# CIVIL SOCIETY IN CHINA

## HOW SOCIETY SPEAKS TO THE STATE

Runya Qiaoan

# Civil Society in China

Chinese civil society groups have achieved iconic policy advocacy successes in the areas of environmental protection, women's rights, poverty alleviation, and public health. This book examines why some groups are successful in policy advocacy within the authoritarian context, while others fail.

A mechanism of cultural resonance is introduced as an innovative theoretical framework to systematically compare interactions between Chinese civil society and the government in different movements. It is argued that civil society advocacy results depend largely on whether advocators can achieve cultural resonance with policymakers and the mainstream public through their social performances. The effective performance is the one in which advocators employ symbols embraced by the audience (policymakers and the public) in their actions and framings. While many studies have tried to explain the phenomena of successful policy advocacy in China through institutional or organizational factors, this book not only contains extensive empirical data based on field research, but also takes a cultural sociological turn to identify the meaning-making process behind advocacy actions.

*Civil Society in China* will appeal to students and scholars of sociology, political science, social work, and Chinese and Asian studies more broadly.

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# Civil Society in China

## How Society Speaks to the State

**Runya Qiaoan**

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**To my grandpa**

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# Preface and acknowledgements

Why another study about Chinese civil society when there is already an abundance of them? This book is different, not only because it is a sociological theorization conducted by a former staff member of a Chinese non-governmental organization (NGO), but also because the focus and the argument here are distinctive from conventional studies.

It is not easy to write about something one is so familiar with and feels so personally about. I officially started this project in 2014, but my "fieldwork" had begun long before. Between July 2011 and July 2012, I worked in an educational NGO in Guangzhou, a city in Southern China. This job not only gave me the chance to engage in voluntary teaching all around the country, but also introduced me to the concept of civil society—I was introduced to civil society activists, learned about the literature on civil society, and attended lectures and discussions on the topic. It is not too far from the truth to say this project had already started when I jotted down my thoughts on Chinese civil society during my voluntary teaching in a remote mountainous region as early as 2011.

The year of working at the Chinese NGO convinced me about the value of the third-sector, but also revealed to me the obstacles it faces and the limitations it has. It is not only the difficulty of financing, the unsatisfactory human resources, and the tedious registration procedure many have talked about, but also a legitimacy crisis—the ignorance and distrust emanating from mainstream society and officials. For example, it was common for someone to ask me what an NGO is, question why I ended up working in an NGO after having graduated from a prestigious university or even remind me of the "peaceful transformation agenda of the West." Many have argued that the state and society's lack of knowledge contributes to their distrust of this sector. Meanwhile, this legitimacy crisis has led to other obstacles; for example, one would not donate to an organization he or she doesn't know or trust, so it is no wonder that NGOs, or civil society in general, face many practical obstacles in China.

I hope to discover a way for Chinese civil society to survive and thrive in such a hostile environment. The question I ask in this project is: "Why can some civil society groups be successful in policy advocacy?" I am

particularly interested in policy advocacy because the experience of working in a Chinese NGO showed me the hard truth—the impact of civil society is still too small. In that educational NGO, my colleague and I delivered books and offered reading courses to 15 primary schools in one year, which was a result achieved only by working more than 60 hours per week. Considering the number of children in impoverished regions who still need such services, we are still running too slowly even at full speed. How can we improve the situation more rapidly? In a country where society is small and the state looms large, the state must be involved. Thus, to advocate for policy and legislative change appears to be the most efficient way.

This book is written from an insider's perspective, but it also is imbued with an outsider's view because I have been studying outside of China since September 2012. With academic training in cultural sociology and political sociology in Europe, Asia, and Northern America, I returned to this topic as my doctoral project. I interviewed NGO practitioners in the summer of 2015 and worked in a renowned environmental NGO in Beijing in the spring of 2016. This fieldwork, together with my academic training, showed me that most previous research on Chinese civil society has focused on material and institutional factors—funding, organizational size, leadership-ties, among others—to explain the success or failure of NGOs, completely bypassing the meaning-making process. "Meaning" is the core of the strong program in cultural sociology; cultural sociologists have shown that meaning plays a vital role in politics and it has strong explanatory power.

In this book, I seek to demonstrate the power of meaning-making in civil society policy advocacy. I argue that whether civil society actors can achieve cultural resonance with their audiences in their performance explains the success or failure of their advocacy results. In other words, if civil society groups can appear more legitimate and trustworthy through using symbolic codes from the widely accepted meaning system, then they are more likely to succeed in their policy advocacy. This is not to advocate for Chinese civil society to give up its principles. Instead, it is to suggest an adjustment in terms of strategy while upholding principles. In the end, this is the kind of compromise civil society must often make in a nonreceptive political environment, regardless of the location and the regime type.

In the process of writing this dissertation, the situation of civil society in China has deteriorated. Many terms that could be discussed before have suddenly become "sensitive." Even the core concept of the dissertation, civil society, has become an officially forbidden term. To finish this work and to suggest a way to carry on, has turned from a PhD project into a social mission. Many people have helped me along the way of completing my "mission." Here, I would like to acknowledge my debt to at least a few. It goes without saying that responsibility for any errors is solely mine.

I would like to thank my Ph.D. supervisor, Prof. Steven Saxonberg and my consultant, Dr. Werner Binder, for their academic support. Prof. Steven Saxonberg, as an impressive scholar and supervisor, has offered intellectual

guidance and detailed comments on every draft of my writing. Dr. Werner Binder has provided so much intellectual inspiration as an excellent consultant and a great friend, who has always known when to encourage and when to criticize. Both have accompanied me since the very beginning of this project, and I am so fortunate to have two intelligent and kind academic role models along the journey. Also, I would like to thank my proofreader and friend Dr. Bernadette Nadya Jaworsky, who not only did a brilliant proofreading job, but also provided valuable comments as a cultural sociologist. Besides, the seminars I attended with Prof. Ping-Chun Hsiung at the University of Toronto and the courses with Prof. Gu Zhonghua at National Chengchi University also shaped this project to a large extent. Moreover, I am grateful to have received two scholarships from the Department of Sociology at Masaryk University, to facilitate this project. The writing, editing, and publishing of the manuscript were supported by the European Regional Development Fund through the project 'Sinophone Borderlands – Interaction at the Edges' (no. CZ.02.1.01/0.0/0.0/16_019/0000791). The index is indebted to Diya Jiang's help as an excellent research assistant. Without these supports, the project would not have been possible.

I offer my sincere thanks to the people who have helped me with my fieldwork. Three friends played an extremely important role here. Zhang Boju, the director of the environmental NGO in Beijing, allowed me to do fieldwork as an intern in the organization and offered great insights as both a political science graduate and an NGO leader. Guo Rui, a journalist and feminist, introduced me to many NGO practitioners working on women's rights and beyond. Liang Haiguang, the director of the educational NGO in Guangzhou, brought me into the field in the first place and involved me in the development of this NGO for all these years. Also, many thanks and respect to those who agreed to be interviewed by me, though their names will be omitted here for the purpose of their well-being.

My deepest gratitude goes to my family. My parents have offered me enormous emotional support during this process, as they have always done excellently since I came into this world. My uncle gave me technical support while I was working on the second draft at home, and my grandma adjusted her daily routine to provide me a home office when I was in China. My husband, Dr. Richard Turcsanyi, has been not only a life partner but also a discussant in this process. Many good ideas emerged during our debates. Without my family's steadfast love and patience, I could not have finished this work.

# Acronyms

| | |
|---|---|
| **ACWF** | All China Women's Federation |
| **CPPCC** | Chinese People's Political Consultative Conference |
| **CSO(s)** | Civil society/civil sphere organization(s) |
| **CSG(s)** | Civil society/civil sphere group(s) |
| **CSI(s)** | Civil society/civil sphere initiative(s) |
| **ENGO(s)** | Environmental Non-governmental organization(s) |
| **EPIL** | Environmental Public Interest Litigation |
| **GONGO(s)** | Government-organized non-governmental organization(s) |
| **NPC** | National People's Congress |
| **NGO(s)** | Non-governmental organization(s) |

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# Introduction

## Why are there successful policy advocacy cases in China?

"Judicial Interpretation on Environmental Public Interest Litigation, which is a powerful sword, has been made. We hope this sword can cut through the dirty stream and clean the grey smog air. It will be like a sword of Damocles that hangs above the polluters" (Lin and Tuholske 2015). This is a famous quote from Justice Zheng Xuelin, who is also the director of the Environment and Resources Law Tribunal at the Supreme People's Court in China. The Environmental Public Interest Litigation Zheng refers to is a legal system which allows environmental non-governmental organizations (ENGOs) in China to prosecute polluters. Before 2015, Chinese ENGOs did not have the right to file Environmental Public Interest Litigation (EPIL), even though ENGOs in many countries have been doing so for decades. Chinese ENGOs did not win the right to engage in EPIL easily. In the fight for this right, they submitted numerous policy proposals on various levels over the past decade.

The first period of the advocacy started with a policy proposal in 2005. In the 2005 proposal, ENGOs wrote that "the right to litigation is a fundamental right of citizens, so ENGOs' right to environment public interest litigation should be affirmed by environmental law" (Liang 2005). The 2005 proposal was rejected by the National People's Congress (NPC) with the argument that "we [the policymakers and the activists] should not rush it" (Interview 2). In 2009, the ENGOs handed in another policy proposal, with the underlying logic arguing that since many countries had established environmental courts, including "neighbors" like the Philippines, Thailand, and other Asian countries, China should follow suit. Similarly, this proposal did not trigger any immediate policy action.

In 2011, the revision process of the Environmental Protection Law began, and the first public draft of the new law released in August 2012 did not contain a word about EPIL, which opened a policy window for ENGOs to advocate for their rights again (Interview 2). In August 2012, after the ENGO staff from Friends of Nature learned about the content of the first draft, they immediately launched seminars with legal experts, scholars, and

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officials from the Ministry of Environmental Protection (Interview 1). In March 2014, ENGOs further improved their action repertoires by inviting several deputies of the NPC and the Chinese People's Political Consultative Conference (CPPCC) to draft a new proposal together which would grant more NGOs the right to engage in EPIL (Interview 1). In this new proposal of 2014, the ENGOs argues:

> If we block the judicial channels, more and more people will turn to noninstitutionalized ways to solve the problem. At present, less than 1% of all environmental disputes have entered the legal system. The remaining 99% of the disputes are unstable social factors. Such restrictive provisions [on the subject of environmental litigation] will push more environmental disputes away from institutionalized solutions and create potential opposition. Only by letting social forces participate effectively in environmental protection through lawful channels can environmental problems gradually be alleviated, and social conflicts be solved.
>
> *(Friends of Nature 2014)*

This proposal finally resonated with policymakers. According to the 2015 Environment Protection Law, ENGOs are allowed to file claims against polluters in the People's Court as long as the ENGO is registered with the civil affairs department at or above the municipal level and has been focusing on environment-related public interest activities for five consecutive years or more (Environmental Protection Law 2015). This substantial progress in the Environment Protection Law represents a successful case of civil society policy advocacy.

Even though the number of NGOs in China is increasing rapidly these past few years—according to some sources, there were 675,000 domestic, 7,000 foreign, and as many as 3 million unregistered NGOs by 2016 (Hsu, Chen, and Horsley 2016)—their policy impact is relatively small. As Kang and Feng note:

> [T]he third sector currently plays a significant role in actions which benefit the government and enterprise, such as promoting economic development, providing public services, and leading and promoting social innovation. However, in terms of actions which might seek to limit the power of the government and enterprise, such as opposing the tyranny of the market, participating in public policy decision making, and promoting democratic transformation, the third sector is hardly involved at all.
>
> *(China Development Brief 2013: 2)*

The policy impact and the checks and balances function of social organizations are mainly limited due to the state's hostility towards advocacy

activities (Kang and Feng 2011). Additionally, an NGO's own capacity also limits many of them from participating in policy advocacy, which requires more professionalized knowledge (Kang and Feng 2011). All together, these factors account for the limited policy impact of Chinese NGOs.

However, recent developments in Chinese civil society challenge this conventional view. As shown above, in 2015, Chinese ENGOs succeeded in incorporating their right to engage in EPIL into the new Environmental Protection Law. This is not the only successful case of Chinese civil society advocacy. In fact, Chinese civil society groups (CSGs) have achieved several iconic successes in the past decade, which include not only environmental policies and legislation, but also policies and legislation in other issue areas. Meanwhile, as many have observed, other CSGs have failed in their attempts to influence policies or have even experienced serious troubles. Why are some advocacy groups particularly effective in an authoritarian state, in which civil society activities are not widely accepted and supported? This is the question I intend to answer.

## The gap: what is missing in the current studies on Chinese civil society?

Two theoretical lenses are especially popular when it comes to current studies on Chinese state-society relations—society-centered civil society theory and state-centered corporatist theory. Civil society theory focuses on the agency of social groups and their potential to foster change (Howell 1998; Hsu 2010; Spires 2011; Hsu and Jiang 2015), and corporatism tends to deny the agency of societal actors, especially NGOs (Unger and Chan 1995, 1996; Hsu and Hasmath 2012, 2013, 2014). Traditional civil society theory and corporatism represent two extremes in explaining NGO-state relations in China; however, there are different theoretical shades in between. Recently, an increasing number of scholars have begun to look at state-society relations in China from new perspectives (e.g., see Hsu and Jiang 2015; Hsu 2010; Hildebrandt 2013; Alagappa 2004: 37).

These "third-way" advocates include a group of Chinese scholars who tend to create complex models relatively cut off from Western theoretical traditions, but loyal to the empirical experience. They claim that, on the one hand, social organizations' positive role in social management is gaining recognition from the government, but, on the other hand, NGOs are distrusted as a potentially disruptive force and therefore are controlled by the state (Wang 1999; Kang and Han 2008; Chan 2010). One of the most well-known frameworks proposed by Chinese scholars to examine state-society relations is the graduated control model from Kang and Han (2008).

This system categorizes social organizations into five levels according to their capacity to deliver public goods and their potential to pose a threat to the state. Kang and Han claim that this graduated control system is different from "both the old model of totalitarianism before reform,

civil-society-against-the-state in Eastern Europe, and corporatism and civil society in the West." (2008: 51). Chan (2010) proposes another graduated control model which emphasizes the influence of the nature of the business (service/advocacy), funding sources (government/private/foreign), and the size (small/large) of the organization.

Recent evidence shows that graduated control has even been consolidated by law. In 2016, China passed two new laws regarding NGO registration and operation. The first is the Charity Law, which sets regulations for domestic NGOs; the second is the Law on the Management of the Activities of Overseas NGOs within Mainland China, which targets foreign NGOs operating in China. The Charity Law is in many aspects much more benign than the Overseas NGO Law, confirming that Chinese and foreign organizations experience different levels of control.

Meanwhile, a few scholars have shifted their focus from the state to the citizens, to theorize bottom-up participation. Jia Xijin (2007), for example, categorizes Chinese citizens' political participation into three types: structural participation through voting, participating in decision-making, and participatory governance in communities. This new role for Chinese NGOs in policy participation has attracted scholarly attention. Jessica Teets (2013, 2014) refers to the positive interaction between NGOs and officials at the local level as constituting "consultative authoritarianism." Andrew Mertha (2008, 2009) also points out the increasing penetration of NGOs into the state, and he argues that this is due to the "fragmented authoritarianism" of the Chinese state. Tony Saich (2000) agrees on the importance of framing, but focuses on a different aspect, claiming that it is the ability of Chinese social organizations to reconfigure their relationship with the state in more beneficial terms that makes it possible for them to achieve some level of input in policymaking. Saich's (2000) assertion corresponds to Schroeder's (2015) findings that Chinese ENGOs working on climate change exclusively use "soft" approaches in their local activism and policy advocacy. Schroeder further explains that while Western civil society has a tendency to be confrontational, Chinese ENGOs apply a cooperative approach.

Meanwhile, Zhan and Tang (2013) highlighted more the importance of the institutional factor of NGOs in advocacy results—ENGOs with better financial resources and connections to the party-state system are more likely to achieve success in their advocacy. Dai and Spires (2017), in a more recent research, suggest that it is more complex, stating that ENGOs employ three main strategies in their advocacy efforts: they cultivate a stable, interactive relationship with the government using institutional means, they select their "frames" to present their concerns and policy goals, and they use media to mobilize the public and pressure the government.

Research on Chinese NGO policy advocacy has reached agreement on two points. Firstly, Chinese NGOs are participating actively in the policy process; secondly, Chinese NGOs draw on a "soft" repertoire in their interactions with the state, such as creating cooperative dialogue instead of direct

confrontation. For example, the "skillful framing" Mertha (2009) and Dai and Spires (2017) emphasize, the "beneficial terms" Saich (2000) discusses, and the "soft approaches" Schroeder (2015) notes, all point in this direction.

However, none of them thoroughly explain why these approaches can change the hearts and minds of policymakers. My analysis shows that a mechanism of cultural resonance exists behind all these surface "toolkits." These toolkits (framing strategies and action tactics) are useful because they resonate with audiences through a common set of symbolic codes in the meaning system. Therefore, it is not the toolkits, but the mechanism of cultural resonance through symbolic codes which explains whether advocacy succeeds or fails. The role of culture and the mechanism of resonance in social movements has become a hot topic since the mid-1990s (Johnston and Klandermans 1995). However, very few studies delve deeply into the relationship between culture and civil society activities in China, and even fewer analyze culture and policy advocacy. When the wider and deeper cultural context is neglected, these discussions lack hermeneutic thickness and do not provide a complete picture. This book aims to fill this gap theoretically and empirically.

## The argument: cultural resonance as the key

This study brings culture into the analysis of Chinese civil society and develops a new theoretical framework to explain the success or failure of Chinese civil society advocacy. Culture here can be best described as a kind of "landscape of meaning" (Reed 2011). The landscape of contemporary China is complex. While different scholars tend to focus on different parts of the landscape, they often mention traditional Chinese culture (Confucianism, Daoism, Legalism, etc.), nationalism, communism, and contemporary Western influences such as neo-liberalism or capitalism. Due to the complexity and plurality, it still makes sense to compare the preferred toolkits of individuals living in the "same" cultural context. In my research, I answer the call of Saxonberg and Jacobsson (2013: 262) for the need to make systematic comparisons between different movements in one cultural context to see how factors such as cultural resonance influence the outcomes of social movements. Drawing from and building on two theoretical traditions—Alexander's (2006, 2011) cultural pragmatic theory of social performance and Snow and Benford's (1988) social movement theory on framing—I introduce a new framework to examine the interactions between Chinese civil society and the Chinese government.

The cultural pragmatic theory of social performance perceives social actions through the conceptual lens of theatrical drama. In a theatrical drama, there are actors and audiences, and the actors perform according to scripts and present their texts on stage. The conditions for a successful performance, according to Alexander (2006b), occur when all the elements are "re-fused"—when a sense of authenticity is delivered despite the complexity

of modern society. When applying this framework to an analysis of Chinese civil society, I also identify two analytical units: actors (NGOs and other advocacy groups such as journalists, lawyers, and scholars) and audiences (the Chinese government and mainstream Chinese society, with the former being the primary audience). Civil society performances include both advocacy actions and policy proposals. These two aspects can be interpreted as what actors do and say on "stage." Just as performance cannot be carried out without a script directing what the actors should do and say at any particular moment, policy advocates also need such a "script" to direct their performance.

To refine the concept of script, I divide it into framing strategies and action tactics. It is hard to differentiate which elements of the two carries more weight in terms of success—just as in a theatrical performance, it is hard to say whether an incorrect line or an awkward movement causes more harm to the coherency of the play. To put it simply, both dimensions have to be managed well and sealed seamlessly for a performance to look authentic and persuasive. In the context of state-society interaction in China, since the power balance is so asymmetric, the script of the civil society actor's performance is based on that of the audience, who is primarily the party-state. That is to say, the party-state's political and legal discourse regarding civil society influences not only government action, but also civil society action. Therefore, the script can be seen as belonging to the audience.

The (audience) script directs the actors' performances and audience's reactions towards the performance. If the actors' performances stray from the script, then they are less likely to be successful. A script is not random; instead, it is derived from the socio-cultural context of the actors and the audiences. This context is articulated by background representations, which, however powerful, can only constrain or enable but not determine the script and the performance. The actors and audiences possess the freedom to choose from one stream of representation over another and interpret this representation to fit their agenda. For example, in Chinese background representations, both communist and capitalist ideas play important roles, but some of their doctrines can be contradictory. In this case, actors and audiences must choose one or the other and interpret their choice in the most beneficial way. These choices and interpretations reflect the agency of actors and audiences.

The cultural pragmatic theory of social performance is adequate at conceptualizing social action as a whole, but its analytical methods are often too elusive to be put into use. When it comes to an analysis of written texts, frame analysis from social movement theory has more developed methods and toolkits. Through identifying framing tasks—including diagnostic framing, prognostic framing, and motivational framing—frame analysis acts as an effective tool to organize the analytical procedure. However, frame analysis is not enough, because performance includes not only linguistic aspects, but also behavioral aspects. Therefore, besides framing

strategies, I also discuss action tactics. The discussion of action tactics and their symbolic meaning is where performance analysis stands out. In short, the cultural pragmatic theory of performance and social movement theory complement each other.

A social movement theory lens on framing is not only useful in terms of the analytical procedure, its discussion on resonance and framing is also relevant to my analysis. Snow and Benford (1988) discuss the relationship between the level of resonance and framing tasks, noting that resonance is achieved when framing tasks are well defined and presented. In my framework, I consider a performance successful when cultural resonance is achieved. Whether a performance is successful or not depends on audience reaction; success occurs when audiences applaud the actors' performance. By analogy, successful policy advocacy takes place when policymakers incorporate CSGs' proposals into policy- or law-making.

The reaction of policymakers depends on the level of cultural resonance. When the level of cultural resonance is high, audiences are more likely to react positively; conversely, when the resonance level is low, audiences are more likely to react indifferently or even negatively to the performance. The level of resonance depends on two factors (McDonnell, Bail, and Tavory 2017); firstly, the level of congruence—whether the symbolic codes embodied in actors' performances are aligned with the audience scripts; and secondly, the level of usefulness—whether the actors can help audiences to solve their problem or not.

This two-step mechanism suggests that there can be an objective level of congruence in the actors' performance and audience scripts, but this inherent familiarity does not automatically lead to resonance. To achieve cultural resonance, actors must also engage with the challenges their audiences face. It is this puzzle-solving potential, together with initial cultural congruence, which leads to cultural resonance. Without these two conditions, the resonance between these two sides cannot occur.

This process of cultural resonance does not occur in vacuum. It is constrained and enabled by background representations. Audiences adopt some of these representations, or symbolic codes, into their scripts, and their scripts meanwhile shape the background representations. The symbolic codes presented in the (audience) scripts direct the actors' performance and audience reactions. These scripts and background representations both constrain and enable the performance. In other words, in the communication process between actors and audiences, the fact that they share a meaning system allows them to speak to each other, and the shared system also limits the possibilities in this conversation. Since this meaning system regulates what is good and what is evil, actors must align themselves, through their performance both verbally and operationally, with the sacred side to win support from audiences.

It is important to point out that this attempt at capturing the cultural meaning system of Chinese society is not the same as cultural essentialism.

The danger of cultural essentialism is it can reduce an entity into a set of inherently fixed attributes and to assume that every individual in this entity shares these attributes in the same way. This is in no way what I am claiming. On the contrary, I show that what is called "Chinese culture" is not monolithic and it is constantly changing, that culture only constrains but does not determine, and that different groups in the same "culture" can prefer different subsystems from a meta-system.

In short, I argue that cultural resonance is the mechanism[1] behind successful policy advocacy. Cultural resonance comes from Chinese CSGs' encoding of the sacred symbols that the Chinese government identifies with into their performance. This cultural resonance between advocates and audiences contributes to advocacy success.

## The methodology: epistemology, research design, and methods

Case study and process-tracing are the primary approaches I use in my study. Case studies constitute the hermeneutic units of analysis, and process-tracing—which is often used in case studies—allows for a causal explanation of the observed social processes in each case. This study applies the classic "most similar studies design" set-up, in which the chosen cases are as similar as possible but may have different outcomes; for example, they might examine the same country, a similar time period, or actors in many cases, but come to different results. This makes it easier to isolate the explanatory variable.

Case studies refer to "the detailed examination of an aspect of a historical episode to develop or test historical explanations that may be generalizable to other events" (George and Bennett 2005: 5). I chose the case study approach for this study because in comparison with statistical analysis and other quantitative methodologies, case studies are better at capturing the context of social events and exploring complex causality (George and Bennett 2005: 10). In this study, I select cases on the basis of their inherent interest; more specifically, how much the case can tell us about complex social processes (Della Porta and Keating 2008: 29). I choose four iconic cases of environmental policy advocacy and four representative cases from other issue areas in Chinese society as my research corpus. These cases well illustrate the complexity of CSG policy advocacy in China. Each case in qualitative research is not broken down into variables; it is an interdependent whole. Therefore, I do not list the variables in the cases, but rather, describe each case as "thickly"[2] and as clearly as possible.

