on economic performance. To those for whom the prioritization of growth is “inviolable,” cap-and-trade schemes represent an ill-advised trade-off between environmental and economic concerns that in the short-run could restrict China’s rise and limit its global competitiveness (see Economy 1997: 29). Nevertheless, China’s plan to fight climate change is an ambitious one, setting targets for emissions reduction far more stringent than those set by many developing world governments (Garnaut 2008: 293).

International institutions have provided a powerful driving force for China’s adoption of new climate change regulations in two major ways. First, they have been crucial in the placement of climate change issues on national and
international policy agendas. While recent cross-national opinion data indicates that many continue to harbour doubts about the nature and severity of the dangers associated with global warming, the proliferation of multilateral accords on climate change in recent years is nevertheless a symbolic indication of the issue’s rising profile internationally (Brechin 2003). For China, participation in international talks on climate governance has coincided with a growing awareness of the issue’s importance and the adoption of new policy initiatives. For example, the results of a report brought back by China’s delegation to the 1972 UN Conference on the Human Environment in Stockholm convinced then-Premier Zhou Enlai to organize a multi-agency national conference on environmental protection. (Economy 1997: 22). By 1978, that commitment to protection was formalized in China’s constitution. The UNFCCC, held in Rio de Janeiro in 1992, was directly responsible for the adoption of China’s Agenda 21. Modeled on the UN’s Agenda 21 adopted at the same gathering, the program committed China to “sustainable utilization of resources and preserving a healthy environment” (White Paper on China’s Population, Environment, and Development in the Twenty-first Century 1992). As Elizabeth Economy concludes, the UN Conference on the Environment and Development (UNCED) held in 1992 had a “profound effect on environmental policies, institutions and thinking in China” (2004: 187). Further, as Katherine Morton points out, China
had put in place some one hundred twenty-three administrative regulations on environmental protection by 2001 (2009: 38).

More recently, participation in international dialogue has highlighted the seriousness of the risks posed to China by the effects of climate change within its borders. For example, a report of the 2007 Intergovernmental Panel on Climate Change (IPCC) indicates that Asia’s developing nations are particularly susceptible to the impacts of global warming, and among the least capable of dealing with these challenges at present (Yu 2008: 50). China in particular is thought to face an elevated risk of extreme weather patterns and natural disasters jeopardizing human health (Nielson and McElroy 1998). It also confronts the prospect of accelerated desertification, deforestation, coastal erosion, floods, and severe water shortages, leading to adverse effects on agricultural production (Li and Nishioka; Schelling 2002). The Chinese government itself has acknowledged that China is “most susceptible to the adverse effects of climate change, mainly in the fields of agriculture, livestock breeding, forestry, natural ecosystems, water resources, and coastal zones” (China’s Policies and Actions for Addressing Climate Change 2008).

Moreover, international engagement has shone a spotlight on China’s role in contributing to global warming. Foot and Walter argue that with the emergence of a global climate protection norm in recent decades, China has come
under increased pressure to shoulder its share of the responsibility for climate change, largely due to its replacement of the US as the world’s leading carbon emitter (2011: 186). The pace of China’s economic growth, the rise of its manufacturing sector and relative decline of that of the US, and its primary reliance on coal to meet its growing energy demands all make China the number one target of international efforts to reduce climate change impacts. Several academic studies also point to China’s unusual dependence on coal, a far more high-emissions source of energy than nuclear fission or hydroelectricity, as a main cause of its current greenhouse gas levels (e.g. Garnaut 2008; Yang 2010). According to one report, coal accounts for seventy percent of all Chinese energy and eighty percent of its electricity (International Energy Agency 2007: 265), thus helping to make China a prime focus of international concern. Still, the two superpowers account for approximately forty percent of all greenhouse gas output worldwide (Lieberthal and Sandalow 2009: 1), and consequently, “the United States and China have emerged as being at the heart of this issue and their own relationship has become tightly bound up in it (Foot and Walter 2011: 176).

Support for bolder policy action by China’s government is not limited to the world’s foremost economic powers, however. The causes of global warming can result in demonstrably negative consequences thousands of miles from their
source, and these externalities are sometimes borne disproportionately by lesser-developed societies not as responsible for high rates of carbon output. These two factors have influenced the global support for reduction of China’s emissions among stakeholders in rich and poor countries alike. Indeed, of all the issue campaigns considered in this study, probably none have the breadth of transnational significance or participation from the global South that climate change does. China is now seen by small island states, among others, as responsible for the rising sea levels and extreme weather patterns that place them at risk (http://news.bbc.co.uk/2/hi/science/nature/7125047.stm).

Second, international institutions have served as the locus of a global cap-and-trade regime that provides inestimable resources and opportunities to a transnational contingent of environmental advocates working in China. The Kyoto Protocol offers the most ready example of such regime (even while exempting Annex 2 developing countries like China from accepting emission quotas) and prominently featured NGOs at the policy development and implementation stages (Betsill 2002; Gulbrandsen and Andresen 2004). As one study puts it, “this permeation of orthodox policy networks changes the role of non-governmental organizations from that of outside critical agents demanding issue recognition and action, to that of partners in developing workable frameworks and principles for implementing actions” (Gough and Shackley
2001: 329). Morton (2005) describes the partnering of NGOs with intergovernmental organizations like the World Bank and Asian Development Bank to fund and conduct research on the causes and consequences of climate change in China. Shi (2009) notes the increased presence of domestic Chinese NGOs and journalists at global climate change summits, such as the one held in Copenhagen in December 2009, attesting to the growing potential for these groups to assert themselves in discussions about global warming. Thus, to a considerable extent, “domestic environmental NGOs and national policy reforms both derive from world society, flowing out from the ever-growing numbers of international environmental treaties, international non-governmental organizations (INGOs), and intergovernmental organizations (IGOs) that form the bases of the world environmental regime” (Frank, Longhofer and Schofer 2007: 282).

China’s position on climate change has evolved as its economy has grown and its domestic political circumstances liberalized. Before 1978, environmental degradation was regarded by the Maoist leadership as endemic to capitalist societies due to their over-exploitation of resources (Schroeder 2008: 510). Thus, the need to differentiate the responsibilities of the developed and developing worlds in contributing to environmental problems was at the core of Beijing’s early environmental diplomacy. As Kent notes, Chinese delegates to the
Stockholm conference in 1972 supported the right of states to exploit resources as they saw fit, but also pointed out the obligation of individual states to do so responsibly and in a manner suited to cutting down on global pollution (2007: 149-150).

This notion of differentiated responsibilities proved an enduring feature of Chinese policy as the international climate change regime blossomed. At a “Conference of Developing Countries on Environment and Development” convened by the Chinese in 1991, Foot and Walter recount that

Beijing’s goals...were to line up the forty-one countries in attendance behind a set of principles Chinese officials had agreed upon internally in the spring of 1990, including the idea of developed country responsibility and culpability, the industrialized world’s need to provide compensatory financial assistance to the developing world in order to help with the implementation of signed agreements and declarations, and the understanding that environmental protection should not lead to the sacrifice of development goals (2011: 188).

These principles were repeated by Premier Li Peng when he signed the UNFCCC in Rio a year later, giving many in the global community an impression of China as a "recalcitrant" participant in climate change negotiations, one who favoured the weakest possible reporting standards and no concrete emission reduction targets (Economy 1998: 246).
Nevertheless, the increasing pace of industrialization during the late 1980s and early 1990s gave rise to a host of new programs and agencies specifically to combat the environmental fallout, including global warming. In 1984, an Environmental Protection Commission was established by the State Council, and was subsequently elevated to the level of national office and housed within the Ministry of Rural Construction and Environmental Protection, before becoming the National Environment Protection Agency (NEPA) in 1988. A decade later, it became the State Environmental Protection Agency (SEPA), and was accorded the status of a ministry in 2008. A National Climate Change Committee was created in 1987 in order to foster debate among Chinese scientists that could be integrated into policy-making. By 1989, this had evolved into a national climate change research program. According to Foot and Walter, it incorporated more than five hundred experts and twenty state ministries, focused around the training of environmental officials and the refining of monitoring and reporting procedures (2011: 189).

The trend toward institutionalization of climate protection measures during this period also meant increased toleration of the green NGO movement emerging within China. While the formation of climate change policies at this time entailed a great deal of bureaucratic reorganization within the state, the privatization of other state-owned enterprises during the 1990s created new
opportunities for NGOs to gain inroads with the state as service-providers, particularly at the grassroots. Founded in 1994, Friends of Nature was a pioneer among domestic groups in this regard. China’s own official statistics indicate that by 2006 there were over 3000 officially registered Chinese environmental NGOs (see Morton 2009: 63). The true number of unregistered organizations is unknown but probably much higher.

Yet because of China’s classically Leninist approach to civil society organizations, there has been considerable debate over the genuine autonomy of its green NGOs. One recent paper reports that under current institutional circumstances “environmental NGOs have evolved from organizations devoted almost exclusively to environmental education and biodiversity protection to those willing to criticize the government openly” (http://www.cfr.org/publication.html?id=739). At the same time, MOCA’s registration system is designed to keep environmental and other NGOs from becoming too independently powerful, and many domestic green groups report that the requirements for registration have become more stringent over the last ten years (Interviews 4 and 5). The end result has been the emergence of an institutional climate that seemingly constrains environmental activism at certain times while enabling it in others.
Environmental NGOs in China show signs of adaptability to these uncertain surroundings, and have learned to work within the system and use it to their advantage where and when they can. One particularly effective strategy for many NGOs has been to merge themselves with the state through the creation of GONGOs and other kinds of organizations under the state’s purview (Tang and Zhan 2008; Knup 1997; Lu 2007). In many instances, gaining access to the state involves becoming part of the state itself. As Peter Ho has put it, “the semi-authoritarian context has created an environment in which the divide between civic organizations, state, and Party is extremely blurred” (2008b: 3).

For most environmental NGOs on the mainland, this is not a matter of “sleeping with the enemy,” but a necessary, even desirable aspect of negotiating Chinese institutions, since it can be helpful in gaining some administrative leeway. “By establishing informal organizations, façade institutions or ‘companies,’” writes Ho, “environmental NGOs are capable of circumventing the stringent regulations for NGO registration” (p. 3).

Blending into state institutions in this way has also allowed both international and domestic activists to better exploit informal connections and personal ties to further improve access to the state. One study of green NGOs in Yunnan reports that three quarters of the organizations it investigated were headed by someone who formerly worked for the government (Cooper 2006:...
Similar incentives apply to foreign climate change NGOs looking to penetrate Chinese institutions. As Wu writes “environmental GONGOs are among the most active in forming transnational advocacy networks across China’s borders,” and “are among the most popular partners, second only to governmental agencies, for international environmental NGOs working in China” (2002: 49-50). Having been in China since its initial opening in 1978 and adopting the panda as its official logo, the World Wildlife Fund (WWF) has built an unusually strong rapport with the Chinese authorities. This in turn has facilitated a level of ease and cooperation in its dealings with the central government on many of its biodiversity and wetlands conservation projects (Interview 12). Several other international NGOs also report working closely with state agencies to encourage civic participation in green initiatives, assisting in the clean up of both naturally occurring and human-caused ecological disasters, and conducting research on the development, implementation and impact of green technologies or carbon-reduction strategies.