Process-tracing is an essential element of case study research (George and Smoke 1974; George and McKeown 1985). It can be fruitfully applied in both quantitative and qualitative research (Vennesson 2008: 224) as a tool "to study causal mechanisms" (Beach and Pedersen 2013: 2). Beach and Pedersen (2013) distinguish three types of process-tracing: theory-testing process-tracing, theory-building process-tracing, and explaining-outcome

process-tracing. Theory-testing process-tracing is used when the researcher knows what *A* and *B* are, she thinks there is a causal link between *A* and *B*, and she believes she knows why *A* led to *B* (Beach and Pedersen 2013). Theory-building process-tracing is used when either the researcher knows what both *A* and *B* are, and she thinks there is a causal link between *A* and *B*, or the researcher knows *B* but does not know *A*. In theory-building process-tracing, the researcher is not sure why *A* leads to *B*, and that's why a theory must be built to explain the mechanism behind the process (Beach and Pedersen 2013). Explaining-outcome process-tracing is used when the researcher knows what *B* is, but she does not know what *A* is. The researcher is interested in explaining why *B* happened—working out all the various factors to craft a "minimally sufficient" explanation for *B* (Beach and Pedersen 2013).

In this study, my method is the closest to explaining-outcome process-tracing, which follows the logic of abductive reasoning: one starts with the observation of a surprising case, then looks for a rule or explanation that fits it (Tavory and Timmermans 2014). The causal mechanism in explaining-outcome process-tracing is defined in broader terms, meaning to craft a "minimally sufficient explanation of [a] particular outcome" (Beach and Pedersen 2013: 19). From an interpretive perspective, the restraint of causal explanation is even further loosened. A search for "forcing causes" in traditional process-tracing is transformed into looking for "forming causes"; the former refers to the direct and tangible factors which leads to the result (such as concrete action strategies) and the latter refers to the less tangible but no less powerful networks of meaning (such as background representations) (Reed 2011). In this sense, instead of claiming that social organizations' resources or networks contribute to their success (which is becoming a stale argument these days), I tend to look at what factors formed these sources and networks in the first place, which is a deeper explanation, closer to the causal roots.

This focus on "networks of meaning" distinguishes my research from other studies on civil society in China. Many researchers focus on the institutional, organizational, and material factors in their examination of Chinese NGO interactions with the government. For instance, if policy advocacy is effective, it is because the leader of this particular NGO knows an important person in the political system, or that NGO has strong financial backup that attracts high-quality staff to draft a proposal. These findings all explain something, but they do not explain the big picture. My process-tracing traces advocacy processes back to their socio-cultural background, especially the meaning systems reflected in their background representations. I insist that actors' actions in a given environment are influenced by their interpretation of the context, and to understand their actions, we, as researchers, must also understand this context.

To understand the case and the context, I used semi-structured interviews and participant observation as the two primary data collection methods in this research. In the summer of 2015, I started my first round of data collection.

Thanks to my professional networks as a former staff member of an NGO in Guangzhou, it was not difficult for me to make initial research contacts. Based on these contacts, I selected NGOs involved in policy advocacy activities as potential interviewees. In August 2015, I conducted eight interviews with NGO leaders working on education, health, environmental protection, and poverty alleviation through this method.

I chose the method of in-depth interviewing because compared to surveys it allows more detailed questions and responses, and compared to participant observation, it can be more efficient. However, during my first phase of fieldwork, I noticed that even though I conducted in-depth and open-ended interviews lasting more than one-and-a-half hours, the information obtained was sometimes insufficient to grasp the whole story. This situation shows the limitation of interviews; a researcher, no matter how well she is trained as an interviewer, cannot access certain facts without building rapport and trust. Therefore, in spring 2016, when I returned to the field, I decided to immerse myself in the field by conducting participant observation at a leading ENGO in Beijing to forge bonds and build relationships with the members.

As the capital of the People's Republic of China, Beijing is the hub where national-level policymaking takes place. NGOs located in Beijing have a geographical advantage in participating in state-level policymaking; therefore, the city attracts the majority of NGOs interested in and capable of policy participation (Fürst and Holdaway 2015: 34). Working at a leading ENGO in Beijing also gave me the chance to become well connected to ENGOs from other regions.

To work at an ENGO rather than an NGO from another issue area was a well thought-out decision. After the initial round of interviews, I realized that not many NGOs in China are able to participate in policymaking and that those who have had considerable policy impacts were often ENGOs. This observation has been confirmed by many studies (e.g., see Kang and Feng 2011; Fürst and Holdaway 2015). The ENGO I worked at, Friends of Nature, is a well-known Chinese ENGO founded in 1993 by Liang Congjie, a historian and environmental activist. In 2016, Friends of Nature had twelve full-time workers, eighteen part-time workers, and over 20,000 members all over China. Among these workers, there is an entire team working on policy and law advocacy. Due to this professional advantage, Friends of Nature is a leader in environmental policy and law advocacy in China. From time to time, ENGOs, lawyers, scholars, and sometimes activists would gather here to discuss policy and legal issues. In 2017, Friends of Nature created a network for ENGOs interested in policy advocacy and initiated a policy-advocacy training course, of which I am also a part.

The main arena for my participant observation was the Department of Law and Policy Advocacy at Friends of Nature. I sat in the office of this department as an intern, preparing the non-technical parts of legal documents, editing policy newsletters, organizing conference notes, and, in a few

cases, traveling with the team to other cities for meetings and investigations. I came to my office every working day at 9 am and stayed until 6 or 7 pm for three months.

Although my colleagues knew I was a researcher, I was not worried they would change their behavior due to my presence, because such a renowned NGO frequently hosts researchers. Besides the office work, my boss was kind enough to allow me to participate in several important meetings in other cities which ENGOs and sometimes even state officials attended. For example, at the Environmental and Social Governance Forum in March 2016, I not only met ENGO leaders from all over China, but also had a chance to talk to a director from the Ministry of Environmental Protection, and a deputy director of the Guangdong Provincial Environmental Protection and Education Center. In China, it is extremely difficult for researchers to get the chance to interview state officials, so this opportunity was particularly valuable.

Another benefit of my three-month participant observation is that I was granted access to essential documents related to my case. For example, when the director of Friends of Nature learned that I was interested in civil society policy advocacy, he sent me a folder that contained the policy proposals his organization had produced in the past twenty years on both the national and municipal levels. Later, these policy proposals became one of my core data sources, along with my interviews and field notes. Without building rapport and gaining trust through my participation in their daily work, I would not have found my way to these documents so easily.

During the months of participant observation, I conducted another twelve in-depth, recorded, and fully transcribed interviews and engaged in over one hundred lunch talks, chats over coffee or tea, and conference discussions with relevant activists and academics. The number of interviews is not particularly large, but due to the participant observation and the amount of information this method exposed me to, I believe that no additional interviews were needed.

The interviews I conducted at this stage were primarily with NGO staff who had participated in certain cases widely regarded as iconic when it comes to policy advocacy in China. Although all these interviews and small talks helped me with my understanding of the topic, there were a few key interviews that played a critical role in constructing my argument. According to Layder (1998), in key interviews, "a number of ideas suddenly come together through the surfacing of important information" (Layder 1998: 71), which is why, in the main body of this text, I will refer to a relatively small number of interviews frequently. Some interviews are left unanalyzed in this text, which does not mean that they did not help me in one way or another along my analytical journey. I have listed all the interviews I conducted and all the NGOs I had a chance to interact with in the Appendix.

I relied on open coding and focused coding to analyze my data. I began the first round of coding while I was still conducting my fieldwork. I organized

my interviews and field notes on a weekly basis and during weekends I put them into Atlas.ti, qualitative data analysis software, together with policy proposals and other documentation for an initial phase of coding. At this stage, I did mainly "pre-coding" and "provisional coding." The purpose of pre-coding is to mark "segments of data because they seemed significant, but with no explicit awareness of why they were so" (Layder 1998: 53). Provisional coding utilizes "provisional" code labels to "indicate parts of the transcript which triggered some association with a particular concept, category or idea" (Layder 1998: 53).

According to Layder, these two kinds of coding still belong to the category of open coding (1998: 57). But this conceptualization of open coding is different from the open coding in the grounded theory presented by Glaser and Strauss (1967). Firstly, in my open coding, I do not try to code every line and generate as many codes as possible. There is an acute danger of making one's own data unnecessarily messy, which only makes it more difficult to handle the data. Since I am interested in CSG policy advocacy, my codes mainly concerned the strategies, tactics, and challenges in policy advocacy. Secondly, I did not work on the basis that I had entered the field and conducted my coding with a "clean slate." I had taken a few courses on Chinese civil society and had read most publications I could find related to this topic before I began my fieldwork. From an abductive point of view, this pre-knowledge was necessary because it helped me to recognize a puzzle or even the overall topic. But I also understood the concern of grounded theory researchers that preconceptions might influence the process of data collection in a fatal way, for example, desensitizing the researcher through borrowed concepts (Glaser and Strauss 1967). What I could do was endeavor to not let this "baggage" distort and manipulate my data, and to be as open and sensitive as possible. However, I had to acknowledge the existence of the baggage and make peace with it on the journey.

The initial round of coding and memo-writing provided a tool for reducing the data to manageable proportions by identifying and isolating the relevant segments (Layder 1998: 60). I re-coded these segments after I was back in Europe, where I had more distance, physically and mentally, from the field. This time, I engaged in focused coding. I allowed my coding process to be built upon the theories I knew were relevant to my study, with the clear goal of reconstructing these theories with my data. These two rounds of coding gave me a more solid ground for case analysis in the writing process.

Case studies allow for great detail, but due to the small number of cases, they are not statistically representative. In addition, although my methods of analysis and my theoretical framework are innovative, the coding and interpretation might seem too subjective for some. Thus, it would be compelling to ask the same question and answer it through a quantitative method, for example, through large-scale sampling of policy proposals and content analysis of the keywords to see whether there is a correlation between certain symbolic codes and the advocacy result. I believe my conclusion would

be verified by such quantitative research. However, in this study, I do not conduct such a quantitative analysis—which is better suited to identify correlations than explain causalities—because it cannot meet the goals of my study. My aim to explain the causal mechanism behind successful policy advocacy, which involves contextual factors and complex procedures, cannot be achieved through regression analysis. Instead, a small-N case analysis accompanied by process-tracing is the best methodological choice to answer my research question. In other words, the scientific contribution of this work as an explanation of the causal mechanism is not weakened due to the qualitative methodological approach I have chosen.

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This book is organized as follows. Chapter 1 introduces the development of Chinese civil society in modern China. I start with reviewing the imperial Chinese society and then move on to the features of Chinese society after the establishment of the People's Republic of China in 1949, which can be summarized as "big government and small society." I then review how the reform and opening-up since 1978 has contributed to the development of the Chinese market economy and how it empowered society in general. Following this, I move to an overview of the development of social organizations in China, including their history, numbers, areas, activities, and obstacles.

In Chapter 2, I explain how I have developed my theoretical framework on the shoulders of two giants—the cultural pragmatic theory of social performance (Alexander 2006, 2011) and social movement theory on framing (Benford and Snow 2000). I pragmatically extricate, translate, and selectively recombine analytic components from these two frameworks based on the principle of analytical eclecticism. Analytical eclecticism accepts the messiness and complexity of the real world and is committed to explaining this messiness as well as possible (Sil and Katzenstein 2010). This metatheoretical commitment downplays metaphysical divides and encourages a strong sense of inclusiveness (Sil and Katzenstein 2010).

In Chapter 3, I elaborate on the background representations and the (audience) scripts which inform civil society policy advocacy performances. Background representations articulate the complex cultural, social, and political environment in which the actors and audiences live. In other words, CSGs conduct their policy advocacy in a specific "field" (Bourdieu 1984) with a particular "landscape of meaning" (Reed 2011). In this chapter, I present the short-, medium-, and long-term landscapes of Chinese civil society, which together compose the genealogy of Chinese culture. To be specific, I discuss Confucianism, Daoism, Legalism, nationalism, communism, and capitalism. But this kind of cultural summary is different from cultural essentialism in that I do not reduce an entity to a group of attributes, I do not claim these attributes are inherently fixed, and I do not assume that

every individual shares these attributes in the same way. I argue this meaning system or genealogy of Chinese culture influences audience scripts, which act as an immediate reference for actor performances. Background representations and audience scripts play vital roles in deciding whether an actor's social performance can achieve resonance with the audience.

In Chapter 4, I apply my theoretical framework to four typical environmental advocacy cases in China. I briefly discuss the first two cases to show the dominant symbolic codes in each case and how they have helped environmental groups to achieve their advocacy agenda. I then look into a more complex case study to illustrate how environmental groups have made less effective advocacy more efficacious by incorporating symbolic codes from the cultural background. In the last part of the chapter, I present a failed case to illustrate how the process of cultural resonance can be interrupted when actors fail to incorporate the right codes into their performance. Through these case studies, I show that civil society advocacy results depend largely on whether actors can achieve cultural resonance with their audiences through social performance. In the particular context of Chinese civil society, successful policy advocacy occurs when the Chinese state identifies with the civil society actors and incorporates their proposals into policy and law making or implementation. Whether the state incorporates the policy or law, or not, depends on the level of cultural resonance.

In Chapter 5, I analyze four cases from non-environmental issue areas, including poverty alleviation, health, and women's rights. Even though the repertoire of advocacy is more diverse in these cases—for example, performance art, setting a model, and more traditional means of delivering policy proposals—their route to success appears to be the same as environmental groups. If civil society advocacy meets the criteria of convergence and relevance, they are more likely to increase cultural resonance in their audiences and achieve success. If their advocacy does not meet these criteria, no resonance is achieved, and the performance is unsuccessful. These cases show that the cultural resonance mechanism applies not only to environmental policy advocacy, but also to advocacy in other issues, which increases the validity of my argument.

I conclude this book by discussing the most recent developments in Chinese civil society. Since Xi Jinping took office in 2012, there have been crackdowns on civil society movements, especially in the area of labor rights and women's rights. With the implementation of the Law on Oversea NGOs, many other CSGs, such as ENGOs, are also losing capacity-building and funding sources. Thus, the years since 2012 can be regarded as a "frozen" period in Chinese civil society. Under this situation, activists are left with three options: leaving the country or leaving the issue, turning more radical and ending up in jail, or adjusting strategies and aiming at survival. Even though the third option sounds like a false compromise, I suggest it is the best way to face the "frozen climate." The mechanism of cultural resonance suggests that adjusting strategies to gain legitimacy in the eyes of both

policymakers and mainstream society should be encouraged in an increasingly hostile political environment. This kind of compromise should not be regarded as a betrayal of the principles of civil society; rather, it should be understood as a more effective way to fight for progress in a particular political context. In other words, in this non-receptive political environment, symbolic identification and cultural resonance might be the only vehicles which can carry a civil society agenda to the political core, leading to pluralization and good governance at a slow but steady pace.

## Notes

1. "Mechanism" is a much-debated concept in sociology. I understand "mechanism" as a complex causal structure composed of the various elements that make things work. Depending on the complexity level of the mechanism, one larger mechanism can include many smaller mechanisms. Further, I agree with Porpora (2017: 46) that the existence of a mechanism is one thing, but how general that mechanism may be is another thing.
2. "Thickly" here refers to the "thick description" defined by Clifford Geertz in *The Interpretation of Cultures* (1973). According to Geertz, thick description is different from thin description in the sense that it describes not only behaviors, but also their context, especially the web of meanings social actors weave and in the end, constrains the social actors.

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# 1 Civil society in China?

## 1.1 The "big government, small society" tradition

Many wonder whether there is a civil society in China at all. Some scholars claim that traditional Chinese culture is incompatible with the Western concept of "civil society." Shils (1996: 71) argues, "Confucius is entirely silent regarding the institution of civil society." Madsen (2008: 3) notes that the classical Chinese intellectual tradition did not even have a word for "civil society," much less a theoretical tradition. Similarly, many other scholars assert that Chinese "civil society" is atypical or not a "true" form of civil society (Dillon 2011; Wilson 2015 Hasmath and Hsu 2016).

Most historians note that the Chinese state-society relationship during the imperial period was mainly influenced by Confucianism. The Confucian state-society relationship is structured in many ways like a family, the fundamental idea of which being parental governance or parental authority (*fumuguan*). This parental governance model comprises two pillars—"filial piety for children-subjects and firm benevolence for parent-officials" (Ling 1994: 396). In other words, citizens are expected to behave like obedient children and the officials are expected to be benign parents. *Daxue* (the Great Learning) explains the indivisibility between state and family as follows:

> Filial piety is the means by which the prince is served. Difference to an elder brother is the means by which the elder generation is served. The exercise of parental kindness is the means by which a whole population is influenced. In the *K'ang Kao* it is said: "Act as if you were watching over an infant."

Being treated like an "infant," an ordinary citizen naturally does not have many rights to "self-govern." Also, it is hard to imagine child-like citizens defying parent-like officials; actually, Confucianism promotes the act of remaining filial even in the face of murderous parents, and it is believed that only through this can a man be a great "ruler of the universe" (Ling 1994: 397). Such thinking naturally curbs the occurrence of social movements and protests unless the situation is absolutely unbearable.

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Another important idea in Confucianism is harmony, which is achieved through a clear social hierarchy. Among the many hierarchical orders, the Five Relationships (*wulun*) that encompassed both social and familial relations are the most important ones. Arranged on a superior/inferior basis (not in the case of the last category, though), the Five Relationships comprise: (1) ruler/minister, (2) father/son, (3) elder brother/younger brother, (4) husband/wife, and (5) friend/friend.

The Five Relationships would assign each individual a specific role according to his/her hierarchical position. Such a role required the individuals to practice a series of duties (*yiwu*), which are the Confucian code of correct conduct. By fulfilling these duties, each individual makes a vital contribution to the Confucian society's overall social harmony. However, one side product of the overwhelming stress placed on duties is the negligence of individual rights. Some believe that even the "right to rebel" is a myth; instead, the act of rebellion was considered "a moral obligation to rectify previous abuses of the Mandate which was owed specifically to Heaven" (Weatherley 2002: 262). The propensity toward duties instead of rights was further buttressed by the Confucius virtue of selflessness (*wusi*), which means it would be morally incorrect if a person put their interests—or rights—before his/her duties. Another act of considerable virtue in Confucian thinking is the willingness to compromise or "give way" in the event of a dispute. By contrast, "anyone who is overly contentious, self-assertive, quarrel-some, or litigious is considered contemptible" (Lee Seung-hwan 1992: 255). Such emphasis on hierarchy and harmony and the interrelated virtues of selflessness (*wusi*) and the antipathy toward litigious behavior breed a culture of apathy toward individual rights, which obstructed the development of rights-based civil society in imperial China.

Even though rights-based civil society was relatively under-developed in imperial China, some scholars claim that China has always had types of CSO (Civil Society Organization), like auto-organizations, since ancient times. Brook (1997) points out that, throughout Chinese history, there have been auto-organizations that were neither permitted officially by the state nor paid taxes. However, these associations usually had a close relationship with the local governments. Using Shanghai as an example, Brook (1997) illustrated the development of China's associations from the seventeenth century to the twentieth century. In the seventeenth century, Shanghai experienced a boost in commercial organizations due to its rapid economic development, which led to the mushrooming of chambers of commerce in the eighteenth century. Due to the influence of colonization in the nineteenth century, more associations were established. In the early twentieth century, with the decline of the last feudal dynasty (Qing) and the establishment of the Republic of China, auto-organizations were granted more space (Brook 1997). The Republic of China established new laws and regulations to grant citizens more freedom to participate in public issues. Later, the Japanese invasion in the early 1930s also contributed to the expansion and alliance of patriotic auto-organizations.

Many scholars have suggested the existence of something similar to a "public sphere" during the Qing and Republican Era (Rankin 1986; Rowe 1990; Strand 1990). This is not only because the Chinese political lexicon contains the term *gong*, which is similar to the meaning of its Western counterpart, "public," but also because this ancient term became revitalized due to emerging public utilities during the late Qing Era (Rankin 1986; Rowe 1993). Rowe (1993) examined a number of institutions and notions, which are considered constituent elements of civil society, and he found that an indigenous form of them was already present in the late Qing Era. Firstly, the late Qing Era appeared to be a highly commercialized society with a sizeable urban-commercial class, similar to the socioeconomic characteristics that gave birth to capitalism and civil society in early modern Europe. Secondly, institutionalized public utilities acting as multifunctional, local, self-nurturance organizations started to form and increasingly appeared as loci of criticism against government policy. Thirdly, Qing China already had a distinctive tradition of "civil law" that guaranteed "hard" property rights, even though it was not acknowledged as a conceptually distinct category from other judicial matters. Fourthly, the burgeoning publishing industry and its growing consumer base during the late Ming and early Qing Era helped build a sense of "imagined community." Lastly, evidence also points to the emergence of sites hosting a collective discussion of "public affairs," such as teahouses and wine shops. All these, together with the development of auto-organizations, make a compelling argument that there was something similar to a "civil society" during the late Qing and Republican Era, even though there was no explicit mention of the term "civil society" during those periods.

After the establishment of the People's Republic of China in 1949, the notion that social organizations should serve government purposes became stronger. The socialist state started to put more restrictions on auto-organizations. It introduced its Leninist system of corporatism, an arrangement in which the government exercises a disproportionate amount of power over social organizations (Unger and Chan 1995). In an ideal corporatist system, the state recognizes only one organization in each sphere at the national level. For example, only one national labor union is allowed to exist to represent all workers' interests. The state decides which organizations can be recognized as legitimate and which should be abolished. The relationship between the state and the organization is unquestionably unequal. Even though these organizations sometimes get involved in the policymaking processes, their participation is at the mercy of the state.

Goal-oriented harmony is often orchestrated to serve a national mission in the corporatist system, regardless of whether it is genuinely consensual or imposed from above. This goal-oriented harmony prevailed in the newly established People's Republic of China—"leaders and ed, management and workers, were all united in the mission to establish a prosperous 'socialism'" (Unger and Chan 1995: 37). In such a system, corporatist social organizations were designated to serve as "transmission belts"; on the one hand, through

top-down transmission, these organizations mobilized workers and peasants to increase production on behalf of the nation's collective good; on the other hand, through bottom-up transmission, they articulated grassroots rights and interests. In other words, by representing something between the party-state and individuals, these organizations played an essential role in uniting the Chinese Communist Party with those outside the party (Brook 1997).

However, during the Cultural Revolution in the 1960s and the 1970s, the state was ostensibly closely linked with society. In this period, the government dissolved even the All-China Federation of Trade Unions (ACFTU), the All-China Women's Federation (ACWF), and other "transmission belt" organizations that exhibit no potential for mischief-making. Establishing any other associations existing outside of the state was regarded, of course, as an endeavor to split the state and society, constituting treason (Brook 1997). After the Cultural Revolution, the government revived the eight anti-Kuomintang organizations left over from 1949, which had transformed into government-organized non-governmental organization (GONGO), including the Chinese Communist Youth League, the ACWF, and the ACFTU. Even though these groups are termed "independent" by the government, most of them have mandatory and automatic enrollment, and their leaders are often party officials. Therefore, these types of organizations bear little resemblance to NGOs in the Western sense.

## 1.2 The "small government, big society" reform

The rigid control on societies started to loosen with the Reform and Opening-Up, a state strategy orchestrated by Deng Xiaoping from 1978 aimed at revitalizing the economy. With the development of a market economy and the opening up of Chinese society, the state made compromises with social organizations. During the 1980s, the government needed additional mechanisms to bridge the gaps in control created by the newly appeared "socialist market economy." Thus, many new associations appeared to serve as corporatist intermediaries and agents. As of 1993, the government approved 1,400 associations at the national level, 19,600 associations and branch organizations at the provincial level, and more than 160,000 at the county level (Unger and Chan 1995). These organizations include health, cultural, sports, social welfare, public affairs, science and technology associations, and organizations for different associations of economic sectors.

The local governments appear to have welcomed most newly emerged social organizations because these organizations often could help relieve the local governments' social service burdens. Starting in the 1980s, under the slogan of "cooking in separate kitchens" (*fenzaochifan*), which was an opposite to the "eat together in a big pot" (*chidaguofan*) during The Great Leap Forward, the central government step by step decentralized fiscal policy to local government. This reform gave local government more independence, but it also came with a bigger public service burden. The growing burden is aggravated

by the mismatch between welfare responsibilities and the central government funds. This mismatch motivated local governments to look for new strategies to deliver social services. Emerging social organizations came in handy in such a context. In short, the decentralization of fiscal and welfare functions and the gap between funding and responsibilities contributed to local governments' openness toward service-providing social groups. Besides, in the 1980s, the central government started a series of reforms, which replaced the Mao-era, loyalty-based cadre system with a performance-based system (Teets 2014). The performance-based cadre system rewards officials for their achievement in social governance, especially in terms of economic growth and social stability. This promotion mechanism also motivated the local officials to look for innovative solutions to the social problems, which came with the rapid social and economic development after the market reform.