A further change in domestic conditions came with the introduction of Hu Jintao’s idea of “Harmonious Society” in 2003. Up to that point, CCP leaders had viewed China’s environmental burden as largely inimical to its economic development goals—reduced emissions were seen as the enemy of GDP growth, even as China’s accession to the WTO increased structural incentives to ramp-up
its overall energy consumption. But for Hu, the achievement of social harmony meant counterbalancing growth with a greater commitment to environmental protection, including safeguarding against ecological disasters, energy shortages and agricultural shortfalls. Such a commitment was expressed first in the Tenth Five-year Plan (2001-2005). Premier Wen Jiabao later remarked that an “unbalanced economic structure,” excessive consumption of energy and resources,” and “worsening environmental pollution” were among the most serious challenges motivating state action as set forth in the Plan (Sheehan and Sun 2008: 396-397). The Eleventh Five-Year Plan (2006-2010) carried over this explicit concern for balancing growth with environmental protection and espoused, for the first time, “compulsory targets to reduce energy and pollution intensities from their 2005 levels by twenty and ten percent respectively” (Hallding et al 2009: 49).

In addition to its aforementioned domestic constituency, the campaign around climate change and environmental policy in China encompasses a vast array of foreign NGOs and partner organizations numbering in the thousands, if not tens of thousands. Among the more professionalized and high-profile INGOs in the network are Greenpeace, the Jane Goodall Institute, The Crane Foundation, and the World Wildlife Fund (WWF). Besides their already well-established funding bases, technical ability and communications savvy, these
groups and others like them benefit enormously from affiliation with climate change poster children such as Al Gore. His Alliance for Climate Protection will launch The Climate Project in China in 2011 in collaboration with the Chinese Ministry for Science and Technology, and the China-US Centre for Sustainable Development. On its website, the organization describes itself as a “unique non-profit, non-partisan organization with more than 5,000,000 members worldwide...committed to educating the global community about the urgency of implementing comprehensive solutions to the climate crisis” (http://theclimateproject.org/china/).

The internet is an invaluable tool in forging linkages within and among the NGOs comprising the network. In particular, it has proven essential for connecting less financially well-to-do Chinese NGOs with more professionalized and resourceful international counterparts. As Guobin Yang writes, “for groups of volunteer environmentalists lacking both official status and office space, an online presence is a key sign of their existence” (2003: 90). In some cases, NGO websites and social media such as Facebook also provide a way for Chinese and foreign activists to obfuscate domestic legal barriers and coordinate their activities beneath the authorities’ radar (Yang 2003: 91). Information sharing on the web has contributed to the development and entrenchment of climate change advocacy in China more broadly as well, especially through its facilitation of
data collection and reporting, its support of monitoring systems, and public outreach. As one recent study concluded,

New media are a vital source of environmental information, especially in [countries like China] where information is not always easily obtained. Environmental groups, students, scientists, concerned citizens and others now have access to a range of information on local and national facts and figures on environmental pollution, on environmental regulations and policies in other countries, and on environmental movements in Western democracies (Mol 2009: 125).

Crucially, the internet enables the inclusion of a transnational contingent of expert climatologists in the network, who contribute clear and credible scientific evidence to the cause of environmental activism. According to Morton, scientists are a major driving force behind domestic environmental advocacy and “‘scholar activism’ is now a common characteristic of environmental organizations across China” (2008: 209). The prime benefit of their participation in the TAN campaign is twofold. First, it equips the TAN with an additional, pre-fabricated communicative structure enabling links between experts in China and abroad. By availing itself of this academic “network within a network,” the TAN only enhances information sharing among its constituent parts. Second, the participation of Chinese scholars gives experts and stakeholders within the TAN as a whole access to certain framing advantages. Because “the boundaries between academic research and social advocacy are often blurred” (Morton 2008:
partners within the state are more prone to treat research findings as depoliticized and therefore non-threatening, even helpful. “Data,” rigorously analyzed to produce “facts” under the auspices of scientific research come across as less prosecutorial and more akin to “telling it like it is,” and thus are more conducive to cooperation with the state in pursuit of common objectives than information that is seen as more politically motivated. It is worth noting, however, that not all Chinese academics refer to their involvement in the TAN as “advocacy” (chang yì). Due to the state’s lingering mistrust of social organizations, there is an unofficial preference for the term shoufu, which describes the practice of persuasion and is viewed as less politically charged.28

At least part of the reason for the explosion of advocacy around China’s role in climate change, and the convergence of regime policy and campaign objectives in that area, is the nebulous nature of the issue itself. One important factor underlying the size and strength of the network has been its ability to draw additional support by exploiting the interconnectedness of several large environmental concerns simultaneously. By pointing to climate change as the lynchpin of China’s environmental problems, the campaign has gained the backing of activists working on many separate but related ecological issues. For example, the attribution of increasingly frequent and severe natural disasters in

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28 Additionally, many in the Chinese academy hold fast to the idea of “differentiated responsibility” for global warming among developed and developing countries (Hu 2011: 121).
China to climate change has been a key catalyst of international cooperation and government policy (Luo 2010: 133-134). Likewise, biodiversity and wildlife conservation projects ongoing throughout the country have linked the disappearance of species like the South China tiger, Yunnan golden monkey and Tibetan antelope to habitat loss caused by global warming (Morton 2005). One recent survey found that as many as forty percent of species in China are now threatened, with an extinction rate of nearly one per day (http://www.china.org.cn/english/scitech/149641.htm). Opportunities and access for programs of this sort are even greater where the loss of at-risk species serves as a barometer for the safety and well-being of human populations. The presumed-extinction of the Yangtze river dolphin (baiji) has been particularly alarming to NGOs and state officials alike, since its habitat is also a source of potable water for hundreds of millions (Interview 12).

This type of issue linkage translates into a growing concern among the Chinese public with environmental challenges and what the government is doing to address them. Due in part to the spread of digital technology, knowledge of environmental challenges is growing, especially in large urban areas (L. Xie 2011: 209). Several sources note the rising prevalence of environmental protests in China, partly in response to the ecological impacts of global warming (Zhou 2011; Stalley and Yang 2006; G. Yang 2005).
one such study, the trend reflects a “cognitive revolution” in Chinese society, in which the adverse effects of environmental damage on human health are considered to be the most serious (Jing 2000: 213). Data collected annually by the State Statistical Bureau and published in yearbooks indicates that ordinary Chinese citizens have access to a wide variety of fora for complaint-making, and that they are increasingly prone to take advantage of opportunities to report environmental problems. Telephone hotlines and legal mechanisms allowing the public to disclose the names of polluters or officials who fail to uphold environmental regulations have become especially popular (Zhongguo Tongji Chuban She, 1996). Except under circumstances where public frustration over environmental challenges has resulted in unsanctioned demonstrations and riots, the state has welcomed the input it has received from the public. As Schwartz reports, “the state makes ongoing efforts to encourage participation by individual citizens in environmental protection,” with the 1996 State Council Decision Concerning Certain Environmental Protection Issues actively promoting public reporting on violations of environmental regulations and participation in environmental protection (2004: 35).

In sum, it is clear that climate change and its consequences are matters of broad concern to the Chinese people, their government, and a transnational community of environmental activists. What is less certain is whether China’s
climate change policies are the result of its socialization to a global normative framework. Notwithstanding its heightened awareness of global warming’s impacts on the heels of international talks, and its endorsement of recent efforts by the international community to set binding time-targets for reaching emissions goals with the so-called “Bali Road Map,” Chinese climate change policy is essentially the self-interested by-product of domestic priorities, as several studies have previously argued (e.g. Foot and Walter 2011: 197-198; Lieberthal and Sandalow 2009: 28; Schroeder 2008). The most telling piece of evidence in this regard is China’s persistent rejection of an emissions cap, which it continues to perceive as bad for continued economic growth, despite forecasts to the contrary (Sheehan and Sun 2008; Zhang 2003). Beyond that, China’s climate change policy, summarized by Foreign Minister Xie Zhenhua as a blend of “reduction, adaption, technology, and funds,” (Carnegie meeting, March 18, 2009), is driven by the economic incentives attached to the encouragement of green industries under the UNFCCC and Kyoto Protocol (Zou, Pang and Wang 2008: 183-185), a concomitant increase in reliance on green service providers and expert research to aid technology transfers, and by a growing eagerness to demonstrate its responsiveness to citizen concerns on environmental issues. In other words, China’s piecemeal acceptance of the global climate change
framework has been limited to those dictates it deems complimentary to its own purposes.

Although the campaign on climate change met with the adoption of new and innovative policies from the Chinese government, the experience was transformative for the TAN into separate but interrelated ways. First, close cooperation with the state affected the anatomical structure of the campaign. State permeability by foreign NGOs was primarily a function of its growing demand for assistance, and the blurring of lines between state and non-state actors through GONGOs was a matter of practical necessity for a campaign simply seeking to have the greatest possible given the repertoire of available strategies. In other authoritarian contexts, such as late-Soviet Russia, environmental activism primarily arose in opposition to the state (Lipshutz 1997: 76). In this case, however, state receptivity to external inputs led to the co-opting of climate change advocates and their redeployment in the service of regime interests. In turn, the severely reduced autonomy of TAN actors made it virtually impossible to ascertain any independent causal affects on state policy they might otherwise have had.

Second, state-TAN cooperation produced a change in the tactics and message of the campaign. Prior to Kyoto, NGOs and their national partners exerted pressure on the world’s leading carbon producers to accept an emissions
trading scheme that would impose a cap on greenhouse gases (Cass 2005). But, with China premising its ratification of the Kyoto Accord on its status as a non-Annex I nation and ongoing refusal to accept such a cap, TAN organizations in the country have been conspicuously mum on the subject, relying instead on “self-censored advocacy” (Morton 2005: 522) to optimize the campaign’s chances of success. The official website for Greenpeace in China, for instance, touts its commitment to “working with scientists, industry and the government to push China to fulfill its enormous potential for renewable energy” (Greenpeace East Asia 2011). This contrasts markedly with its argument made elsewhere that “an effective emissions trading system should be put in place” and that “tough mandatory caps must be placed on all large industrial polluters,” in industrial nations (Greenpeace Canada, March 25, 2008).

In light of the difficult circumstances the campaign was forced to contend with, this tack is understandable. Indeed, to do otherwise would be to risk a very tolerable emerging status quo in China’s environmental policy. Nevertheless, this renegotiation of principle through collaboration with the target is contrary to established understandings of TANs and the relative weight of factors motivating them. The pattern of state-direction and reverse influence is depicted graphically in Figure 4.2.
As with most other campaigns explored here, this case confirms the central proposition of realism. Access for climate change activists came about because it was clearly in the interest of the state, yet their role in policy development was clearly limited to those aspects of their mission deemed complementary to the CCP’s development goals. In many cases, the state actually created new access points for environmentalists to blow the whistle on major polluters. However, insofar as these access points serve as rudimentary institutions for the representation of social interests as expressed by Chinese NGOs, the liberal hypothesis cannot be wholly discounted. Moreover, while not ensured by any official accountability mechanisms, the environmental worries of Chinese society are nevertheless taken quite seriously by the central government, even if they are balanced with the concomitant primacy of continued economic success. The evidence with respect to the constructivist hypothesis is also mixed.
On the one hand, the need for China to take climate change seriously was in part a function of ideas diffused from international conventions and institutions to the state level. By the same token, the hypothesized direction of normative flows from the international to the domestic spheres is thrown into doubt by the shifting of TAN goals through interaction with the state. In the end, the narrative of the campaign around climate change policy in China supports the essentially constructivist notion that states can both shape and be shaped by TAN campaigns.