Moreover, the rapid development of social organizations in the reform era occurred thanks to Chinese society's increasing exposure to international influences. In the early 1990s, the world saw a massive upsurge of volunteering and associational activities described by Lester Salamon (2001) as a "global associational revolution." This revolution has been led by NGOs, nonprofit organizations (NPOs), charity groups, and interest-based organizations. Interestingly, such development has been happening not only in democratic countries but also in non-democratic societies. For example, even though the majority of these civic organizations are based in the USA and Europe, Russia, and China have also seen a rapid growth of the numbers of social groups. Since the 1990s, the registered organizations in China increased from approximately 5,000 to 50,000, and there were many more unregistered "underground" organizations and groups functioning in the gray zone (Teets 2014: 11). This development in China, as explained previously, is partly due to the social needs created by rapid economic growth and social change.

Meanwhile, the development is also facilitated by the funding opportunities and capacity-building program from the West. Beginning in the 1990s, it became possible for international funding agencies and international NGOs to function in China. These international agencies and organizations, such as the World Bank and Ford Foundation, often prefer to fund bottom-up grassroots initiatives, contributing to the development of a nascent civil society in China. Moreover, in 1995, Beijing hosted the United Nation's International Women's Forum. This event brought many nascent Chinese NGOs and international organizations together to lay a foundation for their cooperation in many projects (Teets 2014: 53).

Facing this new development, many scholars subsequently argued that perceiving the Chinese state in the reform era as corporatist is no longer accurate (Saich 2000). On the one hand, the Chinese government did give more operational space to social organizations in this period, especially compared to the tight controls imposed on society during the 1960s and 1970s. On the other hand, it might be too early to claim a "civil society" in China yet, because this relatively liberal period was brought to an end

with the repression of the 1989 Movement. The role of student unions, labor unions, and other organizations in the 1989 Movement convinced the state that it needed to reassert its control over these associations in a corporatist manner. In the early 1990s, the Ministry of Civil Affairs issued a document entitled "Management Regulations on the Registration of Social Organizations," requiring all associations to register with the Department for the Registration of Social Organization (Howell 1998). The next boom of social organizations only came in the 2000s.

## 1.3 Social organizations in China

In 2008, a magnitude 7.9 earthquake hit Wenchuan, China, which led to massive damage and a death toll of nearly 70,000 people. This sudden disaster provided a window of opportunity for numerous grassroots groups to participate in disaster relief. A surge of volunteers, social organizations, and civic associations went to Wenchuan to help with the first aid and reconstruction. The level of mobilization of volunteers and civic organizations was so unprecedented that scholars even termed the year of 2008 as the "Year of the Volunteer" or the "Year of Civil Society" (Teets 2009; Shieh and Deng 2011). The number of NGOs in China has proliferated since then.

Currently, the number of NGOs in China is a mystery. According to the official statistics given by the Minister of Civil Affairs, the total registered number of social organizations passed 800,000 in 2019 (Luo 2019). This number corresponds to estimates provided by Asia Foundation: "In the past 30 years, nonprofit organizations (NPOs) have proliferated in China, from just over 4,000 in 1988 to 816,000 in 2017" (Fang 2019). In addition, other Chinese experts also quoted the figure of 800,000 in their estimate. For example, an article penned by Professor Zhu Jiangang (translated by Corsetti), a well-known expert on civil society, also mentioned this number:

> [...]over the past ten years, and especially from 2011 to 2015, thanks to the government canceling the double management system, non-governmental charity, and philanthropic organizations have gained a rapid development, and currently the organizations already registered with the Civil Affairs Departments are already more than 800,000, which is more than double the figure for ten years ago.
>
> *(Zhu 2018)*

However, it is questionable whether we can equate the number of "social organizations" with that of "NGOs." In China, the administrative category of "social organizations" refers to a broad range of bodies, only some of which would fit into NGOs' common definition—the type of organizations that attempt to address social problems through charitable and humanitarian activities or through advocating and monitoring public policies. Social organizations in China are divided into three main kinds: foundations,

social groups, and private non-enterprise units, all of which are included in the *Charity Law* of 2016 along with social service organizations (Corsetti 2019). In reality, the last two categories also include trade and professional associations, government-affiliated mass bodies (GONGOs), and even private schools and hospitals (Corsetti 2019). According to a report released by Gridsum (2018), even though China's registered social organizations reached 800,000 in May 2018, only a small portion of them can be regarded as charities. Based on this report, the percentage of registered social organizations that are indeed doing "charitable activities" is found to be "0.3% in North-Western China, 3.1% in Eastern China, 0.4% in Northern China, 1.2% in Southern China, 0.6% in South-Western China, 1.1% in Central China and 0.3% in North-Eastern China" (Gridsum 2019: 8). Therefore, the number of registered social organizations in China that might actually qualify as "NGOs" could be around 10,000 only.

Having said so, most experts estimate the number of NGOs in China to be more than 10,000, because the above statistics refer only to charities which have officially registered as such. Many more organizations remain unregistered or registered under other administrative categories, and it was common in the past under the so-called dual management system, because it requires NGOs to find a Professional Supervisory Unit for registration. Over the past decade, especially after implementing the Charity Law, the procedure for Chinese NGOs to register officially as social organizations has been simplified. However, it would still take a while until all the NGOs can be assumed to be registered as such. Due to this reason, often the estimated number of NGOs in China is significantly larger than the one from Gridsum. For instance, an article in the *Diplomat* entitled "China's NGOs Go Global," by Reza Hasmath (2016), a renowned expert in Chinese NGO studies, stated that "there are now approximately 500,000 registered NGOs in the nation, working in areas such as education, poverty alleviation, community development, environment, and health." An article entitled "Managing NGOs in China" from *The Asia Dialogue* also claims that "The number of registered NGOs in China is estimated to exceed 500,000, and there are many more non-registered ones" (Cai 2017).

Meanwhile, some tend to give a bolder estimation. Brookings Institution published an article entitled "The State of NGOs in China Today" by four well-known academics in the areas of Chinese civil society studies—Carolyn Hsu, Fang-Yu Chen, Jamie P. Horsley, and Rachel Stern (2016)—estimating the number of social organizations, used in the same sense as NGOs, to be as high as 3 million:

> By contrast, the 'Charity Law' sets regulations for China's domestic NGOs—which the country dubs 'social organizations'—and took effect on September 1, 2016. Roughly 675,000 of these organizations are currently registered in China, with estimates on the number of unregistered social organizations reaching as high as 3 million.

Even though the debate on Chinese NGO numbers still goes on, there is little doubt that China's NGO sector has grown enormously over the past decade. The growth in the number, variety, and quality of NGOs has captured enormous attention from scholars and China watchers. Therefore, we also see competing models attempting to explain contemporary state-society relations in China.

## 1.4 Contemporary state-society relations

Many studies have looked into NGO activities in China in recent years, and two theoretical lenses are especially popular in these studies: one is the society-centered civil society theory and the other is the state-centered corporatist theory. The civil society theory focuses on the agency of social groups and their potential to foster change. When scholars look at Chinese social organizations through the Tocquevillian civil society model, which is often perceived as being about voluntary organizations that strengthen democracy, they usually ask whether Chinese social organizations can contribute to the democratization of China. Most have answered this question negatively (Howell 1998; Hsu 2010; Spires 2011; Hsu and Jiang 2015). These scholars conclude that Chinese social organizations have distinctive features that differ from Western organizations. Not only do they lack autonomy, but most do not even fight for it (Spires 2011; Hsu and Jiang 2015; Dai and Spires 2017). Therefore, some scholars have proposed modified versions of the concept of civil society to explain the Chinese reality, such as state-led civil society (Frolic 1997) or the semi-civil society (He 1994). Other scholars reject the term civil society completely, claiming that due to the distinctive historical context that gave rise to Chinese NGOs, it is not legitimate or meaningful to apply the civil society framework to Chinese society (Dillon 2011: 139; Hasmath and Hsu 2016: 2).

Facing the limitations of the civil society framework, a group of scholars has turned to corporatism to examine Chinese state-society relations. In contrast to civil society theory, corporatism tends to deny the agency of societal actors, especially NGOs. Instead, it presupposes that the state is the dominant player in the game. The state: (1) creates and maintains the relationship, (2) selects organizations and groups to engage with the public on behalf of the state, and (3) establishes rules and regulations that organizations and groups must adhere to. In this way, the state empowers and legitimizes the NGOs, and as a result, they are under government control (Unger and Chan 1995, 1996; Hsu and Hasmath 2012, 2013, 2014). Due to its emphasis on the domination of the party-state, the corporatist model is widely used to investigate GONGOs in China. Recently, this framework has also been used to explain the government procurement of grassroots organizations (Hsu and Hasmath 2014).

Traditional civil society theory and corporatism represent two extremes in explaining the NGO-state relations in China, but there is a range of

theoretical shades in between. Recently, an increasing number of scholars have begun to look at state-society relations in China from new perspectives. Hsu and Jiang (2015: 104), for example, point out that Chinese NGOs are neither the democracy-driven entities assumed by many civil society theorists, nor puppets of the government as described in the corporatist model. Similarly, from an organizational perspective, Hsu (2010) proposes a mutually dependent organizational model to look at NGO-state relations apolitically. Based on her fieldwork in five Chinese NGOs and interviews from four Chinese provinces, Hsu (2010) claims that Chinese NGOs are interested in building alliances with the state because these alliances can help the NGOs acquire the resources and legitimacy essential to their survival. Hsu's model does not reject the corporatist approach but emphasizes the agency of NGOs at the same time. Other scholars have also realized that the relationship between NGOs and the state in China is often not a zero-sum game; instead, NGOs and the state are mutually dependent on each other for survival (Alagappa 2004: 37; Hildebrandt 2013).

These "third-way" advocates include a group of Chinese scholars who tend to come up with complex models relatively cut off from Western theoretical traditions but are loyal to the empirical evidence. They claim that on the one hand, social organizations' positive role in social management is gaining recognition from the government, but on the other hand, NGOs are distrusted as a potentially disruptive force and therefore are controlled by the state (Wang 1999; Kang and Han 2008; Chan 2010).

One of the most well-known frameworks proposed by Chinese scholars to examine state-society relations comes from Kang Xiaoguang and Han Heng. Kang and Han (2008) provide a "graduated control" model to explain the various levels of state control imposed on different types of social organizations. This system categorizes social organizations into five levels according to their capacity to deliver public goods and their potential to pose a threat to the state. Kang and Han claim that this graduated control system is different from "both the old model of totalitarianism before reform, civil-society-against-the-state in Eastern Europe, and corporatism and civil society in the West" (2011: 51).

Chan (2010) agrees that instead of attempting to describe NGO-state relations as a whole, we should realize there are different levels of control imposed upon different NGOs, and recent developments in Chinese legislation support his claims. Chan (2010) proposes another graduated control model, which emphasizes the influence of the nature of the business (service/advocacy), funding sources (government/private/foreign), and the size (small/large) of the organization. Recent evidence shows that graduated control has even been consolidated by law. In 2016, China passed two new laws regarding NGO registration and operation. The first is the Charity Law, which sets regulations for domestic NGOs; the second is the Law on the Management of the Activities of Overseas NGOs within Mainland China, which targets foreign NGOs operating in China. The Charity Law is much

more benign in many aspects than the Overseas NGO Law, confirming that Chinese and foreign organizations experience different levels of control.

While these studies focus on the top-down aspect of state control, a few scholars have shifted their focus from the state to the citizens, to theorize bottom-up participation. Jia Xijin (2007), for example, categorizes Chinese citizens' political participation into three types: (1) structural participation through voting, (2) participating in decision-making, and (3) participatory governance in communities. Most scholarly interest in Chinese NGO functions within political participation has focused on the third level of participation, including NGO functions in resource mobilization, public services, and social governance. This is understandable because, currently, most NGOs in China are service-oriented rather than policy-oriented (Kang and Feng 2011). Nevertheless, a few scholars have highlighted Chinese NGOs' advocacy functions and their growing policy impact at the grassroots level—namely, NGO participation in decision-making. The role of NGOs as policy advocates sheds new light on NGO-state interactions in China.

Civil society policy participation includes two major activities: policy advocacy and policy implementation. Policy advocacy is the attempt by NGOs as "policy entrepreneurs" to prod government to do the right thing (Najam 2000). Policy implementation is when NGOs put law or policy into effect through their practice. Although most NGOs in China lack the capacity to substantially participate in policy-making and the Chinese political environment is still relatively hostile to advocacy activities (Kang and Feng 2011; China Development Brief 2013), some Chinese NGOs have ventured into participation in policy processes at various levels. For example, Friends of Nature, the oldest environmental non-governmental organization (ENGO) in China, has participated in more than thirty national-level policymaking activities in the past twenty years. A number of other NGOs have also found their way toward policy advocacy, though on a smaller scale.

This new role of Chinese NGOs in policy participation has attracted scholarly attention. Teets (2013, 2014) presents the positive interaction between NGOs and officials at the local level as constituting "consultative authoritarianism." From a public policy background, Teets focuses on how Chinese NGOs and the state interact positively with each other for mutual benefit. She proposes a model of consultative authoritarianism, which gives more operational autonomy to NGOs compared to the corporatist model but also stresses the sophisticated state control on NGOs compared to traditional civil society theory. This model acknowledges the penetration and influence of NGOs over the state, but it does not promise any democratization potential.

Mertha (2008, 2009) also points out the increasing penetration of NGOs into the state, and he argues that this is due to the "fragmented authoritarianism" of the Chinese state. Fragmented authoritarianism has lowered the threshold for political participation, which allows Chinese NGOs to participate in policymaking. However, Mertha (2009) points out that even though

such a structural space exists, policy advocacy would not have been successful without effective framing. For example, Mertha observes that in three similar cases of ENGO policy advocacy against dam building, the result was different each time and he attributes the difference to the NGOs' choice of frames. Saich (2000) agrees on the importance of framing but focuses on a different aspect. He claims that it is the ability of Chinese social organizations to reconfigure their relationship with the state in more beneficial terms that makes it possible for them to achieve some input in policymaking. This ability is manifested through the content of the framing—mutual interests instead of antagonism.

Saich's (2000) assertion corresponds to Schroeder's (2015) findings that Chinese ENGOs working on climate change exclusively use "soft" approaches in their local activism and policy advocacy. Schroeder further explains that in comparison to their Western counterparts, Chinese ENGOs draw on a different repertoire of cultural resources and strategies in entering the policy process. While Western civil society has a tendency to be confrontational, Chinese ENGOs apply a cooperative approach. Schroeder (2015) emphasizes three informal rules: respect authority and status, build social connections, and maintain or gain face for the authorities.

Meanwhile, Zhan and Tang (2013) highlighted the importance of institutional factor of NGOs in advocacy results. Through tracing the development of twenty-eight Chinese ENGOs, Zhan and Tang (2013) found that political structural changes have created political opportunities for ENGO policy advocacy, and ENGOs with better financial resources and connections to the party-state system are more likely to achieve success in their advocacy.

Dai and Spires (2017), in more recent research, seem to suggest that it is even more complex. Based on their in-depth interviews with ENGOs in Guangdong, Dai and Spires (2017) argue that ENGOs employ three main strategies in their advocacy efforts. Firstly, they cultivate a stable, interactive relationship with the government using institutional means; secondly, they carefully select "frames," a certain schema of interpretation and communication, to present their concerns and policy goals; and thirdly, they use media to mobilize the public and pressure the government. Not all ENGOs use all three strategies in all cases—instead, their choices vary case by case.

These studies on Chinese NGO policy advocacy have reached agreement on two points. Firstly, Chinese NGOs are participating actively in the policy process; secondly, Chinese NGOs draw on a "soft" repertoire in their interactions with the state, such as creating cooperative dialogue instead of direct confrontation. For example, the "skillful framing" Mertha (2009) and Dai and Spires (2017) emphasize, the "beneficial terms" Saich (2000) discusses, and the "soft approaches" Schroeder (2015) notes, all point in this direction. However, none of them thoroughly explain why these approaches can change policymakers' hearts and minds. After reading the case studies, one is left wondering how exactly efforts at persuasion become successful, as

the broader mechanism behind it remains unclear. This broader mechanism involves not only what occurs in NGOs on the surface, it also includes the meaning system surrounding the actors and audiences. My analysis shows that the mechanism of cultural resonance exists behind all these surface 'toolkits.' These toolkits (framing strategies and action tactics) are useful because they resonate with audiences through a common set of symbolic codes in the meaning system. Therefore, it is not the toolkits, but the mechanism of cultural resonance through symbolic codes which explains whether advocacy succeeds or fails.

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The role of culture and the mechanism of resonance in social movements have become a hot topic since the mid-1990s (Johnston and Klandermans 1995). However, very few studies delve deeply into the relationship between culture and civil society activities in China, and even fewer analyze culture and policy advocacy. In a study on Chinese cultural codes and social movements, Zuo and Benford (1995), analyzing the 1989 Movement, show that the students achieved resonance with the public because they had successfully incorporated traditional Chinese cultural repertoire into their framing strategies and their action tactics. However, most discussions on the current state of civil society-state relations in China have failed to reach enough cultural depth. When the wider and deeper cultural context is neglected, these discussions lack hermeneutic thickness and do not provide a complete picture. This book aims to fill this gap theoretically and empirically.

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# 2 At the crossroads of two theoretical traditions

## 2.1 The cultural pragmatic theory of social performance

The cultural pragmatic theory of social performance treats social actions as performances. Goffman defines performance as "all the activity of a given participant on a given occasion which serves to influence in any way any of the other participants." (1956: 8). Alexander has developed the notion of performance in a very fruitful manner by bridging strategic impression management with underlying cultural structures (Xu 2012: 114). In the cultural pragmatic theory of social performance, the primary focus is on meaning instead of action (Alexander and Mast 2006: 2). That is to say, when actions are analyzed as performances, it is not the immediate material effects, but the symbolic power of these actions that leads the game.

In this framework of social performance, Alexander defines five conceptual tools: background representations, script, text, actor, and audience. Background representations are the general symbols and codes the actors and audiences live in and are confined to. As Goffman once put it, performance is "socialized" (1959: 44) and it highlights the official values of a society (1959: 45). Background representations are often deep and relatively obscure; the script is the foreground version of them, acting as the immediate reference for the actor's text (Alexander 2006: 33). Alexander argues that the script defines words and interaction details that performers need in order to project a certain image in front of audiences (Alexander 2004: 531). In contrast to Ann Swidler (1986), who sees culture as a "toolkit," Alexander states that "culture is less toolkit than storybook" (Alexander 2004: 568). Whether a script can work or not depends both on the performer's improvisational skills but also, and perhaps even more so, on whether a script "walks and talks" a deep cultural code, which is "the system of conventional rules and relations through which meaning can be communicated and understood" (Norton 2014: 170). These systems of background representations and foreground scripts can be derived from myths, traditions, or recent writings created by journalists and speech writers. What actors actually do on the stage becomes the text.

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The text is not restricted to only objects which can be read. As Paul Ricoeur (1973) notes, meaningful actions can also be regarded as texts. This is why Willy Brandt's taking a knee at the Warsaw Memorial can be considered a text in performance (Rauer 2006). Through performing texts directed by scripts, actors wish to project a certain image to audiences. Three additional concepts also play a role in Alexander's framework, which are the means of symbolic production, the mise-en-scène, and social power. The means of symbolic production refers to the mundane things that help to dramatize the performance, such as an actor's costume (Alexander 2006: 35). The mise-en-scène is the act of putting texts into scenes temporally and spatially (Alexander 2006: 36). Social power determines which parts of the performance are allowed and who is allowed to perform (Alexander 2006: 36). Since these three factors are marginal in Alexander's framework, they are a bit redundant in the analysis, and furthermore, they are not very relevant to my research; they will be left out of my discussion.

According to Alexander (2004), the mechanism behind a successful performance is "re-fusion." He uses the term "fusion" to describe the liminal stage in ritual performance, when ritual performers are merged (fused) with the text they perform, and audience is entirely lost in the performance. This kind of fusion-through-ritual is more common and achievable in a simple society than a complex one; thus, Alexander uses the term "re-fusion" to highlight the difference. Since the framework is actor-centered, background representations, scripts, and texts are all placed on the side of the actors. Actor(s)' performances are directed by background representations and scripts, but the actual pattern of the text allows a certain level of contingency, which is why the background representations, scripts, and text do not fully overlap. Alexander (2006: 34) claims that in a successful performance, there is an "electric charge" between the "text" and the "actor(s)," illustrated by the "cathexis" arrow spanning from the actors to the text. Whether the actor can project this "electric charge" to the audience determines the relationship between actor and audience. In a re-fused performance, the actor(s) successfully project a certain meaning to the audience and the audience identifies with the actor(s), elaborated by the arrow depicting "cultural extension" from actor(s) to the audience and the arrow illustrating "psychological identification" from audience to actor(s). That is to say, the actor manages to encode the background representations and scripts into their text, and the audience is able to decode these meanings through the actor's successful performance (Hall 2001). In a failed performance, this mechanism is disrupted.

The term "performance" in cultural pragmatic theory does not, in any sense, imply that the actors are inauthentic.

Authenticity here is treated as an interpretive category rather than an ontological state (Alexander and Mast 2006: 7). Whether the performance is interpreted as authentic depends on whether the actors manage to convey meaning effectively through skillfully integrating background

representations into their scripts and text. If an actor's text fuses well with scripts and background representations, the actors will seem authentic. If these are poorly executed, then the performance is likely to be interpreted as 'fake' by the audience.

Empirical studies have shown how this framework can sufficiently explain many social actions, including Obama's electoral victories (Alexander 2010; Alexander and Jaworsky 2014), the 9/11 terrorist attacks and the subsequent Iraq War (Alexander 2011a), and many other cases (Alexander and Mast 2006; Alexander 2011b). However, these empirical studies also expose the weakness of this framework. For example, compared with frame analysis, whose methodological procedures are relatively clear-cut, the counterpart in the cultural theory of performance appears rather elusive. This can be seen in all the case studies mentioned above, as there are no methodological instructions which reveal step-by-step how the analysis should be conducted.

In the next section, I will introduce the analytical concepts in social movement theory on framing, such as framing tasks and master frames, to show how these analytical concepts can help to develop hands-on approaches in frame analysis. Secondly, the mechanism of re-fusion downplays the role of the audience (Binder 2017), so re-fusion is more about actors' social "actions" than the social "interactions" between actors and audiences. Yet, performance in reality is a process of "interaction" rather than "action." Interaction implies that it is a game between both sides; no matter how consistent a performance seems to be, if the audience does not appreciate it, then it cannot be regarded as a successful performance. The actors perform for the audience, so the actors must take the audience's meaning system into consideration. In other words, there must be "cultural resonance."

In my framework, I take the central idea of social actions as performances from the cultural pragmatics and also borrow key conceptual tools for my analysis, but due to the weakness I have outlined above, I also need some analytical tools from social movement theory on framing.

## 2.2 Social movement theory on framing

Social movement theories aim to explain the causes, processes, and effects of social mobilization. My study focuses on policy advocacy, which does not constitute a social movement in the strict sense. However, policy advocacy can be treated as a type of mobilization in a broader sense, which aims to mobilize policymakers rather than the public. Several theoretical schools have emerged to explain the causes of mobilization. The most common approaches include resource mobilization, political opportunity, and frame analysis. Recent theorists have emphasized emotions and identities (Goodwin and Jasper 2006; Eyerman 2007; Jasper 2011), which are also relevant to my research because policy advocacy—though less emotionally charged than mass mobilizations—also involves feelings and identity building in behind-the-door discussions and the process of persuasion.

In the process of persuasion, the metaphor of "resonance" is crucial. Resonance, to put it simply, is when the actors' actions, but even more, speeches, ring a bell with the audience. The term "resonance" is widely used in the work of social movement theory on framing (see Snow and Benford 1988; Benford and Snow 2000). According to Benford and Snow (2000), the level of resonance depends on two interactive dimensions: credibility and salience. Credibility is more on the supply side of framing and salience is more on the demand side (Peña 2016: 42). To be specific, the credibility of framing depends on three factors: frame consistency of how consistent the text itself is, empirical credibility of how well it is rooted in the real world, and the credibility of the frame articulators of how trustworthy the speaker is (Benford and Snow 2000: 620). The salience of framing also varies according to three factors: centrality describing how essential this issue is for the life of the targeted audience, experiential commensurability, or how obviously or strongly the audience feels about the issue, and the narrative fidelity of the frame, or how well embedded the frame is in culture (Benford and Snow 2000: 621).

In addition, how well the actors incorporate the framing tasks into their messages also has an impact on the results of mobilization. Snow and Benford (1988) argue there are three core framing tasks. "Diagnostic framing" is when social movement actors seek to remedy or alter some problematic issue by identifying causality, blame, and/or culpable agents (Benford and Snow 2000: 616). Diagnostic framing is often paired with adversarial framing, which delineates the boundary between "us" (the collective identity of the people in the movement) and "them" (those responsible for "the problem"). As Gamson (1992: 32) observes: "[…] when one attributes undeserved suffering to malicious or selfish acts by clearly identifiable groups, emotional reactions will almost certainly be there." This is precisely the ubiquitous "binary concept" used in the strong program of cultural sociology (Alexander and Smith 2003). However, only pointing out the problem is often not enough; a prescription is also needed. "Prognostic framing" requires the articulation of a proposed strategy to solve a problem (Benford and Snow 2000: 616). This prescription does not have to be specific; it can limit itself to general strategies and rough steps for carrying out a plan (Snow and Benford 1988: 200). Diagnostic frames elaborate problems and prognostic frames suggest solutions, but they are often not sufficient to provoke a mass movement, because emotions provide the impetus for people to mobilize. Therefore, "motivational framing" calls for collective action, including the construction of motivating vocabularies pointing out the severity and urgency of the issue (Benford and Snow 2000:616). A symbolic "call to arms," motivational framing includes several different strategies which often involve the creation of a collective identity (Porta and Diani 2006: 79).

In addition to framing tasks, another key concept in frame analysis is "master frames." Master frames most often refer to those collective action frames that are "broad in terms of scope, functioning as a kind of master

algorithm that colors and constrains the orientations and activities of other movements" (Benford and Snow 2000: 618). But, as Benford (1997) notes, this term has been used in different ways in different empirical studies, which reveals the problem with master frame research, but also shows the malleability of this term. I interpret master frames as those frames which are broader and more generic. According to Benford (1997), frames in the generic category include but are not limited to injustice frames (Gamson et al. 1982), justice frames (Ryan 1991), oppositional frames (Blum-Kulka and Liebes 1993; Coy and Woehrle 1996), hegemonic frames (Blum-Kulka and Liebes 1993), rights frames (Williams and Williams 1995), and equal opportunity frames (Dobbin 2009). Movement participants draw on master frames to portray their perceived social problems in ways that suit the tenor of the times and thus often parallel other social movements. However, I will not draw on the concept of master frames in my analysis because the explanatory power of master frames cannot be complete without tracing the even broader and deeper socio-cultural background in which they are nested, better illustrated by the concept of background representations in the cultural pragmatic theory of social performance. In the following section, I combine the key conceptual tools from both social movement theory on framing and the cultural pragmatic theory of performance to elaborate the framework for my analysis.

## 2.3 The theoretical framework

### *2.3.1 The mechanism*

Why are some policy advocacy groups more successful than others? I answer this question by combining and building upon the two theoretical traditions discussed above. The cultural pragmatic theory of social performance perceives social interaction as a theatrical drama. In the drama of civil society policy advocacy in China, the actors are civil society groups (CSGs) and the audiences are policymakers and the public. The performance includes both CSG advocacy actions and their policy proposals, clarified by the concepts of "action tactics" and "framing strategies" in Figure 2.1. These two aspects can be interpreted as what the actors do and say on the stage. Just as a performance cannot be carried out without a script that directs what the actors should do and say at any particular moment, policy advocates also need such a script to direct their performance. In contrast to Alexander's theory of social performance, which focuses on the scripts of actors, I believe that in the Chinese case, successful scripts are, to a certain extent, shared and even created by the audiences. Therefore, in Figure 2.1, I have moved the scripts from the side of the actors to the space between actors and audiences, naming them "(audience) scripts." The (audience) scripts direct actors' performances and audience reactions, signaled by the arrows from "(audience) scripts"

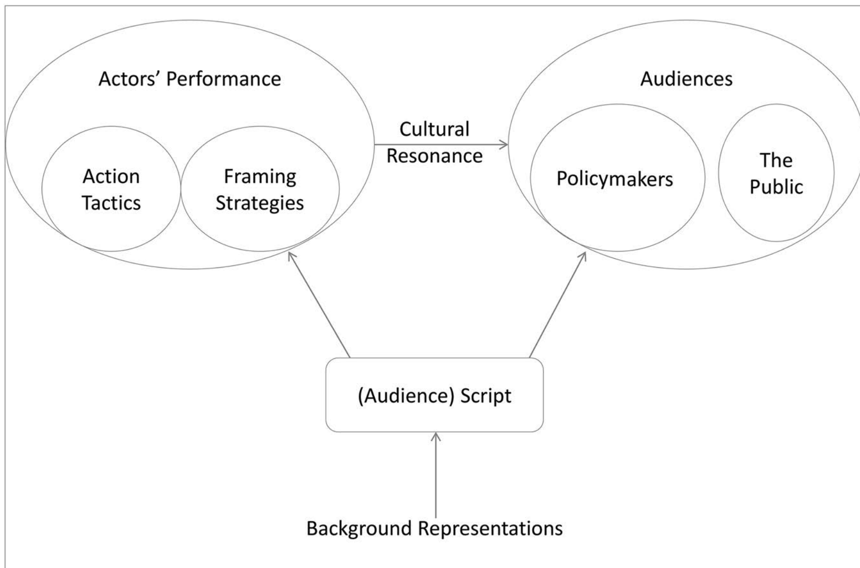


*Figure 2.1* The mechanism of cultural resonance in social performance.

to "actors' performance" and "audiences." These scripts are not random; instead, they are derived from the socio-cultural context of the actors and the audiences. This socio-cultural context forms the meaning system and symbolic codes dominating social life, shown in the figure as "background representations." Background representations inform both actors and audiences, and directly guide the scripts, signaled by the arrow from "background representations" to "(audience) scripts." However powerful background representations seem to be, they only constrain and enable, and do not determine the scripts and performances. The background representations are not deterministic and the background itself is not monolithic; instead, it is a diverse system with symbolic codes from various subsystems. These symbols must be combined and interpreted in creative ways to serve the actors' and audiences' purposes, thus reflecting their agency.

Whether a performance is successful or not is reflected in audience reactions, or the level of resonance. A successful performance occurs when audiences identify with the actors and applaud their performance. By analogy, successful policy advocacy occurs when policymakers identify with CSGs and incorporate their proposals into policy- or law-making. Whether policymakers react in a positive or negative manner depends on the level of cultural resonance (see Figure 2.1). When the level of cultural resonance is high, audiences are more likely to react positively; when the resonance level is low, audiences are more likely to react indifferently or even negatively to the performance. The level of resonance depends on two things: firstly, the level of congruence—whether the scripts embodied in actors'

performance are in alignment with audience scripts, and secondly, the level of relevance—whether the scripts can help audiences to solve their problem or not (McDonnell, Bail, and Tavory 2017).

Like the cultural pragmatic theory of social performance, my framework downplays organizational and instrumental factors. These factors include, but are not limited to, the funding of the non-governmental organizations (NGOs), the size of the advocacy group, and leadership ties. Even though these factors influence civil society actors' performances, they are not highlighted in this study for several reasons. First, although organizations and resources remain crucial, in the process of policy advocacy, their value is to provide access to the "means of persuasion" (Alexander 2011a: 148). Such structural-institutional factors make policy advocacy possible, but they do not determine the result. Second, numerous studies on Chinese civil society have already focused on these instrumental and organizational factors, and they have analyzed how the political, economic, and social capital of Chinese CSGs, especially NGOs, have influenced their behavior and the results of their advocacy (e.g., see Zhan and Tang 2013; Tai 2015). However, the process of communicative mobilization itself has remained understudied. In my research, I concentrate on the symbolic communication and marginalize the instrumental factors, based on both my understanding of the issue and the analytical strategy I have chosen for this study.

Since I have drawn upon concepts from both the cultural pragmatic theory of social performance and social movement theory on framing to compose my own framework, in the following sections, I further elaborate the meanings and relationships among the key concepts. In addition, I explain why some concepts in one framework, such as resonance, are chosen instead of their counterpart in another framework, like re-fusion.

### *2.3.2 Frame and script*

Goffman, who originally developed the notion of "frame," defines frames as "schemata of interpretation" that allow individuals "to locate, perceive, identify, and label" occurrences in their life (1974: 21). Social movement theorists build upon his conceptualization and also use framing to highlight the way social actors play with meanings to achieve resonance with their audiences. The relationship between frame and resonance is frequently discussed in social movement theories and I have found the concepts of frames and framing helpful in explaining the mechanism of resonance. For example, two of the core framing tasks—diagnostic framing and prognostic framing—show the relevance of the proposal and correspond to the pragmatic side of the concept of resonance.

Although frames, in the sense that they are schemata of interpretation, are not restricted to written and spoken text, the term is generally linked to discursive and narrative actions. For example, in social movement studies, frames are often about key phrases appearing in activists' speeches and

movement slogans. However, policy advocacy is not only about what the advocates say, but also about what they do to reach policymakers and make a good impression. This is why the concept of script, which covers both linguistic framing and behavioral actions, is an integral part of my framework. Both aspects influence the outcome of a performance. In other words, if the one of them is absent in the performance, or if they contradict each other, then the performance is likely to look inauthentic and unpersuasive. Scripts include and are built upon frames and they provide a collective definition of the situation (Benford and Hunt 1992). Scripting differs from framing in that scripts attempt to integrate and coordinate the overall performance (Benford and Hunt 1992), a claim similar to Alexander's that a script defines words and interaction details (Alexander 2004: 531). Therefore, on the one hand, scripting is closely connected with framing in the sense that it encompasses the same core ideas. On the other hand, the two differ; while framing provides ideas, especially discursive ones, scripting moves these ideas one step closer to enactment by casting roles, composing dialogues, and directing actions.

### *2.3.3 Background representations instead of narrative fidelity*

Even though social movement theorists tend to highlight the agency of actors in the processes of framing and scripting, these processes are embedded in a larger cultural context of background representations from which neither actors nor audiences can escape. As Goffman puts it, performance is "socialized" (1959: 44) and it highlights the official values of a society (1959: 45). Background representations are the general symbols and codes actors and audiences are confined to. The symbols and codes function as the broadest and most fundamental cultural context for social action. However, meaning systems and cultural structures in any given society are riddled with gaps, inconsistencies, and contradictions. Therefore, it is more appropriate to talk about several streams of background representations rather than one unified background representation. Actors and audiences are constrained by background representations, but the gaps and inconsistencies also allow them to choose from one stream or another, or to combine several streams to form scripts to guide their performances and reactions. The agency of actors and audiences is reflected in these choices and the subsequent interpretations following them. Therefore, background representations inform but do not determine social action.

Social movement theorists also realize the existence of culture in social interaction, but in a different way. To include the element of cultural background in their analysis, Benford and Snow (2000: 621) use the concept of "narrative fidelity," or the evaluation of how well embedded a given frame is in a certain culture. Even though culture is tackled in social movement theory on framing, it is treated as only a minor element in the system of resonance. To be specific, narrative fidelity, together with centrality and

experiential commensurability, defines the salience of framing. The salience of framing, together with the credibility of framing, determines the level of resonance. I see three problems in presenting culture in this fashion.

The first problem is that narrative fidelity only gives culture a marginal position in the social interaction. Too little attention is given to such an important element. Culture is presented as working in only one aspect or one step of the resonance process; other aspects, which also involve how actors and audiences interpret the situation, are presented as unrelated to culture. This is a narrow conceptualization of culture which does not recognize it as a general meaning system.

The second problem, related to the first, is that the relationship between narrative fidelity and other elements is unclear. The way narrative fidelity is listed together with five other elements (centrality, experiential commensurability, frame consistency, empirical credibility, and credibility of the frame articulators) can look like a laundry list. Are all these elements unrelated to and not influenced by culture at all? I believe they are. Therefore, culture should not be listed as one of the items on the list; instead, it should be the overarching concept that sets the context for the performance.

The third problem of culture articulated in the concept of "narrative fidelity" is that it overlooks the constraints of culture. When the narrative fidelity of a frame is defined as how well embedded the frame is in culture (Benford and Snow 2000: 621), it seems as if actors can create frames at will, resulting in two types of frames—those that are well embedded in culture and are more likely to achieve resonance with the audience and those that are not well embedded, and thus less likely to resonate. However, can actors really create *any* frames out of the culture they themselves are living in? To some extent, all frames are a result of background representations, which demonstrates the constraining power of the culture. What the actors can do is to choose one stream within a meaning system over another. Resonance is not dependent on whether an actor's frames are embedded in culture, but whether the frames of the actor happen to be familiar and interesting to the audience. If the audiences are embedded in the same cultural context as the actor (which is the case in my research), then they naturally share the wider cultural background already. This is the constraint of culture. The trick is to choose the streams within a meaning system from this background that seem to be both familiar and in the interest of the audience; this is where lies the agency of actors.

The concept of background representations represents a much wider conceptualization of culture than narrative fidelity, and it also shows both the constraining power and the creativity of culture. However, I do not interpret background representations only as a classification system consisting of binary oppositions. Instead, I also conduct a hermeneutic inquiry into the context. In my framework, background representations are based on thick description (Geertz 1973) of the major cultural streams in current Chinese society, which is a more hermeneutically rich application of the concept.

### *2.3.4 Cultural resonance instead of re-fusion*

In the cultural pragmatic theory of performance, Alexander (2006) uses the concept of re-fusion to explain a successful performance. Fusion refers to the situation in which "actors, collective representations, audiences, and society were united in a putatively homogeneous, still mythical way" (Alexander 2006: 47). This kind of ritual-like fusion is more likely to occur in a less complex society, where sacred and profane are clearly defined (Durkheim [1915]2001). In modern or postmodern societies, the social-cultural background of performance is much more complex. Due to the inconsistencies and conflicts in background representations, it is more difficult to unite actors and audiences through collective representations in a ritual-like manner. In societies of increasing complexity, social performances must engage in the project of re-fusion, in which the background representations, scripts, and texts of the actors are seamlessly connected and unified, such that audiences sense the authenticity in the performance (Alexander 2006: 32). A failed performance occurs when all the elements remain "de-fused"—scattered and inconsistent—in which case the performance seems artificial and contrived and the audience is not convinced.

This mechanism of re-fusion captures the complexity of performances in modern society, but when translated into the language of social movement theory, it focuses mainly on one thing: consistency. Re-fusion theory seems to imply that when the actors manage all the elements (background representations, scripts, and texts) in a consistent way, the performance will appear authentic and the audiences will be persuaded. However, Alexander's mechanism overemphasizes the role of actors and neglects the importance of audiences. Audiences are also embedded in background representations, and they also have a set of scripts to direct their actions and reactions towards the performance. What if all the elements of actors are seamlessly fused but this performance seems irrelevant and uninteresting to the audience? No matter how consistent the performance itself is, we can hardly argue this performance is a successful one. In order to emphasize the agency of audiences, I borrow the concept of resonance.

Resonance is one of the most ubiquitous concepts in media studies, social movement theory, and the sociology of culture (Snow et al. 1986). In media studies and social movement theory, resonance is often used to describe why certain frames have an advantage over others (Snow and Benford 1988; Entman and Rojecki 1993; Benford and Snow 2000). In the sociology of culture, it is used in a more general way to articulate how culture works (Schudson 1989). Dominant theorizations of resonance (e.g., see Benford and Snow 2000; Gamson 1992; Schudson 1989) emphasize the mechanism of congruence: objects resonate when they are connected to cultural themes and narratives that audiences recognize. In other words, it is a sense of familiarity between audiences' previous experiences and expectations and the actors' performances that triggers the resonance. Therefore, collective

memories and ideologies often play a big role in resonance studies (see Schudson 1989; Assmann 2015). The concept of congruence emphasizes the objective traits in audiences' minds, which marks an initial differentiation between resonance and re-fusion.

I suspect that because of concerns regarding the deterministic implications of "objective traits," Alexander explicitly rejects the metaphor "rings true" and regards it as a naturalist fallacy (Alexander 2006: 59), leaving readers with the impression that he rejects the concept of "resonance" at all. However, this is not the case because in another text published four years later, Alexander states that "to resonate is to fuse actor and audience" (Alexander 2010: 13), which somehow equates "fuse" with "resonate." Further, while explaining why John McCain lost the 2008 U.S. presidential election to Barak Obama, Alexander admits that public concerns influenced the election result and the result could have been different in a different political context or historical juncture (Alexander 2010: xii). In other words, while rejecting the naturalist position that there are some inherent characteristics in the audience that determine whether a performance 'fits' or not, Alexander has admitted it is not just the quality of the performance that matters. His concerns about the metaphor of something "ringing true," often associated with the concept of resonance, leads to his terminological choice of re-fusion in the social performance framework.

Alexander's concern over the naturalistic fallacy is warranted because congruence is not a sufficient condition for resonance (McDonnell, Bail, and Tavory 2017: 4). More than congruence, resonance is also about how actors make their performance relevant, interesting, and useful for their audiences (McDonnell, Bail, and Tavory 2017: 3). That is to say, whether actors can achieve resonance with their audiences also depends on whether they are able to provide solutions to audience puzzles (McDonnell, Bail, and Tavory 2017: 5). Therefore, the elements in a performance would not truly resonate with the audience unless they could be employed to solve problems that audience is currently experiencing (McDonnell, Bail, and Tavory 2017: 3). This aspect of puzzle-solving or relevance overcomes the naturalist fallacy of resonance, and it also distinguishes the concept of resonance again from re-fusion.

In my theoretical framework, I capture the concept of cultural resonance in the following formula:

$$\textit{cultural resonance} = \textit{congruence} + \textit{relevance}.$$

This approach admits that there can be an objective level of congruence in cultural symbols in the first place, but this inherent familiarity does not automatically lead to resonance. To achieve cultural resonance, actors must also engage with the challenges their audiences face. It is this problem-solving potential, together with initial cultural congruence, that eventually leads to cultural resonance. In other words, the actors are less

likely to be successful if only one of the two conditions appear. However, this function does not portray the reality as black and white. Instead, it shows a scale of likelihood; if none of the conditions appear, the advocacy is least likely to be successful, if one appears, the successful rate is not high, and if both conditions appear, it is most likely to be successful.

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The main body of this book is organized to illustrate how this framework can be applied to policy advocacy in Chinese civil society. Firstly, I examine symbolic codes derived from the Chinese social-cultural background (background representations) and the official Chinese discourse and legislation on civil society, or (audience) scripts (Chapter 3). This analysis is important because firstly, without knowing the background representations, we cannot understand what constrains and facilitates civil society communication, and secondly, without knowing the scripts of the demand side, we cannot evaluate the performance of the supply side. Afterwards, I analyze the action tactics and framing strategies of Chinese civil society policy advocacy through eight cases, including four environmental policy advocacy cases (Chapter 4) and four non-environmental policy advocacy cases (Chapter 5). Accompanying these cases is my analysis of why some of the case studies are more successful than others, thanks to the cultural resonance achieved.

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# 3 Chinese cultural genealogy

Chinese CSGs do not operate in a vacuum. Their words and deeds are embedded in a complex cultural, social, and political system. To reveal the roots of this system, I trace the "genealogy" of Chinese culture. Genealogy is a Foucauldian concept inherited from Nietzsche (Foucault 1977). Foucault uses genealogy as a historical technique to reveal the plural rather than linear development of the past and account for the depth, breadth, or total scope of discourse. In contrast to the Marxian idea of ideology, which refers to a singular or dominant discourse, genealogy represents a bigger "field" (Bourdieu 1984) or a wider "landscape of meaning" (Reed 2011) built upon thick historical soil.

In this chapter, I present the cultural, social, and political history that has informed the current Chinese meaning system. In my conceptual framework, this meaning system is articulated through background representations and consolidated by (audience) scripts. Background representations and scripts play vital roles in deciding whether an actor's social performance can achieve resonance with the audience. Therefore, before discussing the cases in the following chapters, I introduce the background representations and the (audience) scripts.

## 3.1 Background representations: symbolic codes in Chinese civil society

Actors live in "social, physical, natural, and cosmological worlds" (Alexander 2011: 29), which can be interpreted as the background of their actions. The background constrains and enables actors' actions and interactions through "patterns of signifiers" (Alexander 2011: 29). In other words, the deep collective representations in the background can be conceived as "a system of symbolic codes which specify the good and the evil" (Alexander and Smith 1993: 196). The French structuralist, philosopher, and linguist Roland Barthes 1974 [1970] coined the term "symbolic code" and demonstrated how to use such codes, also called antithetic codes, referring to elements that have opposite meanings in literary analysis. The approach of using binary oppositions to articulate the background meaning system is

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primarily structuralist. Even though a structuralist approach is appropriate for establishing the skeleton of the meaning system, it falls short in capturing the texture and flesh of social life. Therefore, it should be combined with hermeneutic description, which is precisely the point of the "structuralist hermeneutics" advocated by the strong program in cultural sociology (Alexander and Smith 2001; 2003).

To explain why and how Chinese CSGs achieve advocacy success, one must first understand the meaning system of Chinese society. The most direct approach to understanding this meaning system is to unearth its symbolic codes, which refer to those binaries that sketch the contours of the Chinese meaning landscape. That is to say, whether Chinese CSGs can achieve success in policy advocacy depends on how well they encode these symbolic codes into their performance. However, it is not enough to look only at the binaries. They are derived from a more complex and richer historical and cultural background, so it is important to display this hermeneutic side of the background representations to avoid theoretical reduction.

The meaning landscape of contemporary China is complex. While different scholars tend to focus on different parts of the landscape, they often mention the following streams: traditional Chinese culture (Confucianism, Daoism, Legalism, etc.), nationalism, communism, and contemporary Western influences such as neo-liberalism or capitalism. For example, Fenggang Yang (2007) argues that during the last twenty years, three major streams have consolidated their position in China among both mainstream society and the ruling elite. These streams are Confucianism, Marxism-Leninism-Maoism (MLM), and socio-political liberalism. First, Confucianism works as the foundation of Chinese culture. Despite repression due to the Cultural Revolution, Confucianism still plays a large role in maintaining social hierarchy and cultivating nationalism in China. Second, the MLM stream is an official ideology supported by the Chinese Communist Party (CCP), legitimating Communist rule and creating values important for sustaining the status quo. Third, socio-political liberalism has been growing thanks to the Reform and Opening-Up Policy in China and the rapid economic growth resulting from it. With economic growth, general ideas on the rule of law, human rights, and other liberal democratic ideas are developing. Similarly, Zuo and Benford (1995), in their analysis of the 1989 movement in Beijing, also confirm that Confucianism, nationalism, and communism are the important cultural backgrounds which students in the movement had to consider. Since the article was written more than twenty years ago, Zuo and Benford did not consider the liberal ideas brought in by capitalism. In the past two decades, China has changed dramatically, and capitalist ideas have gained more importance. In this chapter, I not only consider all the elements mentioned by the above authors, but also explain how recent developments have enhanced some of the binaries based on these ideals.

I have categorized the genealogy of Chinese culture into long-, medium-, and short-term horizons. The long-term horizon can range thousands of years, the medium-term horizon is roughly hundreds of years, and the short-term horizon can be just a few decades. To give an account of the long-term background, I first introduce Confucianism, then Daoism, and at the end, I briefly discuss Legalism to show the contradictions and complexity in indigenous Chinese philosophical thought. With regard to the medium-term background, I focus on two socio-cultural contexts: nationalism and communism. Finally, I discuss the short-term background, consisting mainly of capitalism. My choice of philosophers, texts, and events has been guided by their relative weights in forming the contemporary Chinese cultural contour and landscape of meaning.

### *3.1.1 Harmony versus disorder: Confucianism and Daoism*

#### *3.1.1.1 Confucianism*

In Chinese history, Confucianism has consistently served as the source of intrinsic values deeply wedded to mainstream Chinese society. It is more a philosophy than a religion because Confucius' primary concern is never the origin and destiny of human existence, but "a good society based on good government and harmonious human relations" (Chan 2008 [1963]: 15). The secular concern for social harmony rests on the pre-condition that human beings are teachable and improvable through self-cultivation. The goal of self-cultivation is not:

> an idea of abstract universalism but a dynamic process of self-transcendence, not a departure from one's source but a broadening and deepening of one's sensitivity without losing sight of one's rootedness in the body, family, community, society, and the world.
>
> *(Tu 1998)*

One of the central ideas regarding body, family, community, society, and the world is the philosophy of harmony. The concept of harmony appears many times in Confucian doctrines, the most reliable source of which can be found in the *Analects* (Chan 2008 [1963]: 14). Many core concepts in the *Analects* connect closely with the idea of harmony. Propriety (*li*) is one of the examples:

> Yu Tzu said, 'Among the functions of propriety (*li*) the most valuable is that it establishes harmony. The excellence of the ways of ancient kings consists of this. It is the guiding principle of all things great and small. If things go amiss, and you, understanding harmony, try to achieve it without regulating it by the rules of propriety, they will still go amiss.'
>
> *(Analects 1:12, translated by Chan 2008 [1963])*

Confucius believed that the most important function of propriety is to establish harmony. Since propriety (*li*) is one of the Five Constants (*wu chang*) promoted in Confucian virtues, this quote highlights the significance of the concept of harmony. In other worlds, propriety represents the means and harmony the goal. Harmony is regarded as the ultimate status on both the micro and macro levels. On the micro level, people achieve harmony when they know how to handle their relationships towards themselves and others; on the macro level, a society is in harmony when the governing and the governed have good relations. When it comes to the rule of governance, it is social order that extends harmony. How does an orderly society look? The following passage answers this question:

> Duke Ching of Ch'i asked Confucius about government. Confucius replied, 'Let the ruler be a ruler, the minister be a minister, the father be a father, and the son be a son.' The duke said, 'Excellent! Indeed, when the ruler is not a ruler, the minister not a minister, the father not a father, and the son not a son, although I may have all the grain, shall I ever get to eat it?'
>
> *(Analects 12:11, translated by Chan 2008 [1963])*

An orderly society is when the ruler, the minister, the father, and the son act in accordance with their "names." Translated into modern sociological language, when everybody maintains his or her social role and performs it well, the general social order will be maintained. This idea would not harm civil society, had Confucius not limited policy participation in the following way: Confucius said, "A person not in a particular government position does not discuss its policies" (*Analects 8:14,* translated by Chan 2008 [1963]).