Conclusion

Despite differential levels of access and state policy outputs, the transnational campaigns sketched in this chapter present a third kind of functional form taken by TANs in China. While existing theories of transnational advocacy emphasize the transformative effect of TANs on state preferences and behaviours, the campaigns around Tibetan independence and global warming indicate that the opposite may be true as well, as both experienced transformations of their own through their interactions with the Chinese authorities. In the Tibetan case, the utter failure of the campaign to garner any significant recognition after more than six decades of trying led to the eventual abandonment of statehood as its core motivating principle. Climate change
mitigation advocates saw cooperation with the state as a meaningful opportunity to advance their agenda, but through that process lost their autonomy and became the instruments of state preference. The reversal of causal steps demonstrated by the above cases is important, as it implies that the principled bases of TAN mobilization are more malleable than is currently supposed. The next chapter develops a new theory of the conditions under which this “advocacy drift” is prone to occur.
CHAPTER 5

Toward an Alternative Theory of Transnational Advocacy

The preceding chapters point to variation among TAN campaigns along two axes. First, the selected cases demonstrate a range of outcomes on the dependent variable. Those around climate change, IPR protection and HIV/AIDS treatment saw a convergence of network goals and policy outputs, while the Tibet, Falun Gong and capital punishment campaigns did not. Second, the campaigns also differ in their functional forms. Two of the campaigns in particular, those around Tibetan statehood and global warming, display a reverse causal pattern that has yet to be sufficiently accounted for by students of transnational advocacy. Consequently, this chapter develops two separate explanations, one for the effectiveness of TAN campaigns in some issue areas but not others, and one for the transformation of some TANs in response to state action.

Drawing on aggregate results of the pattern-matching design, the first section below sketches when and how TANs can be effective in authoritarian regimes using the international and domestic institutional resources at their disposal, their own internal mobilizing structures, or the features of specific issues. The results indicate that state demand for new policy in a certain area, or
an issue’s “fit” with state preferences, provides the strongest indication of a TAN’s domestic influence. What follows then inquires into the source of the Chinese state’s predilection for new policy where it exists, developing a legitimacy-based explanation for variable policy demand across issue areas. Viewing the maintenance of popular consent as the key to its survival and aiming to short-circuit existential threats from within before they get out of hand, the CCP bases policy choices primarily on perceptions about what is or is not likely to influence its moral authority. In turn, these expectations about which factors are likely to affect social judgments of Party performance create an incentive structure that attaches itself to the issues embodied in individual activist campaigns, leading to the adoption of policies congruent with TAN objectives in some instances but not others.

The latter portion of the chapter then advances a theory of “advocacy drift” that explains when and how the normative goals of TANs are sometimes prone to shift as a result of prolonged interaction with immovable state interests and/or immersion in a state-dominated domestic environment. Understanding this phenomenon is important, as it suggests that the moral commitments of TANs are not always fixed but that governments transform advocacy networks just as advocacy networks can influence those governments.
The Determinants of TAN Effectiveness in China

Returning briefly to the discussion of core hypotheses introduced in chapter two, the analytic narratives elaborated in this study provide a general confirmation of the core realist proposition. When and where TANs are effective in authoritarian states, it is because it is in the interest of such states to be open to them in the first place. This finding conforms to general expectations about issue advocacy in China, given the strength of its institutions to control and direct civil society, and the relative weakness of representative ones that elsewhere allow the state to be more easily accessed by social interests.

The purpose of the pattern-matching method is to reveal which causal mechanisms are most significant in determining campaign effectiveness, as well how they help or hinder the objectives of individual TANs. Accordingly, the discussion below aims to provide both theoretical insights and practical lessons for those engaged in advocacy under authoritarianism about the use of international and domestic institutions, the viability of their own mobilizational structures and strategies, and the nature of the issues they seek to promote. The central claim emerging from this investigation is that TANs can be effective even in highly authoritarian regimes like China when state policy priorities overlap with their issues of focus. Of course, this leaves open the question of what kinds of issues are “in demand” by these governments, when, and why. Thus, a second proposition
is advanced: *TAN issues are effective when a legitimacy-seeking state judges them to be consequential for the preservation of its own right to rule.*

\textit{a) International Institutions}

Given the overall importance of target state interests, international institutions are primarily useful for TANs in situations where an international policy regime has already formed around an issue and where China itself is a signatory to the accords embodied by those regimes. No such regime exists for the Falun Gong issue, and even if it did, endorsement of it would likely bring diplomatic retribution from China. Given China’s economic muscle and permanent UN Security Council vote, even the formation of a policy consensus in this area seems implausible. In the Tibetan case, successive attempts to create broad consensus within the UN have been stymied by the abstention of some of the campaign’s allies (who also happen to do a lot of business with China) from key floor votes. Broad lack of recognition for the Tibetan government-in-exile and the pigeon-holing of Falun Gong as a cult in the global consciousness are both the Chinese government’s handiwork, and have limited the ability of these campaigns to make inroads with international organizations. The campaign to abolish capital punishment is beset by similar diplomatic difficulties, albeit to a lesser degree. While the passage of two General Assembly resolutions is
evidence of a change in global attitudes toward the death penalty, the practice remains widely used by several UN heavyweights, including the US, making development of a concrete international policy regime unlikely in the foreseeable future. By contrast, China has committed itself to improving IPR protection in at least a half-dozen multilateral agreements, to reducing its greenhouse gas emissions under the terms of the Montreal and Kyoto Protocols and the UN Framework Convention on Climate Change, and partners with the World Bank, UNAIDS, WHO, UNICEF, WFP and UNHCR, among others, to control the spread of HIV/AIDS.

Although hegemonic influence is widely thought to enhance leverage over target states, having friends in high places is, as it turns out, a mixed blessing in China. One of the more interesting findings to emerge from the pattern-matching approach and one that was corroborated by several interviewees during fieldwork for this study is that strong American support may in fact be a liability for transnational activists working on certain issues, especially those pertaining to human rights. American advocacy on this subject in particular sounds like high-handed lecturing to Chinese ears, and is more likely than not to provoke charges of meddling in China’s internal affairs or return fire over the historic oppression of Native and African Americans. Of the campaigns in which
the US provides the strongest support by a foreign government, only the one around IPR protection did not attract these sorts of barbs.

On the other hand, linkage to foreign governments tends to be slightly more effective where US involvement is complemented by the participation of a wider variety of countries. The climate change campaign had the greatest breadth of participation by foreign governments, and was no doubt lent extra credibility by the involvement of many in the developing world who were not in a position to strong-arm China by imposing terms, but were merely speaking up for their own best interests. Their presence at the table would have made it more difficult for Chinese policy-makers to cast pressure for new policy as nothing but the arrogant demands of the wealthy, developed West. The lesson for those considering advocacy in China is that there are potential advantages to diversifying governmental links beyond the United States, since middle or even minor powers are sometimes capable of speaking to issues in ways that sound very different from the mouth of a superpower.

\[b) \quad Domestic \ Institutions\]

Temporal or geographic variation in institutions of control can enhance TAN effectiveness by enabling access to the target state for certain campaigns at certain times. Yet gaining access to the regime offers no guarantee that activists
will become politically influential, and there is no indication that domestic institutions are directly or solely responsible even when the desired policy shifts occur. Most of the time, the openings created by domestic institutional conditions are necessary but insufficient for a network to become effective. Put a different way, the opportunity structures engendered by combinations of institutional factors are just that—opportunities. They present only the increased possibility that a campaign will become successful later, not absolute assurance. It is no less possible that once access is secured, activists will spend their time negotiating their way to institutional dead ends or that their access will be unexpectedly terminated. This is all the more true given the unpredictability and extreme fickleness of China’s nascent NGO sector.

Five institutional variables are seen here as particularly significant for the ultimate effectiveness of TANs. First, the structure of state bureaucracy in a given issue area, especially the primary level at which policy is administered, seems to be correlated with the results of advocacy. Generally speaking, greater decentralization of state administration coincides with more effective campaigns, and vice versa. For example, in the case of the IPR protection campaign, which saw the adoption of major new policy initiatives, a great deal of policy administration took place locally. The state created specialized courts in major commercial centres throughout the country in order to prosecute piracy cases in
those jurisdictions, separate from other major anti-piracy offices headquartered in Beijing. Likewise, state organizations at the sub-provincial levels oversee much of the activity of NGOs working in the climate change and HIV/AIDS campaigns. By contrast, there are no significant decentralized bodies seeing to the issue of Tibetan autonomy. Policy in this area is centrally mandated and enforced.

Second, China shows a surprising degree of openness to new actors, especially where its own interests are involved. Contrary to the accepted wisdom that newcomers frequently experience difficulty when first attempting to break into the target state, campaigns with shorter histories in China are more likely to gain access and become politically meaningful. Indeed, the campaign with the longest history, the one around Tibetan sovereignty, fared among the least well. The ones around climate change and IPR protection, on the other hand, having arisen only in the last several years in response to China’s accelerated economic development and related challenges, have met with favourable policy changes. This suggests that the state is more open to advocacy campaigns relatively free of historical significance or that have not been around long enough to acquire as much sensitivity. Campaigns formed around fresher issues come with less baggage, and so are more likely to become meaningful politically.
Third, links to state power and the availability of allies in key positions is a predictor of both access and effectiveness in advocacy campaigns. While the Falun Gong and Tibet campaigns never had the expressed backing of Party insiders and never gained systematic access to the state, the IPR, HIV/AIDS and climate change networks all managed to find such supports and parlay them into much more successful advocacy campaigns. As officials in China rarely speak alone as individuals separate from the Party line, the fact that these networks in particular were successful suggests that the sentiments of their partners were shared more broadly within the offices and agencies of the target government. The capital punishment case stands alone as an example of a campaign that lacked the known support of insiders but nevertheless saw policies enacted for reduced use of the death penalty, though not its outright abolition.

Fourth, political opportunities tend to wax and wane with periodic fluctuations in the nature and degree of state repression. While generally it is thought that China has seen an across-the-board reduction in both measures since Tiananmen, it is important to remember that almost all foreign activists working on Chinese soil are subject to constraints in one form or another at some point, and that this can and does affect the access and political potential of transnational campaigns. For most groups, contending with repression (or the risk of it) is the cost of doing business and a natural part of operating in China’s
uncertain institutional environment. After all, most campaigns are made up of foreigners and NGOs, two groups for whom the regime harbours a well-known and seemingly preternatural mistrust. Even those posing the least threat to the CCP are targeted sometimes, as the staff of the *China Development Brief* discovered when their offices were shut down in 2008 and their editor, Nick Young, was permanently barred from China.

Of the campaigns considered in this study, only the one around IPR protection has so far had a virtually repression-free experience. However, while repression can strike any activist working in China, some are subject to more consistent and severe repression than others. Advocates of Tibetan independence have been continually branded enemies of the state for more than six decades, as have those arguing for the right of Falun Gong practitioners to freely practice their faith since the movement first came to be seen as threatening to the CCP in the late 1990s. The experiences of both groups show that the regime does not shy from the use of violence where it deems it necessary to do so. By contrast, activists working within the other campaigns examined here have had a comparatively easy ride. Even some of those who have called a great deal of attention to state blunders have been treated with a gentler hand. In making recommendations for stopping the AIDS crisis, activists in that campaign highlighted the callousness of government officials in treating victims of the
Henan blood transfusion debacle, as well as their complicity in causing the crisis in the first place, but still found the central state relatively receptive to their suggestions of new treatment programs.