Confucius believes that policy discussions belong exclusively to state officials, a belief which does not facilitate the cultivation of civic culture. Furthermore, Confucianism stands for virtue-centered moralities, different from rights-centered moralities in the sense that the latter emphasize civil liberties, while the former do not. Therefore, the Confucian philosophy of governance is different from the rights-oriented liberalism rooted in the Western concept of civil society. Engaging in policy participation in a Confucian society thus needs not only courage but also caution and specific strategies.

Another Confucian idea foreign in the Western civil society tradition is the strong sense of loyalty and social responsibility. Confucius claims that "ministers should serve their ruler with loyalty" (Chan 2008 [1963]: 25). This kind of loyalty is best illustrated by the Confucian spirit of "*shi.*" *Shi* sums up the strong social responsibility shared by Chinese intellectuals, who should try their best to improve social conditions, help the governors, and to be the conscience of society. Tu Wei-ming (1998: 23) even argues that the commitment to social transformation is the calling of Confucian scholar-officials. This sense of commitment is still very strong among many Chinese

civil society activists, and it is the meaning system motivating them to take up their social responsibilities. However, this emphasis on "loyalty" is a double-edged sword, which gives rise to not only a sense of social responsibility, but also a certain level of meekness. Although loyalty does not mean that intellectuals should conceal their governors' evil deeds disregarding ethical principles, it certainly does not encourage activism in the antagonistic manner. Stories about upright officials who disputed their rulers do exist, but these stories often end with honest officials losing their lives as a price.

Despite all the differences between virtue-centered Confucianism and rights-centered Western civil society concept, one thing Confucius and many civil society scholars seem to agree on is the idea of benevolence and communitarianism. Communitarianism is one important pillar in the concept of civil society (Cohen and Arato 1994; Kallscheuer 1995; Łucka 2002). Confucius highlights reciprocal relationships, arguing that a harmonious society does not only rely on defined social roles, but also on mutual kindness. This mutual kindness is based on conscientiousness and altruism, which are also indispensable parts of the Western concept of civil society.

#### *3.1.1.2 Daoism*

Another important school of thought in Chinese culture is Daoism or Taoism. In contrast to the straightforward teachings of Confucianism, Daoism is highly metaphysical, elusive, and difficult to use, which partly explains why it is not as influential as Confucianism. However, Chinese civilization would not have been the same if the book *Tao Te Jing* or *Dao De Jing* (Classic of the Way and its Virtue) had never been written. In fact, it is even said that Confucius was a student of Laozi, the legendary writer of *Tao Te Jing*.

Even though Confucius might have studied with Laozi, the teachings of Confucianism and Daoism are largely different. While Confucianism focuses on social order and an active life, Daoism focuses on individuality and tranquility (Chan 2008 [1963]: 136). Sometimes, it even appears that Daoism holds opposite doctrines than Confucianism; for example, the following excerpt from *Tao Te Jing* may serve as a direct critique of Confucian ideas on humanity, righteousness, filial piety, and loyalty:

> When the great Tao declined,
> the doctrines of humanity and righteousness arose.
> When knowledge and wisdom appeared,
> there emerged great hypocrisy.
> When the six family relationships are not in harmony,
> there will be the advocacy of filial piety and deep love to children.
> When a country is in disorder,
> there will be praise of loyal ministers.
>
> *(Tao Te Jing: 18, translated by Chan 2008 [1963])*

While Confucius advocates for humanity, righteousness, filial piety, and loyalty, Laozi appreciates the more pristine stage before all these doctrines. While Confucianism is about explicit teachings and doing it right, Daoism emphasizes "non-doing" and habits. In other words, the difference between Confucianism and Daoism lies in the degree of consciousness that should be involved in the process of being in harmony. But despite such significant differences, one thing both Daoists and Confucianists desire is ultimate harmony. In the above quotation, Laozi believes the principle of filial piety only appears when the six family relationships—father, son, elder brother, younger brother, husband, and wife—are not in harmony, implying that a better status involves natural and unpretending family relationships at the initial stage. Harmony is always regarded as the ultimate stage of existence in Daoism. The next passage reinforces this message:

> Tao produced the One.
> The One produced the two.
> The two produced the three.
> And the three produced the ten thousand things.
> The ten thousand things carry the yin and embrace the yang,
> and through the blending of the material force, they achieve harmony.
>
> *(Tao Te Jing: 42, translated by Chan 2008 [1963])*

According to Daoism, yin and yang are the two interdependent and countervailing polar forces composing the natural dialectics of the world and a balance between them creates harmony. The *Tao Te Jing* often describes how these two opposite forces are interconnected and mutually dependent. When either of these two forces is too strong, the world loses balance; if yin and yang are in balance, then things are likely to be in harmony. Again, harmony is the ultimate goal. This idea of harmony can be applied to individuals in that when an individual has enough virtue, he will achieve the status of harmony (*Tao Te Jing*: 55); in other words, the best person is a harmonious being. Moreover, harmony should not only exist at the individual level, but also in the whole society. When it comes to state-society relations, the *Tao Te Jing* teaches harmony between a submissive society and a non-oppressive state (Chan 2008 [1963]: 143). This soft, non-adversarial attitude on both sides is what Laozi values. While Confucius focuses on harmony in human relations, Daoism extends harmony to encompass both humans and nature, so it is more closely connected with ecology (Girardot and Miller 2001). Being so different in many aspects, it is in the symbolic code of harmony against disorder where Daoism and Confucianism are in consensus.

#### *3.1.1.3 Contradictions: legalism*

The meaning system in any given society is riddled with gaps, inconsistencies, and contradictions. Although Confucianism and Daoism have been

the dominant philosophies, they have often been attacked by other schools of thought throughout Chinese history. One of the primary critiques of Confucianism and Daoism comes from Legalism, a school of Chinese philosophy that gained prominence thanks to political philosophers like Han Feizi and Shang Yang. While Confucianists dedicate themselves to the cultivation of virtue, social harmony, and the use of moral principles, Legalists are primarily interested in the accumulation of power, the use of force, and the subjugation of the individual to the state. This kind of political realist position is similar to the "Thrasymachus tradition" (Alexander 2006: 39–41) in the West. That is why the dictator of the *Qin* (221–206 BCE), who was one of the cruelest politicians in Chinese history, used the Legalists in unifying the country. Legalist philosophy differs the most from Confucianism and Daoism in two aspects. One is its emphasis on the realistic consolidation of wealth and power in an autocrat and the state, instead of a moral order. The second is the need to achieve order, security, and stability by any means. Using the division discussed by Alexander, Confucianist and Daoist political philosophy is about moral norms in civil society, and Legalist political philosophy is about pragmatic means in achieving power (Alexander 2006). Therefore, when the slogan of "harmony" is used as an excuse to eliminate civil society dissidents today, it is not so much Confucianist and Taoist ideas that legitimate these actions, but the concept of harmony being hijacked by Legalist means (Madsen 2002: 13).

Even though there are differences between Confucianism, Daoism, and Legalism, none are good at cultivating civil rights. Legalists propose to achieve and maintain social order by subjugation; although Confucianism and Daoism do not agree with subjugation, they focus either on the external social order, or on internal personal development. In short, none are primarily concerned with individual rights. Some argue that Legalism is a more progressive idea, which can be discussed under the Occidental framework of individual rights and the rule of law (Hsiao 1979: 442–446; Fu 1996: 158–161), but I insist that the Legalist emphasis on order and achieving this order regardless of the means does not contribute to a modern civil society. This partly explains why today, in spite of China's colossal economic power and a rapidly growing middle class, civil society continues to play a submissive role in most parts of Chinese society.

Precisely because the long-term cultural background in China appears to be rather hostile to any form of political participation, especially policy advocacy by CSGs, the success of their policy advocacy deserves more attention. Without understanding the meaning system that constrains both CSGs as well as policymakers, one cannot fully understand the "forming force" (Reed 2011) behind CSG performances or audience reactions to these performances. Without understanding this force, one cannot explain the success or failure of policy advocacy in China.

### *3.1.2 Chinese versus foreign: nationalism*

Traditional Chinese culture, especially Confucianism, emphasizes citizens' loyalty to their rulers. This phenomenon can be interpreted as a kind of primordial nationalism rooted in traditional Chinese culture, which does not have much to do with the modern nationalist movement in nineteenth century Europe. That is why some prefer to put nationalism and Confucianism into one basket when analyzing Chinese culture, as Yang (2007) has done. However, I decide to keep nationalism as a separate category, because the Chinese history of the twentieth century has advanced Chinese nationalism to another degree.

> Arise,
> Ye who refuse to be slaves!
> Let our flesh and blood become our new Great Wall!
> As the Chinese nation faces its greatest peril,
> Everybody must roar his defiance.
> Arise!
> Arise!
> Arise!
> Our millions of hearts beat as one,
> Brave the enemy's gunfire, March on!
> Brave the enemy's gunfire, March on!
> March on!
> March on!
> On!
>
> *—Lyrics of the "March of the Volunteers," The National Anthem of the People's Republic of China.*

While a national anthem is often a song of pride, this is not necessarily the case of the national anthem of the People's Republic of China. As shown in the above lyrics, this national anthem paints a solemn and stirring picture of the Chinese nation. Initially, the lyrics were composed as a dramatic poem by the Chinese poet and playwright Tian Han. In 1932, one year after the Japanese invasion of north-eastern China, Tian Han wrote "March of the Volunteers" to encourage the Chinese to join the resistance movement to defend the nation (Wang 2014: 90). "March of the Volunteers" reveals a clear binary of Us versus Them. On one side is "our flesh and blood," "our new Great Wall," and "our millions of hearts"; on the other side is "enemy gunfire." The sharp division between Us versus Them, or Chinese versus foreigners, successfully constructed a deep and horizontal comradeship in this imaged political community (Anderson 2006 [1983]). It is no wonder that this song quickly swept through China in the 1930s.

This song resonated well with the Chinese population not only due to the Japanese invasion in the 1930s, but also because of the traumatic collective

memory of the Chinese nation since the mid-nineteenth century. China's defeat in the Opium War in 1842 was a turning point in Chinese history. Before that, the Chinese nation had enjoyed its pride of "being the center under the heavens," shown in its name, the Middle Kingdom (*Zhongguo*). From the 1840s on, the Chinese nation had to face the hard truth that it was neither the center under the heavens nor the strongest nation in the world. A succession of defeats, e.g., the second Opium War from 1856–1860, the Sino-French war between 1884 and 1885, and the Siege of the International Legations in 1900, all left deep and traumatic memories for the Chinese nation. Modern Chinese nationalism was, to some extent, a reaction to this chain of invasions and colonization. On 4 May 1919, students in Beijing protested against the Chinese government's weak response to the Treaty of Versailles. These anti-imperialist demonstrations marked the upsurge of modern Chinese nationalism. In other words, the "enemy" in the Chinese national anthem is not only the Japanese but also the British and other imperialist powers who had invaded China since the mid-nineteenth century.

After the establishment of the People's Republic of China in 1949, when "enemies" were no longer on Chinese land, the CCP decided to use the "March of the Volunteers" as the national anthem. It is said that the historian Guo Moruo suggested to change the line "the Chinese nation faces its greatest peril" into "the Chinese people have come to their moment of emancipation," but Premier Zhou Enlai preferred the original soul-stirring lyrics reminding the Chinese to fight foreign menaces (Wang 2014: 90). When contemporary Chinese history is taken into consideration, it is not difficult to understand the decision of Premier Zhou.

The soul-stirring national anthem did remind the Chinese people of this "Chinese versus foreign" binary over the following years. Even though some argue that communist ideology has replaced nationalist ideology since 1949, I claim this is not completely true. Firstly, nationalist ideology was always the overarching meaning system motivating Chinese actions, including the development of communism. After all, it was the mission to save China that motivated the early revolutionaries to turn to communist ideology. Secondly, communist ideology was not always strong after 1949. During the Great Leap Forward (1958–1962) and the Cultural Revolution (1966–1976), communism was the leading ideology, but the Reform and Opening-Up period (1978 onward) weakened the communist ideology.

However, the student protest in 1989 reminded the CCP that loosening ideological control can cause trouble. Since communism had lost a large part of its legitimacy due to the two destructive socialist movements—the Great Leap Forward and the Cultural Revolution, the Communist Party decided to implement a national-patriotic campaign in the 1990s. The binary of Us versus Them, insider versus outsider, and Chinese versus foreigners has appeared repeatedly in popular cultural products such as movies and TV series (Qiaoan 2015). In these cultural products, the symbolic codes and narratives served as toolkits for recent nationalist demonstrations (Qiaoan 2015).

Others confirm that nationalist education acted as "an instrument for the glorification of the party, for the consolidation of national identity, and for the justification of the political system of the CCP's one-party rule in the post-Tiananmen and post-Cold War eras" (Wang 2014: 8).

Since Chinese President Xi Jinping came to power, nationalist ideology has been stressed even more. During Xi's visit to the National Museum of China in 2012, he started to promote the "Chinese Dream," which is, in his words, intended to encourage Chinese young people to work assiduously not only to realize their personal dream, but also to contribute to the rejuvenation of the Chinese nation (CPC News 2014). The recent Belt and Road Initiative, which intends to connect over 100 countries with China and involves building railways, roads, bridges, and ports in Asia, Africa, Central-Eastern Europe, and beyond (UNDP China n.d.), is the best illustration of the ambitious "Chinese Dream." This Chinese Dream discourse can be interpreted as a follow-up to the debate on Chinese particularism versus universalism. China has recently shown a trend towards particularism, represented by the Chinese characteristic discourse and the search for cultural superiority (Zhao 2009). This discourse is carried to a new level in the Belt and Road Initiative because China openly advocates a new international order and global governance norms characterized by Chinese philosophical thought, such as "win-win" and "shared destiny" (Callahan 2016; Ni 2016).

"No memory, no identity; no identity, no nation" (Smith 1986: 383). Chinese national identity and the strong desire for national rejuvenation are the results of Chinese collective memory in the nineteenth and twentieth centuries. The period between the mid- nineteenth to mid- twentieth century is taught and remembered as 'a century of humiliation.' This locus of collective memory is the birthplace of modern Chinese nationalism. This strong nationalism has introduced more conflict, or at least a stronger sense of competition, into Chinese culture, which no longer appears so harmonious. This is a precise example of the contradiction and inconsistency in every meaning system I have alluded to before. Nevertheless, whether on the international or the interpersonal level, the golden rule for communication in contemporary China still seems to value harmony, at least on the surface, though fierce competition can go on under the table.

### *3.1.3 Public versus private: communism*

Some scholars interpret the rise of nationalism as the failure of Marxism (Anderson 2006 [1983]). However, in the case of China, nationalism and communism went hand in hand. The Communist Party in China was founded when the Chinese nation was invaded by the Japanese army and the CCP gained popular support by fighting against the Japanese army. Meanwhile, this nationalist movement of restoring independence to China would not have achieved its success had the CCP not united the proletarians, in the

Chinese context referring to mainly impoverished peasants (Mao 1926), under the banner of Marxism. Therefore, the establishment of the People's Republic of China in 1949 had a double meaning. Firstly, it symbolized the triumph of Marxism and communism in the Chinese land; secondly, it signaled the end of 'the century of humiliation.' The following socialist construction from the 1950s was, understandably, considered a continuation of this double agenda of communism and nationalism.

Nationalism has generally been a strong ideology in Chinese society, with the exception of the two socialist movements, the Great Leap Forward and the Cultural Revolution. The socialist movements managed to weaken the binary of Chinese versus foreign, and meanwhile, upheld another binary of public versus private. During the Great Leap Forward, Chinese citizens were encouraged or forced to give up their private property and to become involved in agricultural collectivization. Private ownership was abolished, and households were forced into state-operated communes. Meanwhile, private farming was prohibited and those engaged in it were labeled counter-revolutionaries. During the Cultural Revolution, the dominant idea was the class struggle between the proletariat and the bourgeoisie. To be more specific, it was about the proletariat eliminating the bourgeoisie to preserve 'true' Communist ideology. This idea of the proletarian fight against the bourgeois through revolution had Marxian roots, but the Cultural Revolution pushed it to the extreme and caused massive damage. Since the most significant difference between the proletariat and the bourgeoisie supposedly is the possession of private property, the Cultural Revolution was, again, led by the symbolic code of public versus private.

This extreme public versus private struggle did not last long; the end of 1970s witnessed the eclipse of the public versus private binary. This change was not only because the nationalist ideology was far from fading away, but also, and even more so, because the Reform and Opening-Up Policy started in 1978 gradually changed the landscape of meaning for Chinese people. Class struggle would soon become history, and a new kind of struggle, focused on how to become more prosperous and developed, started to take the lead.

### *3.1.4 Development versus underdevelopment: capitalism*

The consensus in China at the end of 1970s was that the two socialist movements, the Great Leap Forward and the Cultural Revolution, had made the country poorer and weaker. Thus, when Deng Xiaoping decided to introduce a new priority through the Reform and Opening-Up Policy in 1978, Chinese society quickly abandoned the ideology of class struggle, replacing it with the opposite—capitalism.

The Reform and Opening-Up Policy had two pillars. One was economic reform, which introduced the household responsibility system to agricultural and enterprise reform. Farmers were now allowed to sell their surplus

on the open market and there was the widespread privatization of companies. While the Great Leap Forward and the Cultural Revolution deprived Chinese citizens of their right to private property, the economic reform in 1978 precisely attacked this idea and returned those rights. The boundary between public and private became blurred due to the economic reform. Even though the CCP termed this change "socialism with Chinese characteristics," the practical measures were indeed capitalistic.

The other pillar of the Reform and Opening-Up Policy was to open the door of China to the world. Not only did China open special economic zones to attract foreign direct investment, the country also started to allow its citizens to study and live abroad by the thousands. In the span of 130 years (1847–1978) before the open-door policy, as few as 140,000 Chinese had studied abroad; this number increased by twenty-two times in a matter of thirty-five years (1978–2013), amounting to 3,058,6000 (Liu 2016: 43). Most of these overseas students came back to China after their studies; for example, in 2013, 413,900 students left China and 353,500 returned (Liu 2016: 43).

The influence of this process on the thinking of Chinese citizens has been dramatic. Even though the idea of development and prosperity is arguably central to any society, in Confucianism, the status of merchant is commonly regarded as inferior to other professions and pursuing material interest is disdained (Nosco 2008: 21). However, capitalism in China has justified the pursuit of material interest and provided a linear idea of development, measured by gross domestic product (GDP). Meanwhile, getting rich has becomes "glorious" (Rojek 2001). Therefore, it is reasonable to argue that a new binary has been introduced, or at least enhanced, by capitalism—the binary of development versus underdevelopment.

Capitalism has not only highlighted the binary of development versus underdevelopment, it has also introduced many new ideas related to political liberalism, such as the idea of civil rights. The history of the development of civil society in seventeenth century Scotland shows that political liberalism and civil rights are often closely connected with capitalism; this rights-based liberalism is precisely a concept alien to the traditional, virtue-centered Chinese society. These rights-centered capitalist thoughts have been understood as the foundation for a modern Chinese civil society (Howell 2012). However, they can also be problematic for the party-state, as demonstrated in the 1989 Movement. Therefore, even though the Chinese government may appear more open and consultative on the one hand, on the other hand, it still exerts sophisticated control over society to maintain order and stability, elaborated best by the concept of "consultative authoritarianism" from Teets (2013, 2014).

### *3.1.5 New developments: enhancing the binaries*

With the Reform and Opening-Up, China has achieved great economic success, but it has also paid a heavy price, especially in terms of environmental

destruction. One of the most notorious environmental problems in China is its air quality. In Beijing, air quality around 2010 often ranged between "very unhealthy" and "hazardous." Not only air pollution, but also the levels of pollution in rivers and the soil are alarming; for example, 40% of waterways in China are severely polluted and 20% are toxic (Phillips 2016). Meanwhile, China is facing a difficult battle against soil pollution. According to the Ministry of Environmental Protection and Ministry of Land and Resources, about 19% of land surveyed in China is polluted by heavy metals such as arsenic, cadmium, mercury, and lead. In addition, 19.4% of the surveyed arable land had levels of chemicals higher than the national standard, which means about 3.33 million hectares of arable land are not suitable for growing crops (Reuters 2014).

Environmental pollution has a negative impact on health and other forms of social development. According to findings presented at the annual meeting of the American Association for the Advancement of Science, conditions caused by air pollution killed 1.6 million people in China in 2013 (Yuhas 2016). The hazardous air situation also started to jeopardize the general development of the country. According to a survey done by China Merchants Bank and Bain in 2011, of Chinese entrepreneurs with assets more than 100 million yuan (around 16 million USD), 27% have emigrated and 47% are considering doing so (Wang 2013). Moreover, foreign companies must often provide extra allowances to encourage their staff to stay in China (Bloomberg 2014). It is abundantly clear that the unsatisfactory environment sets barriers to attracting the world's top talent to China.

The environmental crisis has started to challenge Chinese citizens' trust in the managerial capacity of the party-state in recent years, and the government has had to tackle this crisis of confidence. The "War on Pollution" was declared by Premier Li Keqiang at the 2014 parliamentary meeting (Reuters 2014). He described smog as "nature's red-light warning against inefficient and blind development" (Reuters 2014), sending a signal that solving the environmental problem would occur through upgrading the Chinese economy and shifting the focus away from heavy industry.

Due to its inherent relationship to the economic structure, the War on Pollution has inevitably met strong counterforces, such as the large polluting industries and growth-obsessed local governments. For instance, there was a sudden increase in the number of coal-fired power plant projects approved in 2015, due to a regulation in the same year delegating approval to the provincial government (Myllyvirta, Shen, and Lammi 2016). If the 155 planned coal-fired power plants are all put into service, the annual carbon dioxide emissions will be equivalent to 6% of China's current total emissions (Myllyvirta, Shen, and Lammi 2016). The polluting emissions produced annually by these power plants will result in approximately 6100 cases of premature death each year (Myllyvirta, Shen, and Lammi 2016). The case of coal-fired power plants shows that even though the Chinese central government has published a series of

policies and plans aimed at addressing environmental problems, they are likely to remain only plans if there is no enforcement at the level of local governments.

Two sets of symbolic codes are strengthened in this process of environmental destruction and combating against it. The first is harmony versus disorder. Environmental destruction is often interpreted as a loss of balance and harmony between humans and nature. Therefore, "man and nature live in harmony" (*ren yu ziran hexie xiangchu*) is a popular slogan in modern China. The second one is public versus private. This time, the antagonists are the business owners from the private sector who put their profits above the national and public interest. Even though steel and coal factories are largely state-owned, and the primary polluters are not companies in the private sector in the strict sense, the popular discourse of the War on Pollution posits a war being waged between the public and the interest-driven and environment-polluting private sector.

### *3.1.6 A summary: the genealogy of Chinese culture*

To sum up, I present the genealogy of the Chinese socio-cultural background as six core ideas and their respective binary codes, indicating the sacred versus profane, or good versus evil in the current meaning system (see Table 3.1). Confucianism gives rise to two pairs of symbolic codes that still deeply influence contemporary Chinese society: harmony versus disorder, and social responsibility versus individual rights. Similarly, Daoism and Legalism also emphasize the first pair, but Legalism emphasizes achieving order in a political realist sense. In addition to these traditional philosophical ideas, contemporary history has brought new streams to the landscape, the most prominent ones of which are nationalism, communism, and capitalism. Mid-nineteenth to mid-twentieth century Chinese history and its collective memory has reinforced the binary of Chinese versus foreign. The subsequent communist revolution ushered in the binary of public versus private, and the reform in the late 1970s weakened the communist binary and introduced the developed versus underdeveloped binary based on the

*Table 3.1* The genealogy of the Chinese socio-cultural background

| *Ideas* | *Symbolic codes* |
|---|---|
| Confucianism | Harmony versus disorder<br>Social responsibility versus Individual rights |
| Daoism | Harmony versus disorder |
| Legalism | Order versus disorder |
| Nationalism | Chinese versus foreign |
| Communism | Public versus private |
| Capitalism | Developed versus underdeveloped |

capitalist logic of linear development. Recently, environmental destruction has reinforced the harmony versus disorder binary, especially in the Daoist sense, which focuses on the harmony between human beings and nature. Moreover, recent environmental destruction and efforts to resolve the environmental issue have also revived the public versus private binary, which highlights the liability of the private sector concerning environmental issues.

This hermeneutic cultural analysis in no way promotes cultural essentialism, which categorizes people according to a set of fixed qualities. My categorization differs in four ways. I do not view "culture" as a set of inherent and distinct unchangeable attributes. In fact, Table 3.1 shows precisely the opposite; so-called "Chinese culture" is different in its current stage than it was fifty years ago, and it will continue in a constant phase of formation and re-formation. Also, my account of Chinese culture is far from monolithic; it is composed of different and often antagonistic meaning systems. These systems compete with each other but often are not able to completely replace each other, contributing to the diversity of the overall culture. Third, and related to the second point, I do not assume that culture influences every group or individual to the same extent. Instead—because of the existence of many competing meaning systems—different social actors may choose different systems to justify their actions. I recognize the diversity among individuals, and it is exactly their choices and interpretations I wish to highlight, illustrating them through the case studies in Chapters 5 and 6. Fourth, I do not reduce social actions to cultural patterns. I acknowledge the influence of social context, but I also recognize the contingency of social situations and the agency of individuals.

The danger of cultural essentialism lies in reducing an entity into a set of inherent-unchangeable attributes and in assuming every subgroup or individual within this entity shares these attributes in the same way. This is in no way what I am proposing, rather I emphasize the constantly changing meaning system because I realize the way people think influences the way they act. I illustrate how different groups of people in different social situations call upon different subsystems from this meta-system because social actors have the agency to choose and to interpret. For example, in my case studies later on, I will show that the older generation who works on women's rights and the younger generation of feminism prefers different repertoires, which is partly due to the fact that the older generation is more loyal to traditional Chinese culture and the younger generations are more exposed to and adapted to the Western influence. The set of value has many sub-genres, and different groups and individuals can have different choices, depending on their age, education, family background, living environment and many other factors. Moreover, I am aware that this cultural genealogical analysis is mostly applicable to Han region, where the traditional and nationalist education is widely implemented, and the influence of economic development is most vividly felt.

In a minority region, the citizens might be subjected to different intellectual and spiritual traditions. However, in the context of policy advocacy, since the audience remains the same—the political elites who are mainly of the Han ethnicity, the conditions for achieving resonance with the audience remain the same. In the next section, I will discuss how the primary audience, which is the party-state, encodes these symbolic codes into its scripts.

## 3.2 (Audience) scripts

This section discusses the (audience) scripts. Similar to background representations, scripts are also a part of the symbolic references social actors call upon (Alexander 2011: 29). In contrast to background representations, scripts are foreground representations with symbolic codes which act as the immediate referent for action (Alexander 2011: 29). In other words, scripts are the specific representations organized and called upon during a particular social performance. I specifically call these (audience) scripts because when it comes to policy advocacy in China, the actors are considerably weaker than the audiences. This power imbalance leads to a scenario in which actors, when they perform, must refer to the scripts created by their audiences. If they fuse these scripts well with their actions, then they are likely to look credible to audiences; if not, they appear suspicious. To elaborate the (audience) scripts in Chinese civil society policy advocacy, I focus on the symbolic codes found in official documents.

The primary audience for CSG policy advocacy includes policymakers and lawmakers. Strictly speaking, the primary audience should be the legislative branch of the Chinese government—the National People's Congress (NPC), which meets two weeks annually to discuss major policy and legislative changes, accompanied by the Chinese People's Political Consultative Conference (CPPCC), a political advisory body. Yet, in reality the NPC is more like a "rubber-stamp" to give the green light to government proposals (Elegant 2008; T.P. 2012; Chen 2016). Therefore, it might be the best to assume the party-state as a whole is the primary audience, which means it is legitimate to look at general state legislation and publications on civil society to locate (audience) scripts.

In addition to this primary audience, there is a secondary audience—mainstream society or the general public. Research shows that even though China is an authoritarian state, the government also must take the public opinion into consideration (Saich 2015). Therefore, if the CSGs are able to persuade mainstream society to identify with them, then the government—or the policymakers to be specific—must take their proposals seriously. However, mainstream society is highly influenced by the propaganda of the party-state, so it makes sense to talk about one script, which applies both to the party-state and to mainstream society. This script is embodied in legislation as well as official newspaper articles of the party-state.

### *3.2.1 Symbolic codes in legislation*

One of the most important embodiments of the scripts of the Chinese state is the official legislation of NGOs. China follows "rule by law," even though not fully the "rule of law." "Rule by law" means that the party-state uses law as a tool to govern, and it also implies that the party-state had better justify their actions according to the law. I examine the three essential pieces of legislation on NGOs to understand the party-state's official guidance on their actions: The Regulations for Registration and Management of Social Associations (hereafter the Regulations), the Charity Law, and the Law on the Management of the Activities of Overseas NGOs within Mainland China (hereafter the Law on Oversea NGOs). The state council issued the first piece of legislation in 1998; the second and the third were both passed in 2016. Some might argue that since the period of my case study is from 2005 to 2016, the laws issued in 2016 do not need to be considered. However, I believe these two later laws should be included in the analysis because legislation reflects social norms and acts as a consolidation of these norms. Through legislation, we can trace the social patterns present long before a particular law is passed. That is to say, even though the Charity Law and the Law on Oversea NGOs were passed only in 2016, the social norms consolidated by them had existed for a long time. These norms have strongly influenced the actions of the party-state.

The 1998 Regulations has forty Articles in total. It starts with stating the goal of enacting this legislation:

> These regulations are issued in order to guarantee citizens' freedom of association, to protect society's legal rights and interests, to promote the registration and management of Social Associations (*shehui tuanti*), and to promote socialist material and spiritual civilization
>
> *(The Regulations: Article 1)*

While the party-state acknowledges citizens' freedom of association, it also sets the limits; this freedom is based on promoting socialist material and spiritual civilization. What is socialist material and spiritual civilization? In a 1984 speech, Deng Xiaoping defined this term:

> In a socialist country, a Marxist party should promote productivity and improve the quality of people's life. This is material civilization [...]. Meanwhile, we should establish a spiritual civilization, the most important of which is communism, morality, culture, and discipline. Besides, internationalism and patriotism are also part of the spiritual civilization.
>
> *(Wang 2014)*

The value systems which constitute the Chinese background representations I have discussed, such as communism and nationalism, appear here again.

Moreover, to "promote productivity" corresponds to the capitalist measures the CCP has implemented (though the CCP is reluctant to admit this). Interestingly, internationalism is also mentioned, which shows one of the core pillars behind Deng's Open-Door Policy. Internationalism and patriotism appear hand-in-hand in this paragraph, which shows that sometimes seemingly contradicting ideas can well be compatible with each other in one meta-meaning system.

While Article 1 is about what NGOs should do, Article 4 in the Regulations specifies what NGOs should not do:

> Social Associations must observe the constitution, state laws, regulations, and state policy; they must not oppose the basic principles of the constitution, harm the unity and security of the state, must not harm the ethnic solidarity, or harm the interests of the state and the public welfare of society, or the lawful interests of other organizations or citizens, or offend social morality.
>
> *(The Regulations: Article 4)*

Article 4 points out that the social associations must not harm "the unity and security of the state," "ethnic solidarity," or "the interests of the state and the public welfare of the society." Three symbolic codes within the background representations take form in these foreground representations. The first binary is harmony versus disorder. Governing a nation with fifty-five minorities, the Chinese party-state must constantly deal with ethnic issues and tensions. Harming "ethnic solidarity" is one of the red lines NGOs should not cross. The second binary of Chinese versus foreign is a logical extension of the first binary. If an NGO is involved in, for example, ethnic separatist activities, then it will be immediately interpreted as a dangerous Other which should be eliminated to preserve national security. Similarly, NGOs should stay away from other activities which could be interpreted as harming the "unity and security of the state." Further, the binary of public versus private also appears when NGOs are reminded not to harm "the public welfare of society." These three sets of symbolic codes continue to construct the Charity Law and the Law on Oversea NGOs.

The Charity Law passed in March 2016 replaces the Regulations, guiding the registration and activities of domestic NGOs. The Charity Law has twelve chapters and 112 articles. In the first chapter, it repeats the guiding principles of the Regulations:

> Charitable activities shall abide by the principles of being lawful, voluntary, honest, and non-profit, and must not violate social morality, or endanger national security or harm societal public interests or the lawful rights and interests of other persons.
>
> *(Charity Law: Article 4)*

"Social morality," "national security," and "public interests" re-emerge here. The dominant symbolic codes are, implicitly, harmony versus disorder, Chinese versus foreign, and public versus private. Moreover, similar to the Regulations, the Charity Law also makes clear that the government encourages and supports NGOs that "represent the core values of socialism and promote the traditional morals of the Chinese nation" (Charity Law: Article 5).

Further, the red lines underscored in the Regulations are repeated in the Charity Law. NGOs must not

> undertake or assist activities that endanger national security and societal public interests or accept contributions that carry additional conditions in violation of laws, regulations, and social morals, and must not attach conditions for beneficiaries that are in violation of laws, regulations, and social morals.
>
> *(Charity Law Article 15)*

"National security," "public interests," and "social morals" represent the symbolic codes of Chinese versus foreign, public versus private, and harmony versus disorder. If a charity organization is involved in activities that endanger state security or public interest, it "shall be investigated and dealt with by the relevant authorities" (Charity Law: Article 15). In other words, if the sacred codes are violated, there will be punishment.

The Charity Law targets mainly domestic NGOs. For the 7,000 international NGOs operating in China, the Law on Oversea NGOs is applicable. Compared to the Charity Law, the Law on Oversea NGOs is more vocal about "national unity," "security," "ethnic solidarity," and "national interests":

> Overseas NGOs conducting activities within the territory of China shall abide by Chinese laws, and may neither endanger China's national unity, security, and ethnic solidarity nor damage China's national interests, public interests and the lawful rights and interests of citizens, legal persons, and other organizations.
>
> *(Law on Oversea NGOs: Article 5)*

"National security," "unity," "solidarity," and "interest" correspond to the Chinese versus foreign binary. This binary is institutionalized among the different governmental bodies responsible for domestic and foreign NGOs. While domestic NGOs are under the control of Ministry of Civil Affairs, overseas NGOs are monitored by the public security department. This arrangement signals that foreign NGOs are regarded as a potential threat to national and public security.

In addition, the Law on Overseas NGOs has a much longer Article specifying the activities NGOs should avoid:

> If any of the following situations occur, overseas NGOs and the representative offices of overseas NGOs shall have their registration certificates revoked or their temporary activities shall be shut down by the registration and management authorities; and where violations do not constitute a criminal offence, the public security authorities at the municipal level and above (in cities that have administrative districts established underneath them) may authorize a detention of no more than fifteen days for persons directly responsible for:
>
> Inciting resistance against the enforcement of laws and regulations;
>
> Collecting state secrets in violation of the law;
>
> Spreading rumors and defamation, or publishing and disseminating other harmful information that undermines state security or harms national interests;
>
> Carrying out or funding political activities, or illegally carrying out or funding religious activities;
>
> Other activities that undermine state security and harm national interests or societal public interests.
>
> Where overseas NGOs or the representative offices of overseas NGOs engage in separatism, attempt to undermine national unity or subvert state power, or commit other such crimes, the registration and management authorities shall enact punishment in accordance with the preceding provisions of this article, and bring criminal charges against the persons directly responsible in accordance with law.
>
> *(Law on Oversea NGOs: Article 47)*

When comparing the Charity Law and the Law on Oversea NGOs, it is clear that the Chinese state's control has advanced to a new level, at which Chinese and foreign NGOs' differential treatment is consolidated by legislation. The Law on Oversea NGOs requires them to obtain approval from an appropriate supervising entity, it extends the already burdensome registration requirements, and it precludes Chinese NGOs from accepting any funding from unregistered foreign partners. By contrast, the Charity Law simplifies the registration process and makes the operations of local NGOs easier than before. The Chinese state has drafted these two laws in a sophisticated manner that raises the threshold for potential criticism from the public and NGO activists. Following the Chinese versus foreign symbolic code, the Law on Oversea NGOs has placed foreign NGOs in a controversial position. The word "overseas" (*jing wai*) stands for "outside of the borders," which shows the "otherness" of these organizations. The Charity Law (*Ci Shan Fa*), in contrast, categorizes local, especially service-oriented, NGOs on the sacred side, as "*ci*" means "loving" and "*shan*" means "good."

Put together, the word "charity" (*ci shan*) emphasizes communitarian virtue but completely discards rights-based liberalism. Through these two laws, the Chinese state intends to further encourage what it perceives as the beneficial aspects of civil society, such as the function of service delivery, and to discourage the dangerous aspects, such as working toward regime change.

### *3.2.2 Symbolic codes in official newspapers*

In addition to legislation, another source of (audience) scripts includes official newspaper publications. To explore the official Chinese discourse on "civil society," I analyze an iconic text named "Why People's Society is Better than Civil Society," written by Hu Angang (2013), director of the Center for China Study at Chinese Academy of Sciences and Tsinghua University. This article appeared in both *People's Daily* and *Xinhua,* undisputedly the most important official news outlets in contemporary China. Because of the authoritative feature of the author and the platforms, this article represents at least one school of the Chinese official discourse on civil society in recent years. Moreover, as a propaganda tool, this article is quite impactful as it ranks as the first search result when the term "civil society" is typed in Baidu, the most popular Chinese search engine (Qiaoan 2019).

In "Why People's Society is Better than Civil Society," "civil society" acts as a binary opposition to "people's society," with the former described in a negative tone and portrayed as being inferior to the latter. For example, the article opens with the following line: "People's society is a major theoretical and practical innovation in China. Compared with Western civil society, a people's society is superior" (Hu 2013).

This excerpt asserts the superiority of people's society to (Western) civil society. Later in the article, the author employs two binary codes to further explain this superiority. The first is Chinese versus foreign and the second is public versus private. Further, the binary of harmony versus disorder also plays a role in his analysis.

The Chinese versus foreign is the most prominent binary in this text, drawing a line between insiders and outsiders (Qiaoan 2019). People's society is built by and belongs to the first group and civil society is the realm of the second, as shown in the following excerpt:

> The people's society is different from the civil society of Western countries. It is from Chinese culture, in line with China's social conditions, with Chinese characteristics, and it is a socialist society constituted by all the Chinese people. […] People's society is the most basic social condition in China. The concept of the people's society is not imported, but a Chinese innovation; the idea of the people's society does not copy foreign civil society, but [reflects] all Chinese people's society.
>
> *(Hu 2013)*

This excerpt reveals that a people's society is supposed to be an original home-grown Chinese concept; in contrast, civil society is portrayed as an imported Western concept ill-fitting the Chinese reality. The words "imported" and "copy" give readers a negative impression; in particular, the word "copy" implies dishonest conduct and disrespectful behavior (Qiaoan 2019). The Chinese versus foreign binary originates from Chinese collective memory, and as explained before, Chinese remember the mid-nineteenth to the mid-twentieth century as a humiliating period marked by Western invasion and colonization. Thus, the word "foreign" invokes the Chinese memory of being invaded and colonized by foreign powers. This text skillfully places civil society into the category of being foreign and imported, so that the Chinese public becomes naturally alert to this "Western ideology" or even "American agenda" (Qiaoan 2019).

Following nationalist rhetoric, the author moves on to the importance of the "Chinese Dream" promoted by Chinese President Xi Jinping:

> The "Chinese Dream" is different from the "American Dream" or the "European Dream." Their social bases are also essentially different. Therefore, Chinese people's society is different from Western civil society. The people's society, built and shared by 1.3 billion people, is the base for achieving the great (national) rejuvenation. It is the biggest driving force to unite the people of all ethnic forces and to achieve "Chinese Dream."
>
> *(Hu 2013)*

In contrast to the American Dream, the Chinese Dream is not only about personal achievement, but even more about "national rejuvenation." In this way, the article links nationalism and patriotism with people's society instead of civil society. The century of humiliation has left a deep trauma within the Chinese population, which serves as a strong basis for nationalism. Therefore, it is not surprising that nationalism and patriotism still play a large role in contemporary Chinese public discourse.

Besides the symbolic code of Chinese versus foreign, a second binary from the background representations—public versus private—also appears in this article. While people's society is about the entire population, civil society is only about citizens or those with property; while people's society is socialism, civil society is capitalism; while people's society focuses on the public, civil society focuses on the private (Qiaoan 2019). The following excerpt is illustrative of this position:

> Compared with civil society in the West, people's society is composed of basic principles such as public ownership, public welfare, fairness, and justice. The "public" is opposite to the "private" and "people" are the opposite of "citizens." "Citizens" highlights private rights/selfishness; "people" highlights public interest and public welfare [...]
>
> *(Hu 2013)*

In the West, the idea of civil society is a synthesis of two traditions: rights-based liberalism and communitarianism (Cohen and Arato 1994). The word "civil" has the connotation of "civil rights," linked to rights-based liberalism, while the Chinese counterpart, "people's society," tends to be reduced only to communitarianism (Qiaoan 2019). Chinese NGOs are often called "public-welfare organizations," reflecting the Chinese government's expectation that they take care of basic welfare and do not become involved in civil rights.

In addition to Chinese versus foreign and public versus private, the third symbolic code in the background representations—harmony versus disorder—can also be found in this article. The author argues that "people's society" is a superior Chinese substitute for Western "civil society," and he supports his standpoint by linking Chinese cultural symbols with people's society. The first and most obvious symbol is the concept of harmony:

> The fundamental characteristic of the people's society is the harmonious society [...] Unlike civil society theory, the government and the masses in the people's society are integrated, not antagonistic. Social organizations and the government are not in conflict with each other, but in a harmonious and unified relationship.
>
> *(Hu 2013)*

As discussed earlier, harmony is rooted in the Confucian and Daoist philosophies, and the ultimate state of harmony transcends dichotomies. People and the government are therefore two as one; NGOs and the government are not in conflict. This harmonious status is achieved through a cooperative attitude and a focus on inclusivity and tolerance in society. These statements explain why Western civil society, which involves independent NGOs supervising and often opposing the government, is not welcomed in the Chinese context.

*******

Every civil society has its own genealogical history and thus, its specific meaning structure. The very heart of the meaning structure of Chinese civil society is a set of binary codes emerging from long-, medium-, and short-term sociocultural horizons. The symbolic codes of harmony versus disorder, Chinese versus foreign, public versus private, and development versus underdevelopment sometimes interrelate with each other in a coherent way and sometimes, they contradict each other. This set of symbolic codes from Chinese background representations guide the foreground representation, also known as (audience) scripts, which reveal the constraining power of these codes.

Since both actors and audiences are informed by this unique set of symbolic codes, the actors' performances are judged through this meaning system. The 'good' actors in Chinese civil society are those who embrace the idea of harmony, work in the national interest and the public welfare, and

contribute to the development. In contrast, the 'bad' actors cause chaos, and their actions do not contribute to the national, public, and economic interest, and may actually cause harm. In other words, the Chinese CSGs should associate themselves with the sacred side rather than the profane side of the codes if they wish to achieve success in their policy advocacy. This leads to the question: How can CSGs associate themselves with the sacred side of the codes? I offer an answer to this in the next two chapters.

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# 4 Environmental policy advocacy

It is common to assume that Chinese civil society is insignificant, but what happened in 2011 shows otherwise. In April 2011, facing increasing air pollution in China, a Chinese NGO named the Green Beagle Environment Institute (hereafter Green Beagle) initiated a campaign named "I Will Test the Air Quality for the Homeland," which involved organizing volunteers to monitor, test, and release information about PM2.5 readings (Interview 10) in different cities. In December 2011, the *Southern Weekly*, China's most influential liberal newspaper at that time (Rosenthal 2002) reported this event and contributed to its spreading among the public. In total, citizens from twenty Chinese cities participated in the civil society initiative (CSI) and environmental non-governmental organizations (ENGOs) in different parts of the country, such as the Wuhan chapter of Friends of Nature and Bike Guangzhou, were towers of strength in this CSI.

Seven months after the campaign, the Ministry of Environmental Protection issued a new draft of its Ambient Air Quality Standard for public comment, including PM2.5 among its regular air quality indicators. Six ENGOs, led by Green Beagle, together with environmental scientists and media outlets, made further recommendations on this draft (Interview 10). Under public pressure, in March 2012 the State Council approved the revised Ambient Air Quality Standard, to be implemented in 2013. In December 2012, the Minister of Environmental Protection, Zhou Shengxian, announced the implementation of the standard ahead of schedule (Interview 10), marking the success of "I Will Test the Air Quality for the Homeland" campaign. Why was this campaign so successful in the authoritarian context, where most campaigns are either suppressed or ignored?

In the following case study, I answer this question. In addition, I examine three other iconic cases of environmental civil society groups (CSGs) in this chapter. For the first two cases in this chapter, my goal is to show the dominant symbolic codes and how they have helped the CSGs to realize their advocacy agenda. Next, I elaborate a more complex case to illustrate how the environmental group has transformed less effective advocacy into a more efficacious campaign by better incorporating symbolic codes from

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the cultural background. Lastly, I introduce a failed case to show the "interrupted" mechanism behind ineffective advocacy.

## 4.1 Case 1: I will test the air quality for the homeland

In the 1990s, Chinese citizens tended to pay very little attention to environmental issues. Quality of life was considered primarily (if not solely) dependent on GDP. What contributed to this ignorance was the promising air quality data publicized by official Chinese sources, which often showed air quality as "good" or "just fine" (Ming n.d.). Thus, in those hazy days, most Chinese thought it was nothing but dense fog.

However, Chinese citizens' interpretations of air quality started to change in 2008, thanks to the U.S. Embassy. During the Beijing Olympic Games in 2008, the embassy started to make public its independent air quality readings through its official Twitter account, justified as "mainly for Americans who came to Beijing for the Olympics" (Wangyi News 2011). The readings were much worse than the Chinese government data indicated. This discrepancy occurred because the U.S. Embassy data included the measurement of some particles the Chinese official source did not include, one of which was PM2.5, which is fine particulate matter with a diameter of less than 2.5 micrometers (WHO 2016). When levels in the air are high, PM2.5 can be very harmful to human health due to its damage to lung and cardio systems (WHO 2016). In 2010, when the Chinese Ministry of Environmental Protection was revising the Ambient Air Quality Standard, many scientists and environmentalists suggested incorporating the PM2.5 indicator into the compulsory monitoring system. However, in the new standard issued in 2011, PM2.5 was only used as a reference pollutant rather than a regular air quality indicator (Interview 10). An apparent reason for this decision was that when PM2.5 was not included in the measurement, more than 70% of Chinese cities could be regarded as having good air quality; if PM2.5 was measured, the air quality compliance rate could drop sharply to 20% (Feng and Lv 2011).

Even though the air quality data from the U.S. Embassy did not lead to the incorporation of PM2.5 into the official standard, it ignited public discussions about this air pollutant, which reached a peak in 2011, after several instances of severe haze in Beijing. Previously, only environmentalists and scientists had ever heard of PM2.5, but in 2011, people from all walks of life—from businesspeople, opinion leaders, and celebrities to the general public—began to discuss PM2.5. The substantial difference between the embassy's air quality readings and those of the Beijing Environmental Protection Bureau caused a crisis of trust among Chinese citizens (Feng and Lv 2011). The first reaction of Chinese officials was to deny the validity of the embassy's data. On Sina Weibo, a popular social media platform in China, Du Shaozhong, deputy director of the Beijing Municipal Environmental Protection Bureau, posted: "Beijing's air quality has been improving. A lot

of data can prove that. We should not just take the data from an embassy" (Feng and Lv 2011). Moreover, Ministry of Environmental Protection officials even described the U.S. Embassy's behavior as "disrespectful to the laws and regulations of the receiving country" (Wangyi News 2011).

The discussion was followed by voluntary air testing activities led by ENGOs and individuals in large Chinese cities and supported by many media platforms. The "I Will Test the Air Quality for the Homeland" campaign initiated by the Green Beagle Environment Institute (hereafter Green Beagle) was one of the most influential among them. Green Beagle is a Beijing-based ENGO that has been advocating for independent non-governmental air quality testing since April 2009 (Interview 10). In April 2011, Green Beagle started to organize volunteers to monitor, test, and release information about PM2.5 readings (Interview 10). Most of the volunteers were well-educated, middle-class Chinese. On 15 December 2011, the activity was formally dubbed "I Will Test the Air Quality for the Homeland" and made popular by the *Southern Weekly*, China's most influential liberal newspaper, famous for being outspoken (Rosenthal 2002). The number of volunteers increased rapidly thanks to this powerful slogan and media support. In total, citizens from twenty Chinese cities participated in the CSI. ENGOs in different parts of the country, such as the Wuhan chapter of Friends of Nature and Bike Guangzhou, were towers of strength in this CSI. They informed citizens in their local regions about the CSI, assisted them in obtaining monitoring devices, and encouraged them to publicize data on social media (Interviews 9 and 19).