Fifth, a turnover in state leadership produced new opportunities for TANs to gain access, where and when it was in the leadership’s interest to allow them to do so. China’s passing of the torch from the third generation leadership of Jiang Zemin, Li Peng, and Zhu Rongji to the fourth generation administration of Hu Jintao and Wen Jiabao in 2003 is an important watershed in this regard, marking a shift in domestic policy towards greater concern with social development. Whereas the third generation was primarily concerned with economic modernization, China’s current rulers have sought to counterbalance the negative externalities of the country’s explosive growth by prioritizing public health, education, and social equality under the guiding principles of Hu’s Scientific Approach to Development. In turn, this shift has opened the way for new policies to fight China’s large and growing AIDS problem, including “Four Frees and One Care,” as well as the AIDS Prevention and Control Regulations of 2006 and the overarching Five-Year Action Plan to Control HIV/AIDS (2006-2010). The change in administration has also opened new possibilities for discussion of a broad range of environmental challenges arising from China’s
modernization, including the need to square the country’s rising greenhouse gas outputs with its international treaty obligations and future development plans.

At the same time, a number of constants carried over from the Jiang administration have played a significant role in determining TAN access under Hu. As economic performance is no less important to the fourth generation leadership than it was to their predecessors, it comes as no surprise that the central government has taken policy steps necessary to promote continued growth and overcome barriers to foreign trade where they arise, such as through creation of an IPR protection regime. On the other end of the spectrum, the fourth generation inherited much of the Jiang administration’s preoccupation with the perceived “threat” of Falun Gong, and has continued to diligently prosecute its war on the movement both at home and abroad. Central government policy on Tibetan independence has also stayed constant through multiple generations of CCP leadership, a fact which has directly contributed to violent uprisings in Lhasa in recent times. However, the coming of Hu to office has brought state support of a different kind in that case. Discussions of sovereignty may be off the table, but funding for Tibetan cultural autonomy, education, health and development is now stronger than at any point since 1950.

While there are no clear-cut cases of TANs leveraging the state with representative institutions, each of the chosen campaigns enjoy approximately
equal access to the global communicative structures facilitating the information exchange vital to transnational advocacy. None are based in countries where access to information is a problem legally, or where technological penetration is anything less than total. Digital divide issues simply do not apply to activists able to secure office space in Manhattan or central London. Rather, the representation of certain issues via the internet is determined by target state structures. For many activists in China, the trouble is not a lack of technological resources on the ground, but the idiosyncratic nature of online information availability. Indeed, there appears to be little coherent logic, and certainly none that is publicly explicated, as to why some websites can be freely accessed while others cannot, or why changes in levels of access sometimes occur without warning. For example, anecdotal evidence indicates that some social networking tools such as Twitter or MSN Messenger are virtually unrestricted and used on a daily basis by mainlanders, including some who participate in NGO networks, while Facebook remains blocked (Interview 3). Part of the reason for this unevenness is the rise of “hacktivism” in recent years, in which internet users in China bypass state controls on information by routing data through servers located outside the country, most often in Japan or South Korea.

Nevertheless, all mainland activists must battle the realities of the “Great Firewall of China,” which has an enormous impact on information availability on
the ground. For networks such as the one around abolishing capital punishment, pivotal information from Amnesty International is perennially blocked, making it extremely difficult to persuade a Chinese public highly enamored with the death penalty. Likewise, Falun Gong-related postings are predictably inaccessible, as are those praising the Dalai Lama, though both of these cases also face extreme media bombardment with pro-regime perspectives, not simply an inability to tell their side of the story. The HIV/AIDS, climate change and IPR protection campaigns generally confront fewer such restrictions in getting their word out, and thus have had an easier time wooing domestic support, including officials in state agencies able to assist them in gaining still greater access.

c) Resource Mobilization

In general, a network’s mobilizing structures have only minor bearing on whether or not it is ultimately effective. Unlike in democracies where institutions are open and stronger, denser, more cohesive networks can apply their fundraising advantages directly to the policy-making process, resourcefulness provides no guarantee of access, much less influence in China’s relatively closed authoritarian system.

Resource mobilization theorists typically contend that internal capacity is the most important determinant of a network’s success or failure in achieving
political gains, and that it is consistently important throughout the entire cycle of a transnational campaign (McAdam, McCarthy and Zald 1996: 15). By contrast, the evidence arising from the pattern-matching approach used here suggests that internal network characteristics matter much more at the formative stage of a campaign and are of only marginal importance for achieving results later on. In the early stages of a campaign, the number, size and communicative skill of organizations in a network can be very helpful in getting the word out about an issue and adding to the group’s overall strength. Larger networks have a natural advantage in this process, as the ability to impact a broader audience tends to create a snowball effect that increases internal strength further. Thus, a network’s “start-up capital” appreciates in value the same way investments of financial capital do—the more support a network has, the easier it is to obtain more. However, this study is concerned with the results of transnational campaigns, not their formation. By examining the effect of issue campaigns on state policy decisions, it assumes a basic level of internal capacity in each of the chosen networks. (Or, more specifically, it assumes that all networks examined here were sufficiently strong and dense to get off the ground and mount a campaign in the first place). Thus, even those that are strong and cohesive by absolute standards and show an ability to multiply support at their beginnings may appear weak relative to others and can turn out to be colossal failures.
Yet there is some indication that more robust scores on the internal strength variable can improve chances for effective advocacy. Given the variable’s two dimensions—the sum total and size of organizations in a network—the optimal scenario involves maximizing the raw number of constituent groups and ensuring that as many of these as possible are large, high-profile outfits who bring serious resource mobilization capabilities to the table. Both the climate change and HIV/AIDS campaigns, which saw the adoption of major new policy initiatives in their respective issue areas, drew in a huge number of foreign and domestic organizations, virtually too many to count, but also included the participation of many major international NGOs whose money, level of professionalization and name recognition were undoubtedly assets. A similarly positive outcome resulted in the case of the IPR protection campaign, which incorporated a large number of organizations and firms representing different industries, most of which were individually sizeable and strong.

On the other hand, campaigns comprised of a lower number of groups fared relatively poorly. For example, in the Tibet and Falun Gong campaigns, the total number of groups making up the networks could be counted on one hand. In both cases, the network was structured around a single large organization having just a few smaller “satellite” groups in its orbit. That this central organization was big and resourceful seemed to make little difference, as
neither campaign succeeded in penetrating the state or saw any change in policy for their trouble. Only in the campaign to abolish capital punishment did a network built mostly around the information provided by a single strong organization see policy changes generally favourable to its mission, even if these nevertheless fell short of the network’s ultimate goal.

Greater density bears a strong relationship to network size, and is also a characteristic of more effective advocacy campaigns. Generally speaking, the larger the network, the denser its internal communications will be. Since bigger networks transmit a greater overall volume of information than small ones, it comes as no surprise that denser networks tended to be more successful.

However, the matter of information density is empirically distinct from that of information quality, which has a different relationship to network structures and levels of internal cohesion. In larger networks, such as those around climate change and HIV/AIDS, the participation of such a large number of individual organizations means that information flows tend to be relatively decentralized. Higher overall frequencies of information exchange are spread out across many different organizations in order to maintain coherent campaign strategies. By contrast, smaller networks typically have more centralized internal communication flows. A lower density of exchange between fewer member organizations means that it is often easier for these networks to control their
message. Because the information passed is less vulnerable to the interference or distortion caused by a larger number of groups, smaller, more centralized networks tend to be more internally cohesive, bound together by clearer and often (though not always) more reliable information. Activists therefore face a choice between mounting a smaller campaign involving a lesser number of participants but with a more manageable centralized communications structure, or a stronger one that harnesses the resources of many more organizations but has weaker control over framing and group identity. Evidence from the experiences of issue advocacy in China suggests that the latter option is the better one, since the largest and most decentralized networks saw significant changes in state policies in accordance with their goals, while the smaller, more centralized ones did not.

Campaigns that were able to mobilize domestic constituencies tended to be more effective. Indigenous NGO communities sprouted in both the climate change and HIV/AIDS campaigns, though the evidence at present suggests their activities are confined mostly to service provision rather than advocacy per se. The IPR protection campaign also succeeded in linking with domestic commercial interest groups. However, most Chinese NGOs pushing for human rights reform conduct their activities outside the mainland. Most of those advocating the abolition of the death penalty are based in Hong Kong, for
example. In the cases of both the Falun Gong and Tibetan independence campaigns, there simply was no domestic constituency to activate and virtually all support came from abroad.

Moral entrepreneurship, in the sense of norm promotion by a single authoritative individual, is not a feature of effective advocacy campaigns in China. Indeed, there is compelling evidence that in many cases the presence of such a figurehead does more harm than good. The championing of core objectives by Li Hongzhi and the Dalai Lama, two highly controversial and polarizing figures, met only with failure in the Falun Gong and Tibetan Independence campaigns. Neither one makes for a sympathetic paragon from the perspective of CCP leaders, even though the Dalai Lama in particular personifies moral leadership in the eyes of millions around the world. On the other hand, the more effective campaigns mostly lacked a single poster child synonymous with TAN principles to galvanize collective identity. Instead, moral leadership took the form of a collective effort by several of the most prominent member organizations sharing responsibility for issue placement and government pressure. In the HIV/AIDS and climate change campaigns, for example, leadership came from several loosely affiliated NGOs, most of whom had some pre-established global presence from which to draw their moral authority. Likewise, there was no singular cementing force behind the anti-
piracy campaign. Political pressure came instead from an array of associations, mostly western-based, representing a host of different industries whose interests all happened to be served by obtaining policy concessions from the state.

In sum, there are certain structural attributes of networks apparently more conducive to effective advocacy than others, even if none of these alone is sufficient to guarantee success and network characteristics in general are not the most significant factor underlying a campaign’s impact on state policy. Four cross-issue patterns stand out in this section of the analysis. First, bigger is generally better. The largest campaigns received the most positive responses, and even where greater size suggests greater internal pluralism, more effective campaigns can yoke diversity to build a broader coalition in support of their issue. Second, there is a tradeoff in network structures favouring the decentralized channeling of information over more centralized control of internal communications, even if decentralization comes at the cost of weaker internal bonding. Interestingly, there is no indication that more centrally controlled information or more tightly-knit networks are more effective than more internally segregated ones. Indeed, just the opposite appears to be true. The most cohesive of the chosen campaigns, the one around justice for Falun Gong, was the biggest failure, while the most internally differentiated one, the campaign for IPR protection, saw major new policy commitments from the
Chinese government. Third, even though moral entrepreneurship is useful at the emergence phase of a campaign, it can backfire at later stages, especially when moral authority is vested in a single divisive figure the state does not like. Fourth, the activation of domestic constituencies is correlated with effective campaigning, which suggests a link between state policy processes and organized domestic opinion blocs even in authoritarian cases where representative institutions are underdeveloped.

\textit{d) Issue Features}

Variation in issue-focus clearly makes some campaigns more likely to succeed than others, but the kinds of issues that provide a suitable basis for effective advocacy in China differ from those that are typically thought to work in liberal democracies where most of the empirical testing on the effectiveness of transnational networks has been conducted. As was noted earlier, the existing literature on TANS describes issues involving bodily harm to vulnerable individuals and groups to be among the most conducive to mounting effective advocacy campaigns, while environmental issues, however serious, are not viewed by target states with the same sense of gravity. This is because democracy purports to be the international gold standard in the protection of human dignity and because “harm” issues can have important security
implications for states themselves, while ecological disasters are seldom perceived to carry the same level of threat.

What is striking about the Chinese case, however, is the apparent inversion of this common assumption—the success of the environmental campaign contrasts sharply with the unqualified failure of two very high-profile human rights issues in the Tibetan sovereignty and Falun Gong campaigns. Of course, the adoption of new climate change policies indicates that China is responsive to campaigns on issues that threaten public welfare, but its simultaneous repression of secessionist and spiritual movements suggests the unevenness of its commitment to citizen security and that its commitment to harm-reduction does not cover harm inflicted by the state itself.

Not surprisingly, issues packaged in ways perceived by the state as politically neutral and ostensibly value-free fared better overall. That the anti-piracy, climate change and HIV/AIDS campaigns all found greater access and more favourable policy responses reflects the non-ideological framing of their moral authority. NGOs and activists in the HIV/AIDS campaign eventually were able to play a role in the development of new treatment and prevention policies because their appeals for new policy were rooted in data collected in a very clinical fashion by untold numbers of medical experts through years of scientific study and research. Similarly, climate change activists were more politically
influential than they would have been without the input of a global network of trained scientists and technical experts. In both cases, motives appeared less questionable and attempts at advocacy more persuasive because those attempts came cloaked in the mantle of science, which the regime saw as relatively value-free. Conversely, message framing in the Falun Gong and Tibet campaigns was based on personal observations by participants that were unapologetically ideological and sometimes pitched at the destruction of the regime itself. There is therefore an important distinction to be made between the effects of “data” and “information” on the outcome of advocacy campaigns in China. In particular, the former is a key determinant of a network’s right to speak to the government and overrides the credibility that comes from experience or professionalization alone. Indeed, as Amnesty International’s campaign to end capital punishment shows, the regime is dismissive even of highly professionalized and globally credible organizations when it feels that their claims are politically motivated or steeped in values it perceives as being at odds with China’s own.

In general, grafting an issue onto some larger moral code with broad international acceptance is only effective when the overarching principles are not offensive to the Chinese government. As the Falun Gong and Tibet campaigns illustrate, linking the claims of an oppressed group to international human rights
discourses gets a campaign no closer to policy concessions from the state, no matter what the network’s framing skills are like. Falun Gong, through its use of various print and electronic media in a wide array of languages and countries, has fared among the best in successfully painting its grievances as part of global struggle for justice and human rights. Yet the stratagem was ultimately a poor one, as it bound redress for persecuted practitioners to an international discourse in which China mostly does not participate and the central message of which it does not want to hear. Human rights issues tend to gain greater acceptance in China only when the concept is stripped for parts, repackaged and sold in ways that mesh with the state’s development agenda. In the words of one Beijing-based NGO spokesperson, “by dismantling and reinterpreting the concept of human rights so that groups are more focused on meeting human needs [like] adequate hospital care and education, [activists] become much less threatening [to the regime]” (Interview 12). The realities of human rights advocacy in China may therefore put activists in a position to have to negotiate or compromise certain principles to match what is institutionally feasible. Advocates in other areas such as climate change have a natural advantage over those working on human rights, since the overarching principles of those debates are not scorned but welcomed by a Chinese government that sees the objectives of the global
environmentalist community and their own as two sides of the same coin, even if they disagree over methods.

The attitude of the Chinese public towards an issue, or its degree of cultural fit, is a powerful indicator of its likely impact on policy. Forced underground after the 1999 crackdown, Falun Gong has largely disappeared from headlines on the mainland and few regard it with the sense of urgency they once did. To the extent that the public does care about the issue, its perceptions of Falun Gong mostly reflect prolonged exposure to the state’s propaganda war on the group, which cast practitioners as vermin to be exterminated lest they spread their “disease” to the rest of society. Similarly, popular support for Tibetan sovereignty is almost non-existent, the result of Beijing’s persistent efforts to cultivate a sense of nationalism in which Tibetan identity is subsumed under the rubric of “One China.” By contrast, the public favours bold action on the environment, expects the government to contain the HIV/AIDS epidemic and prevent further Shangcai county-style catastrophies, and generally work to promote and extend public health benefits. The death penalty and IPR campaigns represents two deviations from the general pattern, as high popular support for capital punishment clashes with both the spirit and letter of the “kill fewer, kill carefully” laws, and the lack of rights consciousness among the
Chinese public has not kept the state from acting to protect economic growth through more stringent anti-piracy legislation.

Fit with government priorities is the single most reliable predictor of a campaign’s effectiveness, as outcomes in all cases corresponded directly with the regime’s demand for new policy. Yet regime preferences varied widely across issue-areas, resulting in some being placed quite high on the priority list while others took a back seat or were left off it altogether. The vital importance of the “demand-side” variable was summed up by the staff at one NGO office in Shanghai: “Activists in China only succeed when the government wants them to” (Interview 11). The climate change, IPR and HIV/AIDS campaigns owe much of their success to the fact that the Hu-Wen administration had already committed itself to new initiatives in these areas when it placed social development side-by-side with economic modernization in its guiding development plan. In the case of capital punishment, the move to reduce the number of executions is part of an across-the-board legal reform program underway since 1978 that is meant to deepen the rule of law and lead to more rational standards of judicial decision-making. While the party-state speaks with an unequivocal voice on the matter of Tibetan independence, its policy on Tibet in general is considerably more complex, making use of carrots as well as sticks in an effort to maintain stability and foster development in the region. Finally,
there has been no push from within for a rapprochement with Falun Gong, and
with more than a decade’s worth of resources having gone into the CCP’s
scorched-earth campaign against the group, none is likely to emerge anytime
soon.

Concern with maintaining popular legitimacy is the primary factor
driving regime priorities and thus its demand for new policy in certain areas.
While the hallmark of any legitimacy-based theory is the assignment of central
explanatory power to social preferences, the way in which social preferences
matter varies with domestic regime type. Democracies take account of social
preferences through the standard means of vertical accountability. Those vying
for state control that either ignore those preferences or are unable to build a
supporting coalition from among preference groups soon find themselves on the
outside looking in. By contrast, the underdevelopment of representative
institutions in authoritarian states creates an imbalance in the relative power of
state and society that complicates communication of the public’s wishes, a
process that frequently plays itself out on the streets since it cannot happen at the
ballot box. This disequilibrium is all the more prominent in Leninist regimes due
to the presence of highly developed mechanisms of control designed specifically
to limit social input. Hence, the outcomes of transnational advocacy campaigns
in China depend much more on the CCP leadership’s beliefs about which issues
are most important than any change in the structural or material configuration of
the state-society balance of power. Social preferences do matter, but acquire
causal force only when the Chinese state perceives it to be strongly in its interest
to act on them, something that assumes the state is both aware of its best interests
and of the relationship of individual issues to them.

Concern for its legitimacy has been the central pre-occupation of the Party
for the last thirty years. Indeed, the entire political history of post-Mao China
can be read as a quest by the CCP for renewed legitimacy after replacement of
the radical socialist ideology used to justify its rule since 1949 with the more
market-oriented philosophies of Deng Xiaoping and his allies. By the spring of
1989 that quest had stalled, and popular dissatisfaction with a range of factors,
including skyrocketing inflation, ineffectual local government and the slow pace
of political reform had reached a tipping point. That June, the Party came face-
to-face with a challenge to its legitimacy more serious than any it had ever
experienced before, and from which it only narrowly escaped intact. Although
the Tiananmen uprising was put down forcibly, it nevertheless had a profound
effect on the Party and the way it viewed its relationship with the Chinese
people. The CCP came away with a lasting appreciation of the need to promote
reform from within in order to head off another national legitimacy crisis it
might not be able to weather.
Recognizing that the best hope for its long-term survival lay in listening to and addressing popular demands, the Party has viewed the restoration and maintenance of its legitimacy with a strong sense of urgency ever since. In 2004, it publicly acknowledged for the first time that its vanguard role was not an historic inevitability, saying that “The CCP’s ruling status is by no means a natural result of the Party’s founding, and will not remain forever if the Party does nothing to safeguard it,” (People’s Daily). One article in the Journal of the Central Party School even went as far as to state that the CCP’s historic basis of legitimacy was “already exhausted” (Zhu 2005: 46). Fixing that situation has become priority one because, as was argued in one recent academic paper, “Legitimacy...is the key element reflecting the governance capacity of the ruling party as well as an important factor for the party to hold a stable ruling position” (Jie 2006: 27). Indeed, there is now a general sentiment in Party circles that “any political party that wants to constantly keep its legitimacy in wielding state power must adapt itself to the changes of the times,” (Xu and Yang 2005: 41).

29 Several studies indicate that the CCP is not only unchallenged by any coherent opposition movement, but that it enjoys fairly robust levels of popular legitimacy at present (J. Chen 2004; Fewsmith 2007; Gilley 2006). In this respect, China differs from other closed authoritarian regimes, such as North Korea, Syria, Myanmar and Cuba, where legitimacy is generally assumed to be low. However, it is worth noting that the relatively high legitimacy of the central state contrasts with the lower legitimacy of the local state, where popular perceptions of incompetence and corruption persist and social protest movements are more common (Saich 2005; F. Wang 2005).
“The foundation of political legitimacy should change gradually with changes in society,” argues another Party source (Yue 2005: 41).

Consequently, the state has taken the lead in institutional and ideological reform in order to protect and maintain its legitimacy. The goal is to create a brand of “responsive authoritarianism” that more effectively addresses citizen concerns and keeps pace with changing social values (Weller 2008). Institutional innovations have primarily been aimed at gauging popular sentiment in order to devise workable responses to everyday governance problems and thereby contain the impetus for more sweeping changes. The introduction and later scaling up of village elections are two of the earliest and most obvious signs of this instrumentalist logic at work within the CCP, who undertook grassroots reforms voluntarily to counter widespread perceptions of local cadres as hopelessly corrupt and ineffectual (Fewsmith 2001; He 2007; Schubert 2005). Other notable attempts at public consultation have come in the form of improvements to the petition and public hearing systems, and the use of deliberative polling to connect citizens to their leaders and improve responsiveness to social demands (Peng, Xue and Kan 2004; Lieb and He 2006).

30 Recent literature is replete with evidence that dramatic value change, driven by modernization, is already underway in China (Chu 2009; Inkeles 1998; Z. Wang 2005). Economic progress is thus a double-edged sword for the Party—development performance has replaced ideological utopianism as the means by which it justifies itself to the Chinese people, but the same growth pattern is slowly undermining that new justification.

31 Kellee Tsai refers to this process as one of “endogenous” institutional change meant to help contain much larger exogenously-driven changes (2006).
Four such deliberative polls have been conducted in China to date, the first being held in Zeguo Township, Wenling city, in 1996 (Fishkin, He, Luskin and Siu 2010). While scholars have paid the most attention to institutional changes from within, there have been important ideological ones too (Gilley and Holbig 2009; Holbig 2006). As Bruce Dickson writes, “The Party expends a great deal of effort to publicize ideological innovations, emphasizing how its reform agenda is consistent with its traditional goals and the collective benefit of the country” (2004: 142). Lam argues that by making these changes, the post-Deng leadership shows a strong belief in the “self-perfectionism” of the CCP, a conviction that “if the Party’s ideology, approaches, and policies can be retooled properly, the CCP’s seventy million members can still lead China from strength to strength” (2006: 35).