The "I Will Test the Air Quality for the Homeland" CSI pressured the Chinese government to revise its standards. On 17 November 2011, the Ministry of Environmental Protection issued a second draft of its Ambient Air Quality Standard for public comment, which had already included PM2.5 among its regular air quality indicators. Six ENGOs, led by Green Beagle, together with environmental scientists and media outlets, made further recommendations on this draft (Interview 10). In March 2012, the State Council approved the revised Ambient Air Quality Standard to be implemented in 2013. In December 2012, the Minister of Environmental Protection, Zhou Shengxian, announced the implementation of the standard ahead of schedule (Interview 10), marking the success of the ENGOs' CSI.

Most researchers attribute the success of the "I Will Test the Air Quality for the Homeland" CSI to its efficient use of social media,[1] its effective fundraising, and the high degree of public participation (China Development Brief 2013). It is true that all these factors contributed to its success, but these arguments neglect an important element, namely, how the message delivered by civil sphere actors persuaded their audiences.

I argue that the environmental groups' effective performance, which encoded sacred symbols from Chinese background representations, resonated well with their audiences and helped them achieve success. Through

the slogan "I Will Test the Air Quality for the Homeland," Green Beagle changed its tactics, shifting emphasis from environmental issues (which risked coming into conflict with the party-state) to a focus on patriotic arguments. Patriotism was articulated especially by the word "homeland," which implied that China's air quality should be tested by Chinese, not Americans. This adversarial framing delineated the boundary between Us and Them and successfully constructed an imagined community. Therefore, even though the data released in the CSI led by Green Beagles confirmed, rather than undermined, the U.S. Embassy data, this CSI was not suppressed by the Chinese government.

Apart from the slogan, the visual materials of the CSI also encoded sacred symbols from background representations, mirroring (audience) scripts. The illustration created and spread by *Southern Weekly*[2] with red flags flying behind the volunteers enhanced the CSI's nationalist tone. The second binary employed was public versus private. The bodily gestures and facial expressions of the volunteers in this picture, together with the overall composition, mirrored the Chinese social realistic artworks created in the 1970s.[3] In the 1970s, the Chinese masses fought against capitalism in the Cultural Revolution; today, the Chinese public fights against America (a representative of the capitalist ideology in Chinese discourse). The socialist mass represents the public and capitalist America represents the private, thus echoing the public versus private binary. An interesting difference between the posters from the 1970s and the current illustrations is that the peasants/workers with massive arms are replaced by the seemingly well-educated middle class in shirts and ties, wearing eyeglasses. Guns and knives are replaced by high-tech devices. These differences signal a new age in which problems should be solved through intelligence and rationality, rather than physical power and conflict.

Through encoding these sacred symbols into their performance, the advocates managed to align their performance with (audience) scripts, which contributed to their success. In Figure 4.1, the background representations act as the general context that guides the (audience) scripts. The essence of the (audience) scripts is the set of binaries I discuss in Chapter 3 (harmony versus disorder, responsibility versus rights, Chinese versus foreign, public versus private, and development versus underdevelopment). In this case, the actors performed two codes primarily, "Chinese" and "public," clearly evident in their slogans and visual materials and are represented in Figure 4.1 in the bubble called "actors' performance." Since audience reaction is directed by their scripts, when the actors performed the sacred side of the (audience) scripts, it became difficult for Chinese officials to act against the environmental groups. Also, since the U.S. Embassy data had already caused a crisis, the government needed a solution. Putting the air quality measurement back into Chinese hands, to a certain extent, helped to shift authority from the embassy back to the Ministry of Environment Protection, making the CSI relevant for the audiences. The two criteria for

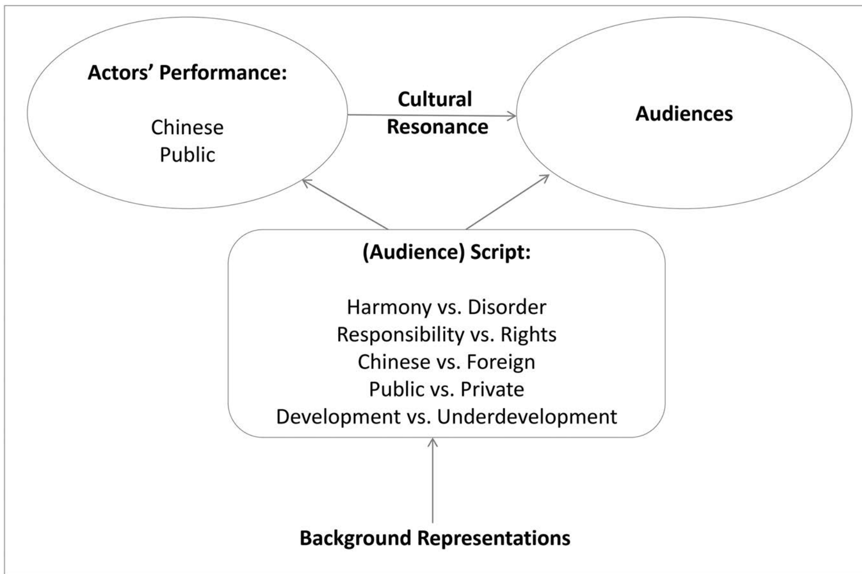


*Figure 4.1* Successful cultural resonance mechanism of case 1.

cultural resonance, congruence and relevance, had both been met (see the arrow indicating cultural resonance from "actors' performance" to "audiences" in Figure 4.1), explaining the CSGs' success in this case.

## 4.2 Case 2: Scrapping the Xiaonanhai Hydroelectric Power Station

China's waterways are in a fragile and perilous state nowadays, not only because of pollution, overuse, land reclamation, and climate change, but also because of intensive damming (Mertha 2008). The most famous Chinese damming project is the Three Gorges Dam, but many other dams are also constructed or planned, among them the Xiaonanhai Hydroelectric Power Station. Xiaonanhai is a proposed power station that would have disastrous effects on the ecosystem of the Yangtze River. If built, it would destroy a natural reserve established as an ecology-friendly counterpoint to the construction of the Three Gorges Dam downstream along the same river (Zhao 2009).

To preserve the natural reserve, Chinese environmentalists initiated a battle against the Xiaonanhai interest group. In August 2009, Friends of Nature wrote a letter to the Chongqing government asking it to abandon the Xiaonanhai Project. In October of the same year, seven ENGOs wrote a collective letter to the Ministry of Environmental Protection to ask for the right to sit in on a meeting of the National Nature Reserve Review Committee,

since this meeting would decide whether the boundary of the protected area would be adjusted to facilitate the Xiaonanhai project (Interview 2). The first phase of the negotiation ended with a result that disappointed the ENGOs; the National Nature Reserve Review Committee agreed on modifying the border of the Yangtze Natural Reserve so that the planned dam would no longer be within its boundaries.

In 2011, the ENGOs changed their repertoire of advocacy. On 21 January 2011, Friends of Nature issued an open letter to the participants of the National People's Congress (NPC) and the Chinese People's Political Consultative Conference (CPPCC) to call for halting legislative approval of the new border for the protected areas (NGOCN 2011). During the NPC and CPPCC meetings in 2011, two ENGOs, Friends of Nature and the Nature Conservancy, jointly published a leaflet outlining the disastrous environmental impact of Xiaonanhai and delivered it to NPC and CPPCC participants (Interview 19). A situation favoring the environmentalists unfolded for the first time; voices against the Xiaonanhai project arose during both the NPC and the CPPCC (Zhang 2011). Despite strong opposing voices both inside and outside of the political system, the pre-construction phase of the Xiaonanhai project began in March 2012 (Interview 2).

At this stage, the ENGOs decided to unite with each other to magnify their voice. In April 2012, eighteen ENGOs wrote an open letter to the State Council and the Chongqing government to call for an immediate stop of the Xiaonanhai construction (Interview 2). In December 2013, nineteen ENGOs published a research report called *The "Last Report" on China's Rivers* (Li et al. 2014). During the 2015 NPC and CPPCC, two mayors from Sichuan province, where Xiaonanhai is located, openly opposed the project (Wang 2015a). Finally, on 30 March, the Ministry of Environmental Protection issued an order preventing dam-building on the upper Yangtze River (Wang 2015a), representing a victory for environmentalists in China in their six-year battle against Xiaonanhai Hydroelectric Power Station.

Some observers imply that the battle among political elites behind closed doors contributed to the scrapping of the Xiaonanhai project (Huang 2015).[4] Even though this may be true, it is reasonable to argue that the CSGs also influenced the direction of this project, which at least partly led to the cancellation of such an environmentally destructive project. Some might argue that the alliance of the ENGOs played a significant role in seizing the political opportunity and making a change. The grassroots might seem small, but nineteen NGOs together could be regarded a considerable force. Thus, a lesson learned by civil society actors is to collaborate with peers working in the same issue areas when facing strong opponents.

Besides such institutional and organizational explanations, I argue that the messages sent out by ENGO actors—including both their policy proposals and action tactics—resonated well with policymakers, contributing to the success of the performance. The first message delivered by the

ENGOs is that they prefer harmony and stability to conflict and disorder. Harmony can be interpreted and applied in two ways: the first is through social harmony, mainly reflected in the ENGOs' action tactics in this case. The second is harmony between humans and nature, mainly reflected in the ENGOs' framing strategies.

One of the primary action tactics of ENGOs has been to create dialogues with political entrepreneurs. From the perspective of Friends of Nature, the leading ENGO in the grassroots campaign against Xiaonanhai, dialogue is always preferred to confrontation:

> At a certain point, our relationships with some groups within the government were very intense. But even at this point, if there is still any chance for dialogue, we will meet up for dialogue. Never scold them. Never ignore them.
>
> *(Interview 2)*

Just as this staff member describes, in the past six years, Friends of Nature have treated their interaction with governments as a dialogue, rather than a confrontation. Moreover, the key to such interaction is to build a dialogical relationship with policy entrepreneurs inside of the political system. ENGOs started their advocacy by writing to the Chongqing government and the Ministry of Environmental Protection in 2009 and 2010. However, their opinions were largely ignored. After the Ministry of Environmental Protection approved the adjustment of the borders of the nature reserve, the ENGOs decided to pass their proposal on to NPC and CPPCC members. According to Friends of Nature, this contributed to the inside opposition to Xiaonanhai:

> Before the two sessions, we got in touch with some CPPCC members who shared their opinion with us on Xiaonanhai. They agreed to help us spread our leaflet during two sessions. We are not sure how many of the decision makers read the leaflet in the end, but we are sure they at least had it in their hands. Besides, the NPC member who voted against Xiaonanhai had been following our environmental practices for a long time. We also had some communication with the CPPCC member who opposed Xiaonanhai.
>
> *(Interview 2)*

This confession reveals that staff from this ENGO does not regard politicians as their enemies. Instead, they proactively come into contact with them to seek dialogue and cooperation. This action repertoire sends out the message that Friends of Nature is open to positive interaction with the government.

In addition to approaching their objectives in a non-confrontational manner, the second dimension of harmony espoused by the ENGOs is the

harmony between humans and nature, the major theme of their policy proposals. The policy proposal of Friends of Nature from 2012 reads as follows:

> The Yangtze River is one of the world's highest aquatic biodiversity rivers and the most abundant river in China. In recent years, various kinds of construction and production activities in the Yangtze River have dramatically increased, which have had a very negative impact on the living conditions of many rare species of fish. The number of fish species and their populations has dropped significantly.
>
> *(Friends of Nature 2012)*

This passage represents diagnostic framing that explains the reasons behind the dangerous eco-conditions in the Yangtze River, which shows discord in the relations between humans and nature caused directly by human activities. The argument continues:

> At present, the remaining 400 km of river sections in the reserve will provide the only ecological channel for many rare and endemic fish in the upper reaches of the Yangtze River to complete their life course [...]. The upper reaches of the Yangtze River National Nature Reserve are the last shelter for the preservation of fish under the pressure of the Yangtze River development. It is strongly recommended that the only state-level fish reserve in the mainstream of the Yangtze River be protected according to the law and any sabotage should be banned to leave precious aquatic biodiversity resources for future generations.
>
> *(Friends of Nature 2012)*

This paragraph—a combination of prognostic framing and motivational framing—claims that the solution to the discord is to ban the project, as it will further harm the ecological system in the Yangtze River. Moreover, the emotionally tinged phrases, such as "the last shelter" and "for future generations," act as a symbolic "call for arms" to motivate immediate action.

The last two passages quoted send a strong message that human beings are not entitled to sacrifice nature on their way to development, leading to the second binary in this case: development versus underdevelopment. The development versus underdevelopment binary is rooted in the Chinese collective mind mainly due to the influence of capitalism and globalization since the Reform and Opening-Up Policy was enacted. This binary also brings up the dilemma between economic development and environmental preservation. In contrast to many post-modern societies which have become disenchanted with the discourse of development, in China, environmentalism is still subordinated to economic development. Official Chinese discourse states that as an "underdeveloped" country, China needs further development. Therefore, for Chinese environmentalists, the best argument is that the project does not help foster growth, notwithstanding all its

environmental harm, which is precisely what Friends of Nature argued in its proposal:

> The construction of Xiaonanhai Hydropower Station is neither scientific nor economical. The power station will not only block the last ecological channel of rare and endemic fish in the upper reaches of the Yangtze River, but also have a devastating impact on the aquatic ecosystem in the upper reaches of the Yangtze River. Moreover, it will have no significant energy strategic significance and no prominent economic benefits. Due to this, the construction of the Xiaonanhai Hydropower Station does more harm than good.
>
> (*Friends of Nature 2012*)

This paragraph makes clear that the Xiaonanhai Dam would not achieve many development goals, despite its severe harm to nature. This argument asserts that the dilemma between economic growth and environmental preservation is a false predicament because the dam would not lead to any economic growth in the first place.

The symbols encoded in ENGO performances correspond with those embedded in the Chinese socio-cultural background and (audience) scripts, which leads to their success. In Figure 4.2, the background representations discussed in Chapter 3 guide the (audience) scripts, reflected in the five core binaries. If the performance aligns with the sacred side of the binary (harmony, responsibility, Chinese, public, and development), then the audiences

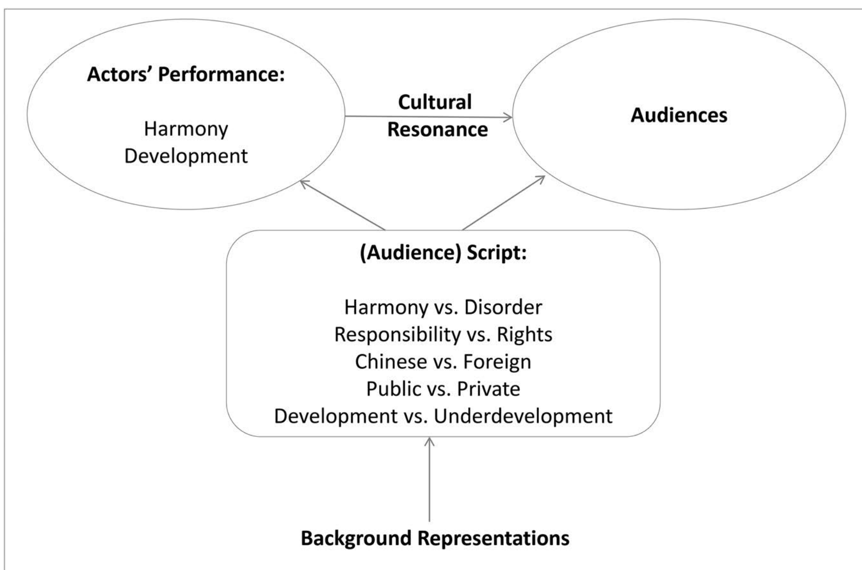


*Figure 4.2* Successful cultural resonance mechanism of case 2.

are more likely to react positively, but if the performance falls within the profane side of the binary (disorder, rights, foreign, private, and underdevelopment), then the audiences are more likely to react negatively. The actors in this case performed the symbol "harmony" both in their action tactics and their framing strategies, and they also incorporated "development" into their framing (see the bubble called "actors' performance" in Figure 4.2). The alignment between actors' performance and the sacred side of the (audience) scripts represents a level of congruence. Moreover, the ENGO performances appear relevant to the central government in two ways. First, they provide an independent evaluation of the project different from those reports manipulated by interest groups through pointing out the vast environmental destruction caused by the project in contrast with its relatively small economic benefit. Secondly, the ENGOs deliver this message in a calm and orderly manner, without causing social unrest or disorder, making the government feel congenial toward the ENGOs. Congruence, together with relevance, lead to cultural resonance (see the arrow from actor's performance to audiences), explaining the ENGO success in this case.

## 4.3 Case 3: Incorporating environmental public interest litigation into the new environmental law

Public interest litigation occurs when plaintiffs act on behalf of citizens in suing legal persons who harm the public interest. In most countries, public interest litigation is undertaken by NGOs because NGOs are often considered representatives of the public. Thus, ENGOs are often the plaintiffs of environmental public interest litigation (EPIL). However, Chinese ENGOs did not have the legal right to represent the public in EPIL until 2015. In this section, I present the efforts of Chinese ENGOs to win their right to engage in EPIL. Firstly, I discuss what ENGOs did and said from 2005 to 2010, and why these five years represent a less efficient stage of advocacy. Secondly, I present the efforts of ENGOs from 2011 to 2015 and explain why this period represents a more efficacious stage of the advocacy.

The first period of the advocacy started with a policy proposal in 2005. During the 2005 NPC and CPPCC, CPPCC member Liang Congjie, also the founder of Friends of Nature, submitted a proposal[5] claiming that ENGOs should be given the right to engage in EPIL. Using prognostic framing, the ENGOs proposed to expand the scope of the subject of environmental litigation to solve the increasingly serious environmental issues in China (Liang 2005). The ENGOs claimed that expanding the scope of the subject of environmental litigation could bring the growing environmental requirements of the public under "standardized and orderly management" (Liang 2005). "Order" is the opposite of social turmoil, so it contributes to social stability; in other words, allowing ENGOs to file EPIL would help to maintain a harmonious society.

In addition to using the symbol of "order," the ENGOs had also delivered the message that they were fighting in the same trench as the government, thus there would be no conflict between NGOs and the government, representing another dimension of harmony. An embodiment of this "comrade in the same trench" symbol was that ENGOs justified their agenda by quoting state policies or legislation. In the proposal, they wrote:

> In accordance with the provisions of the sixth article of the Environmental Law of the People's Republic of China, all units and individuals have an obligation to protect the environment and have the right to report environmental pollution and damages.
>
> *(Liang 2005)*

Not only were the ENGOs in line with the state, but they also contributed to the interest of the state. In the 2005 proposal, the ENGOs lobbied to establish an EPIL system based on the argument that this system could "more effectively protect the public's environmental rights, public interests, and national interests" (Liang 2005). This argument strengthened the ENGOs' position that they are on the same side as the state, at least standing together with those politicians who sincerely care about the national interest. This common mission created an imagined community between the ENGOs and the state.

The 2005 proposal was rejected by the NPC with the argument "we should not rush it" (Interview 11). But the ENGOs did not abandon their advocacy agenda. In 2009, the ENGOs handed in another policy proposal. Similarly, they quoted state policies to justify their goals:

> On 3 December 2005, the State Council announced the creation of the 'State Council on the Implementation of the Scientific Concept of Development to Enhance Environmental Protection Decision.' [...] The task of the Council is to: 'encourage social organizations to play a role in prosecuting and exposing environmental violations.' Furthermore, 'environmental public interest litigation should be promoted.' Therefore, the Chinese government has made it clear that it wants to establish an environmental public interest litigation system. The urgent need is to find the practical program that fits our social condition.
>
> *(Friends of Nature 2009)*

This time it was even more evident that the ENGOs were working in line with the government. As the proposal claimed, the State Council had already encouraged the ENGOs to play a role in EPIL. The announcement from the State Council gave a green light to the ENGOs, therefore the ENGOs could claim that they were working on the same agenda as the government, and more specifically, they were helping the government to

materialize its own policy. Moreover, this proposal openly supported the government goal of constructing a harmonious society:

> If the dilemma of environmental regulation and law enforcement is not resolved, it will seriously affect the realization of the 'Eleventh Five-Year' target, the implementation of the scientific concept of development, and the construction of a harmonious society. To solve this dilemma requires extensive investment by social forces and legal and institutional innovations.
>
> *(Friends of Nature 2009)*

This passage, as a typical form of prognostic framing, identified legal and institutional innovations as the solution to the dilemma. The "legal and institutional innovations" referred to allowing the ENGOs to be plaintiffs in EPIL, implying that they could contribute to a harmonious society.

The concern for harmony, public interest, and national interest framings all corresponded well to official discourse. However, two other types of frames in the 2005 and 2009 proposals struck notes of discord. One of them was the "rights frame." Even though the rights frame has been popular among social movements in the West (Benford and Snow 2000), it has been less effective when it comes to advocacy in China. In the 2005 proposal, the ENGOs wrote that "the right to litigation is a fundamental right of citizens, so ENGOs' right to environment public interest litigation should be affirmed by environmental law" (Liang 2005). The Chinese government apparently preferred talking about "duties" rather than "rights," because the latter likely reminded them of rights-based liberalism, which would threaten the Party.

The other discordant aspect was the "international norm frame." In 2005, the underlying logic of the proposal posited that because the EPIL system is widely adopted in European and American countries, China should also embrace it. In 2009, the underlying logic was that since many countries had established environmental courts, including "neighbors" like the Philippines, Thailand, and other Asian countries, China should hurry and do the same. However, as the former president of Singapore, Lee Kuan Yew, said, "It is China's intention to become the greatest power in the world and to be accepted as China, not as an honorary member of the West" (Allison and Blackwill 2013). Some might argue that since the mid-1990s, Chinese authorities have made many efforts to quickly integrate into the global economic system and the international community, for example, by signing the United Nations' *International Covenant on Economic, Social and Cultural Rights* (Cao 2016); thus, the "international norm frame" should not have sowed discord. However, I insist that this frame could not play a positive role in the 2009 proposal. Over the last twenty years, the number of radical nationalist cultural products in China, such as movies, books, and TV series, have been increasing (Wang 2014), which reject international universalism

and advocate Chinese particularism. Therefore, the "international norm frame" could not resonate with the public's nationalistic feelings or the party-state's agenda of setting a new, China-led world order. It is no wonder that such a frame was not well received by the audiences.

As a result of this discord, the 2005 and 2009 advocacy attempts did not achieve resonance with policymakers. In Figure 4.3, the background representations direct (audience) scripts, as in the previous cases, and the set of binaries in the (audience) scripts is also the same. Further, the actors had performed three pairs of symbols on the sacred side of the (audience) scripts in their policy proposals, namely, "harmony," "Chinese," and "public." But the human rights frames and international norm frames in the proposals can be interpreted as elements of "disorder" and "foreign," which fall on the profane side of the binary, reminding audiences of the social disorder and chaos caused by civil rights movements and foreign colonization of various types. Accordingly, congruence between the actors' performance and (audience) scripts is not achieved; moreover, the rights frames and international norm frames do not serve the goals of the government, so the level of relevance is also low. Therefore, cultural resonance is not achieved (as shown by the interrupted arrow between actors' performance and audiences in Figure 4.3), and the advocacy is not effective.

It is worth noting that the rights frame and the international norm frame are also derived from the socio-cultural background encompassing actors' performances. The frames are closely related to capitalism, which had become one of the main genealogical streams in Chinese society after 1978.

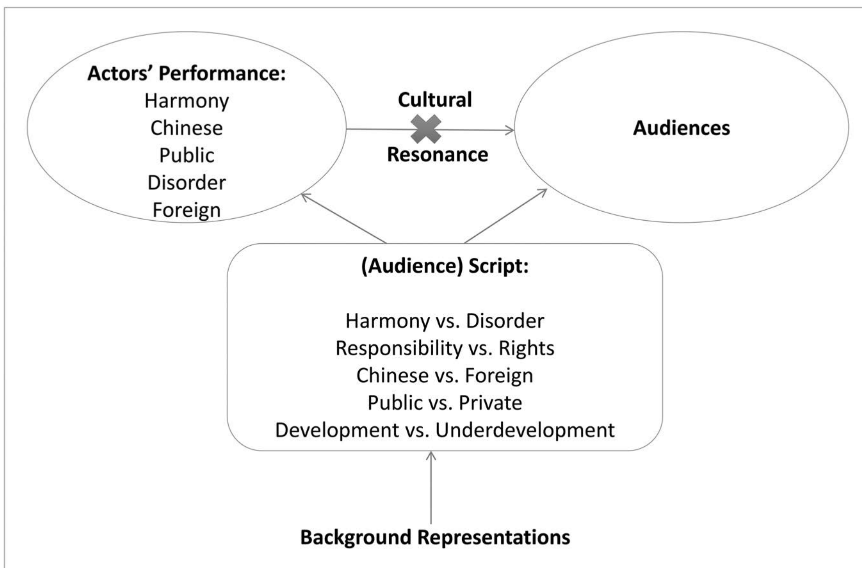


*Figure 4.3* Failed cultural resonance of case 3 from 2005 to 2010.