This general concern for legitimacy as the factor underpinning the regime’s very survival creates an incentive structure that shapes the parameters of its policy options, leading to demand for government action in some areas but not others. Shue argues that Chinese society has a long tradition of equating good (which is to say legitimate) government with benevolence, or a concern with the general welfare of citizens (2004). Ng-Quinn similarly asserts that “an immediate end of Chinese politics is…to ensure the well-being of the people by fulfilling their collective material wants and needs” (2006: 385). Consequently,
the decision-making rationale of the central government is increasingly prone to focus on two main things: 1) maintaining economic growth, and 2) safeguarding against the negative externalities associated with that growth. This translates in practice to the prioritization of social justice policies including, for example, some redistribution of social and economic goods, the enactment of measures designed to promote environmental and public health, efficient and effective administration of public services for all, and the reduced use of repression to enforce mass compliance. This last point is deemed especially salient for preserving legitimacy, as CCP scholars and strategists have repeatedly pointed to reliance on coercion as one of the main reasons underlying the collapse of the Soviet Union (e.g., Hao and Ni 2006; Sui and Han 2006).

The perceived risks and rewards associated with issues represented in various transnational advocacy campaigns produces a convergence of activist objectives and regime priorities in some cases but not others. Effective advocacy can be more reliably predicted where the implications for domestic legitimacy of adopting new policies are expected to be high. Indeed, in many cases of apparently effective advocacy, the consequences of political inaction could potentially be dire for the Party. China’s adoption of new climate change policies, for example, owes much to the concerns of the authorities over who is

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32 By extension, a deep concern with social stability is implied, as orderliness is both a necessary prerequisite for economic prosperity and a reliable barometer of the social mood.
likely to bear the blame when declining air quality or other forms of environmental degradation begin to affect human health on a large scale. The same could be said of effectiveness in related areas of environmental advocacy. Wang Limin, Deputy Conservation Director at the World Wildlife Fund’s office in Shanghai, notes that the biodiversity campaigns in which his organization has participated have been successful largely because of the government’s wish to demonstrate its ability to respond quickly and decisively to ecological catastrophes, and effectively deliver public goods such as safe drinking water (Interview 14). In the same way, the adoption of new and overarching policies to combat the spread of HIV/AIDS was undertaken with a view to protecting the uninfected and never again repeating the Henan blood bank disaster. The creation of a new IPR regime resulted from a recognized need for legal reforms to maintain economic performance, specifically by maintaining the confidence of foreign investors. Finally, the recent move to more infrequent, judicious use of the death penalty stems in part from the regime’s desire to show greater restraint in the use of coercive force, a shift in policy that allows the government to simultaneously uphold a firm commitment to law and order and demonstrate the seriousness with which it regards offences such as official corruption.

On the other hand, the campaigns around issues on which the expected payoffs or pitfalls of adopting new policy were low failed to achieve significant
political impacts. The lower the risk and rewards associated with action, the lower the demand for new policy is likely to be. For example, the CCP can easily afford to ignore calls for justice on behalf of Falun Gong, since the movement, its spiritual and political message, and alleged persecution are not viewed by anyone on the mainland with the seriousness they once were. Except for on a few occasions when the state has publicly repressed underground practitioner cells, as occurred in the run up to the 2008 Beijing Olympics, Falun Gong has all but vanished from the headlines. Indeed, to the extent that the issue remains visible domestically, the state continues to assert its justification in removing an “evil cult” that posed a genuine threat to social order, and in the case of the Beijing Games, national pride as well. Similarly, the Party can rebuff the transnational campaign for Tibetan independence at virtually no cost to itself as long as it continues to support Tibetan development and the preservation of Buddhist culture, denial of which is likely to provoke more violence of the kind that erupted in Lhasa in March 2008, adding a spark to secessionist movements elsewhere.
The Theory of “Advocacy Drift”

In addition to their disparate levels of effectiveness, the TAN campaigns explored in this study also differ in terms of their functional forms. That is, it is not only their results in terms of policy responses obtained from the state, but the pathways taken by TANs in their attempts at advocacy in China that vary. In turn, this variegated set of pathways raises questions concerning the nature and direction of causal effects. While existing theories hold that it is TANs who transform the preferences and behaviors of states, two of the analytic narratives—those of the climate change and Tibetan independence campaigns—presented an altogether different pattern in which the network, its core principles and objectives migrated from their original orientation through interaction with the state, a phenomenon I call “advocacy drift.”

The pattern-matching design offers evidence of two distinct mechanisms underpinning this process. First, incorporation into the state can cause a shift in the central objectives of a TAN. In the campaign around climate change mitigation, foreign NGOs and experts found the state eager to adopt new measures to reduce carbon outputs, in compliance with its obligations as a non-Annex I signatory to the Kyoto Protocol. China’s twin interests in offsetting the environmental degradation associated with its modernization and in keeping the
country economically competitive produced a particular demand for international expertise in ecological management and disaster cleanup, as well as research that would allow China’s industrial sector to be outfitted with the latest green technology. Despite the state’s permeability by climate change experts, however, most foreign NGOs had no choice but to register or create special legal arrangements conducive to collaboration with the state that deepened to the point where they became virtually indistinguishable from the agencies and organizations with whom they partnered. While this arrangement enabled activists within the TAN to make contributions toward reducing China’s carbon emissions they would not have had otherwise, the resulting loss of autonomy compromised a central aspect of their original mission—the imposition of a cap on greenhouse gas outputs by Chinese industry, something the state had no interest in nor any intention of ever accepting.

Second, advocacy drift may occur as a result of the relatively static interests and corresponding soft power of the state. The struggle of the Tibetan campaign to secure independence has yielded nothing but Beijing’s insistence that “there is only one China,” and that Tibet is a part of it. Even negotiating the issue is unthinkable from the Chinese point of view, as doing so could legitimize nationalist aspirations elsewhere and undermine the unity of the whole regime. Mindful of the potential consequences of ethno-national uprisings and of their
role in the collapse of Soviet communism (Beissinger 2002), the CCP’s worst nightmare is that the Dalai Lama and his supporters succeed in sowing secessionist sentiments that spread across the country like a brushfire, generating social instability that outstrips the Party’s ability to contain it. Hence the decades-long persistence of conditions severely limiting opportunities for access, let alone effectiveness, that ultimately led to a reversal of the normative position held by the TAN since its inception.

Throughout the latter half of the twentieth century, the Dalai Lama cultivated a huge international following that included, among other things, the financial and technical backing of the US government, and enormous grassroots support in North America and Europe built largely on the backs of high-profile public figures and celebrities. During this period, the central message and goal of the campaign was the realization of a “Free Tibet” through the use of non-violent resistance, in accordance with the beliefs of Tibet’s Mahayana Buddhist leadership. However, several decades without hope of a policy concession from Beijing led eventually to internal dissention and divisiveness over the most effective future course of action. While a fringe minority supports the use of violent insurgency against the Chinese state, the goal of independence has been

33 Such fears are not totally unfounded, given that symbolic commemorations of the 1959 uprisings occur in Lhasa every year on March 10th, and that several western Chinese cities outside Tibet—notably Urumqi—have a recent history of street violence by non-Han residents.
officially abandoned, with the Dalai Lama himself acknowledging it is unlikely to ever happen. Instead, the campaign is focused on cooperative dialogue with the regime, with the aim of securing appropriate representation of Tibet’s cultural distinctiveness and genuine autonomy for the territory within the existing legal parameters of the People’s Republic.

Of course, not all TANs lose their mission, and any rigorous test of theory involves explaining when and why the outcome in question did not happen as much as why it did. For the IPR protection campaign, this explanation is straightforward enough: campaign objectives had the highest level of congruence with state preferences of any selected for this study. It did not come pushing objectives significantly at odds with the state’s own, or advocate solutions to common challenges the state did not desire. Consequently, it was readily granted access and there was no need for the kind of state-power pushback that led to mission drift in the Tibet case. Moreover, TAN organizations were never incorporated into the state, though they did cooperate with Chinese government counterparts interested in strengthening anti-piracy legislation. Unlike the global warming TAN, which was comprised primarily of NGOs and scientific experts, the IPR campaign consisted almost entirely of groups representing foreign business concerns. This made the task of incorporation much more
difficult, as private companies are not inclined toward being legally conjoined with the state, as the green NGOs were.

Advocacy drift also failed to occur in the campaign to enhance the treatment and prevention of HIV/AIDS, which was never formally incorporated into the state and experienced no pushback of CCP interests against its prime objective. However, a change in state interests was already well underway before advocacy for particular treatment programs began in earnest. For most of the late 1980s and early 1990s, the central government responded to talk of the epidemic with a blend of denial and indifference. At the time, advocacy was limited to criticisms of China’s inaction and normative position on AIDS, which cast patients as morally depraved and deserving of their lot. Only after severe gaps in the public health system were brought to light by crises—and revelations of state culpability—did official attitudes begin to change. The key turning point came in 2003 following Hu Jintao’s ascendance to the position of paramount leader. A new emphasis on social development, a stronger commitment to the logic of harm reduction and, crucially, a deepening valuation of expert scientific knowledge to guide policy-making suddenly put TAN-sanctioned solutions in high demand. By depoliticizing its message and adopting a more strictly governance-based approach, the TAN became a partner in the creation of a comprehensive, nation-wide treatment regime.
The non-occurrence of advocacy drift in the Falun Gong and capital punishment campaigns is somewhat more complicated. Neither was a candidate for incorporation, but both confronted an unfavourable configuration of state preferences on the question of foreign human rights advocacy. In the Falun Gong case, state responses were similar to those experienced by Tibetan independence advocates. Simply discussing the allegations of persecution and torture is a non-starter for CCP leaders, who have never shown the slightest inclination toward entertaining an audience with Falun Gong supporters. Much evidence also suggests that the Party continued its campaign of repression against the group long after it ceased to have any visible presence on the mainland. Yet Falun Gong has not gone away, and the group is now as readily identifiable by its political mission as its spiritual message. Since 1999, the movement has spread throughout Asia, Australia, Europe and especially North America, earning the sympathy of politicians, legislatures and world-class professional NGOs whose dedication and tenacity has been crucial in sustaining the campaign for more than a decade. A deep and unwavering commitment to seeking justice and to the principled validity of that cause is a strategic tool for keeping the issue fresh in the mind of the global public, and an indispensable one for the campaign considering its limited options to the contrary.
Likewise, the campaign around capital punishment held fast to its core objective despite state resistance to the idea of abolition. In that case, access to state institutions was also tightly restricted, so much so that TAN organizations maintained virtually no mainland presence at all but instead were forced to operate from nearby Hong Kong, working on speculative information about the true number of executions carried out each year in China, which technically remains a state secret. Passage of the most recent “kill fewer, kill carefully” laws had nothing to do with the efforts of the TAN seeking more incremental satisfaction of its goals, but were motivated instead by domestic legitimacy-based factors. The exigencies of modernizing the legal system and developing the rule of law are seen by state leaders as especially vital to China’s continued economic success, and the introduction of more rational, standardized judicial rulings are a key part of their strategy. At the same time, the death penalty remains overwhelmingly popular with the Chinese public as a means of seeking justice against violent offenders. Thus, while the recent reforms reflect a shift in state preferences on the way capital punishment is applied, those same preferences were static on the matter of its retention.
Conclusion: The Limits of Principle

This chapter has advanced a two-part theory of transnational activism. The first describes conditions under which TANs can mount effective campaigns in state-led domestic settings like China where institutions of control are strong and institutions of representation are not. Based on the results of the pattern-matching design, it argues that fit with target preferences—or state demand for new policy inputs in a given issue area—is the primary determinant of campaign outcomes, but that demand itself is a function of elite expectations about what matters for the maintenance of popular legitimacy and regime durability. In turn, this suggests that social preferences matter a great deal to authoritarian rulers, more so perhaps than the usual authoritarian-democratic dichotomy might lead us to believe.

In addition to highlighting the correlates of effective advocacy, the pattern-matching design has uncovered two different mechanisms responsible for advocacy drift. State incorporation was sufficient to cause loss of mission in the campaign for climate change mitigation, though not a necessary condition for its occurrence in general as it failed to obtain in the other instance of advocacy drift. Confronting the fixed preferences and soft power of the state was likewise sufficient but unnecessary, as it produced the abandonment of independence as a
goal of free Tibet advocates but failed to result in advocacy drift in the case of either capital punishment or Falun Gong, where similar conditions were also present. Figure 5.1 shows the metric behind these conclusions.

| Fig. 5.1: TAN Campaign Results for Prime Indicators of Advocacy Drift |
|---------------------------------------------------|-----------------|---------------------|
| **Independent Variables**                          | **Resistance/Soft Power of State** | **State Incorporation** |
| Tibetan Independence                               | YES              | NO                  |
| Climate Change Mitigation                          | NO               | YES                 |
| Redress for Falun Gong                             | YES              | NO                  |
| HIV/AIDS Treatment                                 | NO               | NO                  |
| IPR Protection                                     | NO               | NO                  |
| Abolition of Capital Punishment                    | YES              | NO                  |

The most remarkable thing of all about the phenomenon of advocacy drift is that it should not exist, according to established theories. TANs are described as having fidelity of principle, and therefore treated as incorruptible by definition. Fixed moral commitments are the foundation of all advocacy campaigns, operating as frames that give meaning and structure to transnational
activity, and galvanizing identities without which campaigns cannot endure, let alone possibly succeed. As William Gamson has argued, “any movement that hopes to sustain commitment over a period of time must make the construction of a collective identity one of its most central tasks” (1991: 28).

The fact of advocacy drift therefore exposes a logical inconsistency in existing theories of transnational activism: At their inception, TANs are sociological animals constituted by the shared ethical standards of individuals and groups in transnational space. Once formed, however, identities and interests that are supposed to remain stable in order to have a transformative effect on states may instead adapt and respond to exogenous environmental stimuli, including those emanating from the state itself. The assumption of TANs as primarily principled actors therefore needs to be revisited, and theoretical expectations adjusted for the possibility that moral commitments can be compromised, renegotiated, or given a back seat to more strategic, utility-maximizing behaviour.
CHAPTER 6

Conclusion: Implications for Theory and Practice

In contrast to existing theories of TANs that depict them as purveyors of principled ideas that transform states and their preferences, this dissertation has argued that TANs and their campaigns can be and are shaped by interactions with those they target. On the one hand, it has shown when and how advocacy campaigns can be effective in importuning the state to adopt new policy positions complimentary to their goals. The results of the pattern-matching design reveal that fit with regime priorities is the prime indicator of their success in China, but that target priorities are formed largely in response to elite perceptions of social preferences. Beyond hypothesis testing, the study has also sought to explain why each of the six campaigns in China unfolded as they did. The result was the unearthing of three distinct causal processes including one in which TANs experienced “advocacy drift.” In these instances, the objectives of TANs were altered as a result of the regime’s implacability and unwillingness to negotiate its own interests, or incorporation of the TAN into the state itself. Understood first and foremost as principled actors with unwavering moral commitments, this loss of mission and message is contrary to established knowledge of transnational networks.
This concluding chapter aims to draw some broader implications from these claims for theorists and practitioners of transnational advocacy. The chapter proceeds in four parts, the first three of which examine the relevance of the primary arguments advanced here for the realist, liberalist and constructivist paradigms initially sketched in chapter two. A concluding section then considers the limits and possible extensions of the study.

Implications for the Realist State-Centred Paradigm

Most of the existing scholarship on transnational civil society treats effective advocacy as a serious and potentially fatal challenge to realist theories of international politics. In particular, the transformation of national interests that takes place through the transnational diffusion and propagation of norms is seen as troubling conventional notions of state power and its relevance for understanding the political dynamics of an increasingly borderless world. For many, realism is an outmoded relic of Cold War bipolarity, while TANs are the standard-bearers of a new global order.

On the other hand, the pattern-matching results of this study suggest the continuing relevance of state preferences in an increasingly globalized world and the need for transnational networks of activists to take them seriously. This observation is especially pertinent considering the apparent resilience of
authoritarianism worldwide. Unlike democracies, which are more permeable by nature, the weakness or absence of genuinely representative institutions in non-democratic states makes them more insular and autonomous from social forces. Able to convert their own preferences into policies relatively free from external interference, authoritarian regimes can be selective in deciding which international actors gain access, admitting only those whose objectives complement and serve their own. China’s strong and enduring institutions of control make it among the “least likely” of all possible tests of effectiveness, open to advocacy in certain areas at certain times but fully capable of exercising its preferences in the face of foreign pressure when it chooses to do so.

State self-interest is particularly valuable for explaining why these regimes choose certain policies at certain times, but also why they do not. In the campaign to strengthen IPR protection measures in China, state officials as far back as the mid 1980s saw the adoption of new IPR legislation as essential for safeguarding the economic gains of the early Deng years. The subsequent development of a multi-tiered policy regime in China is as much the product of China’s own growth imperative as international pressure for treaty compliance or the persuasiveness of global industry leaders. Likewise, activists in the climate change mitigation campaign gained access to the state because combatting global warming is strongly in the interest of China’s rulers, both
economically and politically. Given the financial incentives to China built into the terms of the Kyoto protocol, the expertise of foreign scientists and engineers was extraordinarily attractive to state officials seeking to develop new technology that would replace high-emissions machines in Chinese factories. The same expertise was also viewed as valuable for helping to offset the environmental damage caused by air and water-borne pollutants from outdated manufacturing equipment and methods located near population centres. State-TAN collaboration was therefore seen as means to a mutual end, even if the two had different ideas about the desirability of an emissions cap as the best way to fight the effects of global warming. For the HIV/AIDS campaign, access occurred only after a shift in central government priorities accompanying a leadership change. In that particular case, the TAN campaign proved epiphenomenal in the alteration of national interests, but nevertheless played a key role in the development of a comprehensive treatment and prevention regime by providing key decision-makers with sound scientific data on the nature and degree of the crisis, and the viability of possible solutions.

To the contrary, the state had little interest in honouring activists’ requests in the campaigns around ending capital punishment, redress for Falun Gong, and Tibetan sovereignty. Aside from the low costs to the state associated with ignoring transnational advocacy on those issues, these cases are also subject to
negative incentives whereby granting the concessions specifically sought by the TAN could potentially be very harmful to the state, making effectiveness all the less likely. Considering how hard the Jiang and Hu administrations worked to eradicate Falun Gong from the mainland and bury the specifics of that repression, any after-the-fact retraction risks sending the message that the central government erred in its handling of the so-called threat to public order, and that similarly heavy-handed responses to mass mobilization in the future are unwarranted and unjust. Such an admission would be unthinkable, as it could open a Pandora’s box of other large, unregulated and potentially destabilizing movements born of China’s modernization. From the state’s point of view, it is far better to let the Falun Gong incident stand as a fearful example to others who would challenge CCP authority. A similar incentive structure applies to the matter of Tibetan independence, on which the state has never given an inch of ground and is unlikely ever to do so, since acknowledging Tibet as something other than a part of China might inspire a spate of nationalist uprisings leading to the regime’s collapse, just as occurred in the USSR.

From a practical standpoint, vindication of the realist premise that national interests dictate access and effectiveness means that the realities and potential pitfalls of working within authoritarian institutions need to be faced honestly. As authoritarian states are rarely if ever persuaded by transnational
advocates to follow an idea they do not already favour, the best strategy is for foreign NGOs and activists to engage targets with their eyes open, know the domestic regulatory environment, and learn to operate within it (Hsia and White 2002). TANs may not be able to “save” the state in the sense of promoting normative changes independently from the outside, but may be able to assist it in reforming itself, subject to shifting institutional and political circumstances. In virtually all cases, this involves working with the state rather than against it, and helping it to meet its existing priorities instead of telling it what its priorities should be.

Under limited conditions, TAN-state partnerships can help to develop domestic institutional capabilities where they do not exist. Such was the case in the HIV/AIDS campaign, where foreign activists and NGOs succeeded in strengthening the capacities of the domestic NGO community and ultimately improved the responses of the Chinese health care system to the epidemic. Yet even in this case, the positive difference made by the campaign was only possible after the state had decided to address the deteriorating HIV/AIDS situation within its borders.

In general, foreign activists should be aware of the hazards of cooperating with the state. Alternatives may be limited, but partnership with state agencies often involves submitting to regulatory requirements and supervision that can
limit the structural autonomy of TANs, leading to their incorporation into the state itself, and ultimately to a loss of control over their central mission. In the case of the climate change mitigation campaign, for example, foreign advocates seeking a way into China complied with state laws that eliminated their separateness from the state organizations they worked with, resulting in advocacy drift. For practitioners of transnational activism in China, the larger lesson is that state-dominance of the NGO sector can create a vortex into which those that fall become servants of the state they wish to change. This absorption and subsequent transformation of TANs into the bureaucratic structures of those they target is novel indeed from perspective of existing scholarship on transnational advocacy, which positions TANs in opposition to the state, not a part of it.

**Implications for the Liberal Society-Oriented Paradigm**

The overall significance of national interests for the effectiveness of transnational advocacy does not imply that liberal society-based theories offer nothing of redeeming value. Indeed, the CCP’s preoccupation with its legitimacy speaks to the important social dimension of state preference formation, even in strong, insular autocracies like China.
Beyond the assumption of states as rational and self-interested, realist theories of IR are defined by the singular focus of those interests under anarchy. Specifically, realism supposes that a state’s leading concern is always and ever for its own survival and hard power capabilities vis-à-vis those of its rivals in the international system. However, the argument advanced by this study suggests that state preferences emanate primarily from domestic factors rather than systemic ones. By expressing concern for its legitimacy and moving to a more socially responsive form of governance, the state hedges against possible existential threats, but of a different type and origin. Namely, it short-circuits the potential for social grievances to escalate into national legitimacy crises that would threaten the survival of Chinese communism.

Hence, China’s leaders have demonstrated a pronounced eagerness to enact policies reflecting social preferences, despite a lack of representative institutions or formal accountability mechanisms. Sometimes this is manifested in the output of policies significantly at odds with the CCP’s historic positioning of itself on an issue, but that it came to regard as politically expedient because the public favours it. Such is the case with capital punishment, of which a broad cross-section of Chinese society approves by an overwhelming margin. By retaining the use of criminal executions within more circumscribed legal guidelines, the current administration simultaneously shows its commitment to
punishing violent offenders and to the kind of rule of law development that limits the misuse of capital punishment for political ends. In still other cases, policy outputs reflect a tendency toward the appeasement of particular social interests with a view to preserving order. Obstinate as ever on the issue of independence for Tibet, the current CCP leadership has been remarkably responsive to the demands of Tibetans for the preservation and representation of their cultural distinctiveness within China. It has also prioritized Tibet’s social, educational and infrastructural development in an attempt to ward off a rising tide of instability in the region in recent years. Of course, as both of these cases indicate, policy reforms based on public opinion do not always enhance opportunities for foreign activists, since in some areas the gulf separating popular sentiment from TAN objectives is very large.

The fact that an authoritarian state can be just as concerned with its legitimacy as democracies does not mean that genuine institutions of representation are irrelevant, however. In fact, a lack of formal legal structures giving voice to social preferences raises the stakes for legitimacy-seeking autocrats by leaving the task of measuring social values up to perception and guesswork on the part of those in power, a problem often compounded by the weakness of genuine accountability links. Where representative institutions exist, they reduce the transaction costs of state-society interaction by enabling the
reliable and accurate communication of popular preferences. Their absence elevates the uncertainty of that process. This is important because it increases the potential for authoritarian leaders to misjudge the public mood, the results of which could be the destabilization and destruction of the regime. Thus, non-democratic regimes have a vested interest in developing new ways for public interests to be more authentically and dependably represented. However, to the extent that these are successful in removing the riskiness from attempting to gauge popular will, more representative institutions can strengthen and sustain authoritarian rule.

A further point that bears mention relates to TAN characteristics, specifically the question of their agency and choice in dealing with dictatorial regimes like China. It is undeniably true that preference configurations within the target constrain and enable opportunities for TANs to become effective, and that this can limit the number of options available to particular campaigns, sometimes severely. It is also correct to say that the internal mobilizing structures of TANs are generally more pivotal for mounting and sustaining a concerted action than for leveraging the policies of autocratic states. Yet TANs possess the ability to adapt and respond to their changing political surroundings, and make conscious choices about when the state is to be engaged and how this can be done most effectively. For example, the campaign around HIV/AIDS was
a carefully orchestrated response to changing national interests, rather than a
catalyst of them. By adapting the tone of their message to suit growing demand
for a nationwide treatment regime, sexual health advocates made meaningful
contributions toward that end.

Although TANs are both principled and rational by definition, the
internal balance of commitment to principle and strategic inclinations
nevertheless is likely to vary widely between campaigns. Some may be much
more willing to tailor their message and mission than others. At times, this
decision is made as a matter of practicality in response to years of ineffectual
advocacy, as in the campaign for Tibetan statehood. In other situations, TANs
may face a hard choice between accepting the terms of engagement offered by
the state and compromising their principles. Only by foregoing its earlier
insistence on a concrete emissions cap as the best means to mitigate China’s
impact on global warming did green activists gain the opportunity to cooperate
with state agencies on the reduction of greenhouse gases. In cases where
compromise leads to even minor payoffs at the domestic level, activists may
justify their decision as “progress with a price,” and acknowledge the limits of
moral possibility (Price 2008). Other TANs, like the one around Falun Gong,
may see the abandonment of core principles as not only a violation of conscience
but also an unacceptable tradeoff given the presumed lack of strategic advantage such a move would bring.

**Implications for the Global Norm Constructivist Paradigm**

Constructivism hypothesizes that TANs become effective politically when national interests are altered via the transnational promotion and diffusion of norms. If this is correct, China’s global integration should make it progressively susceptible to pressure for norm compliance, since interdependence only increases opportunities for its interaction with international society and thus the likelihood of China socializing to its rules. In theory, a rising China should become increasingly acculturated to the mores of global citizenship.

Yet the pattern-matching design yielded little to suggest that this process is playing out as expected. Despite its growing linkages abroad, China remains in control of its own destiny and relatively impervious to the global spread of ideas on many issues. Instead, it has selectively accepted those international norms and ideas complementary to its interests, resisting the advice of foreign advocates save for in situations when CCP leaders believe domestic legitimacy is on the line.

In a larger sense, however, the main claim of this study validates that variant of constructivism which argues that actors and institutions in
international society are mutually constituted. The principled objectives of TANs are not necessarily fixed, as has often been supposed, but in some cases undergo adjustment through interaction with the target government. Just as TANs may at times alter the configuration of national interests, state preferences shape and transform the moral commitments of TANs.

This finding suggests that scholars and practitioners should prepare themselves for the constitutive effects of norm-resistant autocracies on the structures and processes of global governance. In the case of China, the potential for an authoritarian regime with a history of non-compliance to reformulate the rules of international society is magnified by that country’s status as an emergent superpower. Many if not most theoretic incarnations of global culture posit the socialization of outsiders to the normative preferences and procedures of the whole. The English and World Polity Schools in particular understand individual agents as socialized by the structure of international society. Valuable as this proposition may be for explaining the creation of complex policy regimes in a variety of areas, the reality of China’s rise is that it affects how state and non-state actors interact, with it and with each other.

Nowhere is this clearer than in the practice of human rights advocacy. Due to the importance and sheer size of China’s domestic market for other national economies, many prominent advocates, including some in the US
government, now lecture China less earnestly on the subject of its past human rights record, as to do so would be to risk a backlash that undermines their own fiscal well-being. Some foreign governments appear reluctant to even raise such concerns. Thus, although it may sit uncomfortably with the predominant frames of global culture at present, China’s continued rise is likely to shape the nature and enforcement of international norms.

The Limits and Possible Extensions of this Study

The theory of transnational advocacy developed here was formulated as a response to standard accounts positing the transformation of national interests by principled non-state actors. Derived mostly from the experiences of advocates in new and established democracies, this scholarship premises its claims on a liberal understanding of civil society in which social forces work primarily in opposition to the state rather than for it. Recognizing how variation in domestic structures can affect the results of TAN campaigns, this dissertation set out to test the limits of those theories by vetting them in a place where the liberal notion of civil society does not apply. China was chosen not only because it is a target of many different kinds of campaigns, but because it’s state-led model of civil society presented a perfect opportunity to contribute to new knowledge concerning the results and processes of transnational advocacy.
To the extent that institutionalized dominance of social actors is recognized more as a trait of authoritarian regimes than democracies, this study bases itself on an understanding of the differences between the two as real and empirically meaningful. Regime type is regarded as a sorting variable that provides important clues about the nature of state-society relations and their implications for transnational activism. However, as John Gerring has noted, the use of broad typologies lends itself to the shoehorning of individual cases into “ill-fitting a priori categories” (2001: 231; see also Glaser and Strauss 1967: 253), something seen as problematic by those for whom the proliferation of so-called “hybrid regimes” after the Cold War symbolizes an erosion of the traditional authoritarian-democratic distinction. Some critics may also point to the willing cultivation of accountability mechanisms by states like China, or to the fact that even the most shining exemplars of democracy occasionally behave in undemocratic ways, as signs that the two can no longer be separated as neatly as social scientists would like. Still others may charge that the theory of advocacy drift will inherently limited by the fact that it originates from a very high-capacity state. Targets must appear credible in their ability to execute preferences or repress challenges, and activists cannot be incorporated into institutions that do not exist. Thus, a basic modicum of infrastructural capacity is required, and even assumed, in order for any government to induce a change
in TAN objectives. As such, the results of this study may differ in cases where
the state is comparatively weak, though that same element of weakness means
these are unlikely to attract much advocacy in the first place.

A larger goal of this study has been to suggest that the TAN research
program in political science is far from complete. Rather, it is an open, evolving
work in progress for which the testing of hypotheses in a wider variety of
contexts is crucial to establishing the parameters of our propositions and
formulating new and improved ones. This applies as much to the conclusions of
this study as to those of the literature it has sought to challenge. One priority
avenue for future research is therefore to test the theory of advocacy drift in a
wider variety of authoritarian settings, perhaps beginning with others whose
political history, institutions, and reform trajectory is not far removed from
China’s own, such as Vietnam. This might then be expanded to post-Soviet
authoritarian contexts, such as Belarus, or high-capacity regimes in the Arab
world, such as Iran or Syria. Still another possibility might be to probe specific
regional dimensions of the TAN-state nexus and determine whether advocacy
drift cuts across countries in a given area. As East Asian societies generally tend
to support and serve their states instead of acting in opposition to them, an
extension of this study into the region could mean either the reinforcement or
recalibration of the claims made here. Moreover, as authoritarian regimes are
not disappearing but diversifying and becoming increasingly integrated with the rest of the world, testing in these cases should continue so that scholars and activists can better familiarize themselves with the changing realities of their domestic structures, their interests, and the implications for global affairs.
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APPENDIX A

Note on the Method of Interview Research

Prospective participants in this study were initially contacted via email using publicly available databases of NGOs working in China on a breadth of issues. The purpose of these conversations was to gain a general sense of the operating environment for foreign and domestic NGOs on the mainland, when and how they interact with the state, how relationships between the two are forged, and what non-state actors imagine the consequences of that interaction to be. Those responding to the initial letter of intent were requested to propose a time and place to meet for the interview. Upon concluding each interview with this initial group of respondents, participants were asked to provide the names and contact details of others they felt might be able to contribute to the study, a technique known to veterans of interview research as “snowballing.” This method of contacting participants enabled a reasonable balance to be struck between rival philosophies of interview research, allowing for the targeted inclusion of interviewees in a position to provide the data required on the one hand, and the non-interference of the researcher in their selection on the other.

In accordance with the guidelines laid down for this project by the General Research Ethics Board of Queen’s University, the names of interviewees
and their organizations have been withheld from the final draft of the dissertation. The vast majority of those interviewed spoke only on the condition of anonymity. Few consented to having their names appear in print at all, and fewer still agreed to being quoted directly. Several reasons were commonly given for this choice. For some, the perceived sensitivity of the information sought created an unacceptable level of risk. This risk itself was conceptualized in myriad ways. While many expressed concern for their organization’s activities in an environment where they were already regarded with suspicion and hostility by Chinese authorities, many others were unwilling to speak on behalf of their entire organization or in a way that was critical of their organization’s or superior’s approach to advocacy, and cited the professional dangers associated with doing so. In several cases, a lengthy approval process was required if NGO staff were to give a formal on-the-record interview, making anonymous, off-the-record interviews more attractive as a means to share experiences or background information.

It is recognized that the anonymity of mainland interviewees may generate concerns over the veracity or replicability of the data obtained. However, the judgment to uphold anonymity in the collection of data was taken in light of several interrelated factors. First, it was decided that under the circumstances ethical obligations to the personal and professional security of
participants more than justified any possible methodological trade-offs. Second, the choice to honour ethical commitments made to participants was simplified by the fact that the purpose of the interviews was primarily to provide descriptive details about the history of an organization and insight into the operation of particular causal mechanisms, rather than yield results subject to replicability in a strict statistical or experimental sense. Third, guaranteeing the privacy of individual respondents was key to ensuring the reliability and accuracy of their testimony. Considering the domestic circumstances faced by many groups, information could either be given anonymously but with full disclosure, or openly and on-the-record but heavily self-censored. Choosing the former served the interests of everyone involved, and was often the only real option if interviews were to be granted at all.
APPENDIX B

Record of Interviews Conducted

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*Names of interview subjects withheld for confidentiality reasons.