This relationship reveals the constraining aspect of background representations. However, social actors still possess agency, embodied in the freedom to choose a certain stream over others and interpret it in the most beneficial way. For example, in the case of Xiaonanhai, the idea of capitalism also influenced the scripts of the actors, but the actors focused on the aspect of development, instead of riskier aspects like human rights. Therefore, ENGOs were more effective in their advocacy.

However, this failed cultural resonance is not the end of the case regarding EPIL. From 2011 on, Chinese ENGOs improved their advocacy tactics and strategies. In 2011, the revision process of Environmental Protection Law began, and the first public draft of the new law released in August 2012 contained no word about EPIL (Interview 11).

After Friends of Nature learned about the content of the first draft, they immediately launched seminars with legal experts, scholars, and officials from the Ministry of Environmental Protection (Interview 11). The ministry integrated the resulting ENGO opinions and released a list of thirty-four arguments countering the first draft of the law (Qiaoan 2020). As a result of the collaboration between the Ministry of Environmental Protection and civil forces, in the second draft, EPIL was included; however, rights to filing EPIL were restricted to the All-China Environment Federation and provincial-level environment federations. Based on the second draft released in June 2013, Friends of Nature collaborated with its fellow grassroots ENGOs to make their views known through mass media. Friends of Nature drafted a proposal and posted a short version of it on Sina Weibo (Interview 11). This Weibo post received more than 6,000 reposts within one day, and a number of journalists interviewed Friends of Nature regarding the issue (Interview 11). Meanwhile, initiatives carried out by other ENGOs, for example, an event called "Everyone can file public interest litigation" by the Nature University, also drew public attention (Interview 13). In August of the same year, Friends of Nature held an open seminar together with two other Beijing-based ENGOs, Institute of Public and Environmental Affairs (IPE) and Center for Legal Assistance to Pollution Victims (CLAPV), on Sina Weibo on the topic of EPIL (Interview 11). At least partly due to the efforts of the ENGOs, NPC Standing Committee Chair Zhang Dejiang said in the closing ceremony of the Twelfth NPC meeting that the legislators should "listen to opinions from all sides and actively respond to social concerns" (Xinhua 2013; Qiaoan 2020). As a direct result, the second draft of the Environment Protection Law was not immediately approved. The third draft, released in October 2013, stated that NGOs registered with the Ministry of Civil Affairs could file lawsuits. Since only a few ENGOs, mostly government-organized NGOs (GONGOs), were registered at the central level, this meant the third draft did not represent a significant improvement over the second.

In March 2014, ENGOs further improved their action repertoires. For example, Friends of Nature initiated a seminar with several deputies of the NPC and the CPPCC to draft a new proposal that would grant more

NGOs the right to engage in EPIL (Interview 11; Qiaoan 2020). The fourth draft of the Environment Protection Law stated that ENGOs are allowed to file claims against polluters in the People's Court as long as the NGO is registered with the civil affairs department at or above the municipal level and has been focused on environment-related public interest activities for five consecutive years or more (Environmental Protection Law 2014). Consequently, more than 700 grassroots ENGOs in China finally obtained the right to file EPIL (Qiaoan 2020).

As I have demonstrated, this final success did not come quickly. In addition to the tactics discussed by many other researchers, such as working with media and cooperating with peers, there was something more to this case. Approaching political or policy entrepreneurs was a crucial action tactic. Friends of Nature clearly understood the influence of political entrepreneurs in the process of policy making:

> Representatives of the NPC and the CPPCC have enormous influence. When revising the second draft, we united mainly media, NGOs, and big Vs,[6] but the result was not ideal. It shows that forces outside of the political system have only limited influence. But when making the fourth draft, we found supporters inside the system. The positive result shows that inside influence is bigger than that of outsiders.
>
> *(Interview 11)*

Friends of Nature has maintained a positive relationship with the political entrepreneurs interested in environmental issues. This choice has significant symbolic meaning. It sends out the message that Friends of Nature does not regard those in the political system as the "other." Instead, they believe positive interaction between two sides is the solution to environmental issues. Actually, this ENGO had an "insider" (Liang Congjie, a CPPCC member) as its founder. However, the leadership tie to Liang did not guarantee Friends of Nature's success in the first stage of their advocacy, showing that one should not overvalue the importance of a leadership tie, even as one may recognize its relative advantage. With the death of Liang Congjie in 2010, the Friends of Nature lost this advantage. However, the process of looking for political entrepreneurs in the EPIL case shows that CSGs can build relationships with "insiders" from scratch. According to the Friends of Nature staff, in order to deliver their proposal to the political core, they looked for representatives of the NPC and the CPPCC openly online before the annual meetings in 2014 and communicated with them through online messaging (Interview 2). Positive responses from several representatives followed this online communication, which implies that Friends of Nature must have been persuasive in their issue framing. (The framing strategies in this period will be discussed later in the chapter).

Another closely related action tactic was to create a dialogue with the state. As stated by the general director of Friends of Nature: "We are not

too radical. We are reasonable, so the state is often willing to join the dialogue we created" (Interview 2).

In the EPIL case, Friends of Nature managed to communicate with legislators from beginning to end in a rational and professional manner. The reaction from the Friends of Nature staff to the second draft of the Environmental Protection Law further illustrates this point:

> We were quite shocked. As law school graduates, we found the legislative technique very problematic. My colleges and I felt we must present our opinions in a strong way. We drafted a proposal and posted a short version of it online. At the same time, we sent our proposal to the NPC legislature and a few influential media.
>
> *(Interview 11)*

Although being shocked by the faultiness of the second draft, the Friends of Nature staff reacted to this problematic draft in a professional manner. In presenting their "opinions in a strong way," they did not end up talking to the street, writing hateful comments, or mocking the officials' poor legislative technique; instead, these law school graduates decided to deliver their amendments in a rational tone. In the subsequent mobilization process, Friends of Nature managed this dialogue in a similar manner; seminars, discussion, and roundtable talks were always the preferred form of interaction.[7] They were neither a collaborator with nor an opponent to the government. Instead, they maintained a proactive dialogue.

Drafting policy proposals and delivering them to the legislators are how NGOs influence the political core; thus, the framing of NGO policy proposals is critical. Good frames ring a bell with the lawmakers, which opens the door for further discussion; bad frames immediately block the path to negotiation. As I have shown, the ENGO's 2005 and 2009 proposals had limited communicative power due to the discord they sowed. In the 2014 proposal, ENGOs' framing was more sophisticated and consistent than in their previous proposals, following the binary of harmony versus disorder to emphasize the role of ENGOs in maintaining social order:

> Nowadays the public pays more and more attention to environmental issues. Mass incidents caused by environmental issues occur often, and the environmental administration is too busy to tackle all the environmental violations. In such a social context, we should include more social forces in environmental protection through legal means in an orderly way. The environmental public interest litigation system is such an effective legal approach.
>
> *(Friends of Nature 2014)*

This paragraph starts with diagnostic framing: the environmental administration is too busy to tackle all the violations. It then moves on to prognostic

framing, suggesting the inclusion of more social forces in environmental protection through legal means in an orderly way. The ENGOs explain that EPIL helps the environmental administration to punish ecological violations, which helps to avoid mass incidents and in this way EPIL is presented as a system contributing to social stability and relieving the burden of social welfare. The excerpt above follows the logic of the proposal of 2005 to emphasize "order," but the next paragraph from 2014 is even more vocal in expressing the concern for stability:

> If we block the judicial channels, more and more people will turn to non-institutionalized ways to solve the problem. At present, less than 1% of all environmental disputes have entered the legal system. The remaining 99% of the disputes are unstable social factors. Such restrictive provisions [on the subject of environmental litigation] will push more environmental disputes away from institutionalized solutions and create potential opposition. Only by letting social forces participate effectively in environmental protection through lawful channels can environmental problems gradually be alleviated, and social conflicts be solved.
>
> *(Friends of Nature 2014)*

This text combines diagnostic framing, motivational framing, and prognostic framing. It diagnoses the possibility that environmental disputes can become unstable social factors if not appropriately resolved. It motivates the audience to act immediately by pointing out the urgency of the situation. In the end, it articulates a strategy to solve the problem through its prognostic framing: if ENGOs are allowed to file EPIL, then these environmental disputes can be better addressed, and the potential for unstable social factors will decrease.

If the last paragraph has already shown that the accumulated environmental problems are becoming a threat to stability, the next paragraph elaborates even more thoroughly why the government must change the situation: The polluters are not taking responsibility. The greater the environmental damage, the more likely the damage was fixed in the end by the government and the taxpayers (Friends of Nature 2014).

In this boundary framing or adversarial framing, the ENGOs draw a clear boundary between polluting industries and the government and taxpayers. The polluters are evil; the government and the taxpayers are innocent. The evil gains the profit, but the innocent pays the bill, and that is why the situation must change. Otherwise, public grudges are directed toward the government, who becomes the scapegoat for the polluting industries. Involving ENGOs in EPIL can bring polluting industries into the spotlight, and in this passage, ENGOs employ not only the symbolic code of harmony versus disorder, but also the binary of public versus private to support their argument.

Moreover, at the end of the 2014 proposal, the ENGOs call for action with regard to "Beautiful China" through motivational framing:

> After many years of accumulation of environmental pollution and ecological destruction, China today faces a growing pollution and ecological crisis. 'The Beautiful China' task is arduous. It needs more social and institutional participation.
>
> *(Friends of Nature 2014)*

While environmentalism is often regarded as a universalist category that does not have much to do with nationalism, in this passage, environmental protection and national interest are made into fine bedfellows. The term "Beautiful China" helps to build an imagined community encompassing both the ENGOs and the government, which decreases potential hostility from the state.

While the order, stability, and national interest frames increased over time, the two discordant frames, namely, the rights frame and the international norm frame, did not appear in the 2014 proposal. The rights-oriented liberal argument only appeared in the 2005 proposal, which did not resonate with policymakers. Therefore, in subsequent proposals, the ENGOs cut down the right-based liberal argument and added more framing around the concept of stability and national interest, which were better received by the political core. Similarly, the international norms argument from 2005 and 2009 did not gain resonance either; therefore, in 2014, this frame was also eliminated.

During the period from 2011 to 2015, ENGOs followed a non-confrontational strategy. In the process of delivering their opinions to policymakers, ENGOs acted in an extremely rational and friendly manner. They neither went to the street themselves, nor did they mobilize the masses to put pressure on policymakers. Instead, they chose to create dialogues with political entrepreneurs within the party-state to deliver their message to the political core. Dialogue, as the opposite of conflict, and cooperation, as the opposite of antagonism, best illustrate the pro-harmony orientation in the ENGO frames. When ENGOs claim that the EPIL system can contribute to stability and decrease social grudges, they mean that the system can help to build a harmonious society; when they say that EPIL is in line with state policy and protects the national interest, they mean that ENGOs and the government are in harmonious relation. Moreover, the absence of discordant notes such as rights and international norm frames increases the perceived authenticity of the actors by the audience.

Why did Chinese ENGOs achieve success in the later stages of the EPIL case? According to social movement theory on framing, the level of resonance depends on two things: credibility and salience. The credibility of framing depends on three factors: frame consistency—how consistent the text itself is, empirical credibility—how well it is rooted in the real world,

and the credibility of the frame articulators—how trustworthy the speaker is (Benford and Snow 2000: 620). The salience of framing varies also due to three factors: centrality—how essential this issue is to the life of the targeted audience, experiential commensurability—how obviously or strongly the audience can feel the issue, and the narrative fidelity of the frame—how well embedded the frame is in the culture (Benford and Snow 2000: 621). Chinese ENGO policy advocacy in the EPIL case during 2011-2015 proved very consistent (harmony-oriented both in terms of the action tactics and the framing strategies), it was empirically credible, and the proposal was carried out by professional and trustworthy organizations. Therefore, it met the criteria of credibility. Further, the polluting industries influenced the daily life of people, and people could strongly feel the negative impact of pollution, so the criteria of salience were also met.

Even though frame analysis in social movement theory explains the causal mechanism of cultural resonance between actors and audience, it fails to include the wider "forming force" (Reed 2011)—the deep cultural structures or background representations—into the analysis. Moreover, like Alexander's (2004) cultural pragmatic theory of social performance, it does not pay enough attention to the meaning system of audiences. Scholars applying frame analysis to social movements seem to imply that if any text is consistent, empirically credible, trustworthy in terms of speakers, essential to the audience and obviously felt by the audience, then it has enough credibility and salience for resonance. Similarly, cultural pragmatic theory seems to assume that if all the elements are seamlessly fused, then it will be a successful performance. But that is not the case; consider the many human rights movements in China that adequately meet all these criteria but have not achieved resonance with either the government or the citizens. The simple explanation is that the master frame "human rights" neither dominates the current Chinese cultural landscape nor is it recognized by the Chinese government. In addition, the concept of "human rights" is even stigmatized as being a "dangerous" Western ideology. Even though Benford and Snow (2000) add the concept of "narrative fidelity" to tackle the issue of a frame's cultural embeddedness, they treat culture as only a minor element, and further, the relationship between "narrative fidelity" and other elements is not clear. The approach of listing all the elements of "credibility" and "salience" is like providing all the ingredients without explaining the cooking procedure, which cannot be considered a good recipe. The mechanism of cultural resonance must be enriched in another way.

What would a more comprehensive picture of cultural resonance look like? The background representations and (audience) scripts must be taken into account to explain this process. Chinese civil society actors and their audiences are immersed in the same cultural milieu, as shown in Figure 4.4 (and all the previous figures in this chapter). The background representations and scripts, in the current Chinese context, are very complex. They include the symbolic codes generated by traditional Confucianist and

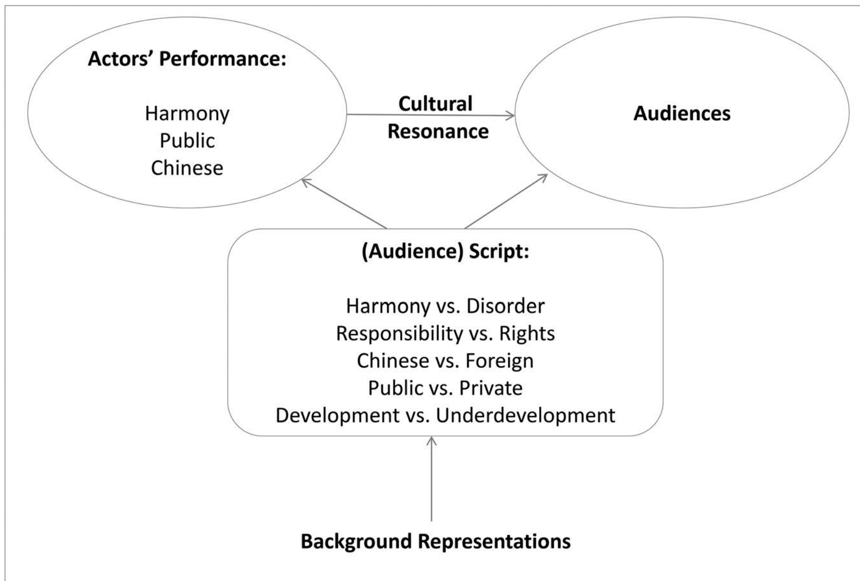


*Figure 4.4* Successful cultural resonance of case 3 from 2011 to 2015.

Taoist culture, the communist or socialist legacy, Western influence after the Reform and Opening-Up policy, and the recent nationalist upsurge, summed up in the five binary codes: harmony versus disorder, responsibility versus rights, Chinese versus foreign, public versus private, and development versus underdevelopment.

Different social groups might focus on different streams of thought. From the official discourse on civil society presented earlier, we can see that Western-style civil society, closely linked with human rights and democracy, is not appreciated in the official scripts. Instead, people's society is sacred and civil society is profane. This is because people's society is Chinese, civil society is foreign; people's society is public, civil society is private; people's society contributes to harmony, civil society contributes to conflict; people's society helps to realize the Chinese Dream, civil society hampers national rejuvenation. Therefore, when the environmentalist advocates present the EPIL system as a contribution to stability, as a public force against the private sector, and as a contribution to "Beautiful China," they have encoded the symbols of "harmony," "public," and "Chinese" on the sacred side of the (audience) scripts, into their performance, as shown in Figure 4.4. This congruence serves as the first condition for cultural resonance.

In addition to the congruence, the ENGO proposal to become plaintiffs in EPIL also appears useful in addressing the problems the government has been facing. Since the early 2000s, "stability maintenance" has become, arguably, the top government priority (China Development Brief 2013).

However, to maintain stability in an authoritarian manner, as the Chinese government has been doing, this often increases rather than decreases social instability. As more emphasis is placed on maintaining social stability, governments are less likely to tolerate different opinions; as different views are eliminated, social structures have become less equal and less just; as social structures become less equal and less just, social grudges become more common and more acute. When the accumulated social grudges cannot be addressed in an orderly manner, it leads to conflict and chaos. Facing this chaos, the government must put more effort into stability maintenance. Therefore, a vicious cycle of "stability maintenance—instability—more stability maintenance—more instability" has emerged.

The prognostic framing appearing in the 2014 ENGO proposal aims at breaking this cycle by providing an institutional channel for citizens to express their discontent in an orderly manner. The message delivered in this proposal is that a good system finds institutionalized ways to resolve conflict; allowing ENGOs to engage in EPIL is just such a system. Therefore, this proposal appears to be relevant to the government, considering its concern with stability maintenance. In addition, as mentioned earlier, the government's environmental agenda often encounters obstacles from the private sector. Thus, the prognostic framing of uniting the government and civil society forces to fight against the environment-polluting private sector also serves as a solution to the current government's plight. Finally, the "Beautiful China" rhetoric also appears to help the state with its nationalistic agenda. The relevance of usefulness, together with the initial congruence, leads to cultural resonance (see the arrow from actors' performance to audiences in Figure 4.4), which contributes to effective policy advocacy.

Some might argue that the success of the EPIL case in the period from 2011 to 2015 is not the outcome of ENGO performances, but rather, due to political opportunities. Firstly, compared to the period from 2005 to 2010, both the Chinese government and the public from 2011 to 2015 became more sensitive to environmental issues, as shown in the first case I elaborated in this chapter. This sensitivity makes the government more open to environmental advocacy, which has contributed to the success of ENGOs. Secondly, the revision process of the Environmental Protection Law started in 2011 opened a "policy window" for incorporating EPIL into the law. I thus concede that the political opportunity argument is reasonable. However, this concession does not weaken my argument, since I neither assert that my explanation is the only explanation, nor the most complete explanation. What I claim is that traditional explanations, including the political opportunity argument, do not explain everything. What I have done is to add to current knowledge from a different perspective. In addition, the failed case I present in the following section demonstrates that political opportunities, including both the socio-political context and policy windows, cannot guarantee the success of civil society advocacy.

## 4.4 Case 4: The Wildlife Conservation Law

China enacted its Wildlife Conservation Law in 1989, but the effects of this law have not been satisfactory. According to a report by the State Council (1994), 15 to 20% of the wild species in China are on the edge of extinction, higher than the average level of 10 to 15% in the world. Additionally, about 200 species in China have already disappeared, and approximately 398 species of vertebrates are also endangered (State Council 1994). One reason for the endangered state of wild species is that wildlife is positioned as a "resource" in the 1989 law, which legalizes the use of wildlife for certain purposes (Ding 2017). In the face of this severe situation, the government, under pressure by wildlife protectors from civil society, decided to revise the Wildlife Conservation Law in 2013 (Ma 2016).

In December 2015, the draft of the new Wildlife Conservation Law was publicized to allow for suggestions (Wang 2015b). Although legislators gestured at complying with the will of wildlife protectors, the 2015 version of the law showed no substantial improvement compared to the 1989 version (Interview 11). The proposed law was still full of wildlife utilization provisions, including the hunting system, the artificial breeding system, the identification system, and other aspects facilitating the commercial use of wildlife. In other words, the revised draft still regarded wildlife as a natural resource for human beings. This ran contrary to the international norm of increasingly strict laws protecting wildlife and avoiding the damage to biodiversity by commercial interests (Ding 2017).

Dissatisfied with the 2015 draft, ENGOs, together with other wildlife protectors from civil society, delivered a few policy proposals suggesting revisions. They proposed, for example, to delete the articles regarding "artificial breeding," "animal performance," and other provisions that directly or indirectly encouraged the commercial use of wildlife (Friends of Nature 2016). Even though the final version of the Wildlife Conservation Law publicized in 2016 emphasized punishment for the illegal use of wildlife, it still permitted artificial breeding, animal performance, and other uses.

Why did advocates not achieve their agenda in this case? My explanation is that the wildlife protectors did not align their agenda with the sacred side of the symbolic code, but their opponents—Chinese medicine producers and doctors, wildlife breeders, and animal performance workers—did so. This counter-framing resonated well with the legislators, which cast a shadow over the ENGO proposals. When the first draft of the Wildlife Conservation Law was publicized for suggestions, the legislators received more than 5,100 recommendations within two months (Ma 2016). Roughly half of the recommendations came from wildlife protectors; the other half came from interest groups, such as Chinese medicine producers and doctors, wildlife breeders, and animal performance workers. Among them, Chinese medicine producers and doctors were the most powerful stakeholders. For instance, during the NPC and the CPPCC in 2016, fourteen doctors

of Chinese medicine, who were also CPPCC representatives, submitted a proposal to protect the utilization of wildlife in Chinese medicines. In this proposal, they pointed out:

> Due to the earlier impact of outside factors, China has abolished the cultivation and use of some medicinal animals, resulting in the loss and distortion of many traditional Chinese medicines. If we do not protect traditional Chinese medicine, famous medicines such as musk, bear gall powder, and cow-bezoar will completely disappear, which means Chinese medicine will exist in name only.
>
> *(Xinhua 2016)*

This motivational framing stresses the emergency of the problem—it is not wildlife that is on the edge of extinction, but Chinese medicine. Meanwhile, it is also diagnostic framing that points out the reason for the extinction of Chinese medicine; it is due to the "outside factors." Who are these "outside forces?" The next paragraph explains:

> In recent years, Chinese medicine has been vilified and attacked in the competition between Chinese and Western medicine. Some animal protection organizations, supported by Western pharmaceutical companies, have used the banner of 'animal protection' to pressure the legislature and the authorities through media during the revision of the Wildlife Conservation Law. Their goal is to ban medicinal animal breeding and to facilitate the monopolization of Western medicine in the Chinese pharmaceutical market.
>
> *(Xinhua 2016)*

The excerpt above has turned ENGOs and wildlife protectors into betrayers, bought by Western forces. Chinese medicine practitioners, meanwhile, are the victims of this unfair competition. The sense of unfairness is expressed even further in the following paragraph:

> Chinese medicine has been treated with double standards and has been seriously curbed in the international market. The Japanese '*Jiuxin Dan*,' which contains bear bile powder, has been accepted by the international community. However, similar animal products from China face many restrictions in the international market.
>
> *(Xinhua 2016)*

This excerpt compares Chinese medicine with Japanese medicine to illustrate the ill intentions of Western forces. In an interview, two drafters of the proposal emphasize again that it is "overseas forces" that want to destroy Chinese medicine (Xinhua 2016). They urge the Chinese public and officials not to stand with those wildlife protectors who are against Chinese

medicine (Xinhua 2016). In the next paragraph, they call for legislators to acknowledge the advantages of Chinese medicine and the importance of wildlife as a national strategic resource:

> In the course of the development of Chinese medicine industry, natural medicine resources are national strategic resources. They are the material bases for the development of Chinese medicine and an important component of the core competitiveness of Chinese traditional medicine. Traditional Chinese medicine has advantages in treating severe, acute, and critical illnesses because it has light side effects and no hormones.
>
> *(Xinhua 2016)*

This paragraph highlights the competitiveness of Chinese medicine and the value of wildlife in Chinese medicine. Through framing wildlife as a national strategic resource, the drafters of this proposal imply that the West or organizations supported by the West should not interfere in China's use of wildlife. In another interview, two of the fourteen drafters, Shi and Wen, stress again that:

> Chinese medicine originated from China and had been developing for thousands of years here. As Chinese, we should not overlook our cultural background and see the world from the Western perspective.
>
> *(Xinhua 2016)*

In other words, those who advocate for the welfare of wildlife and against the use of wild animals in traditional Chinese medicines are seeing the world from the Western perspective.

The Chinese versus foreign binary is thus powerful support for the interest groups who speak out against wildlife protectors. The next point, which touches upon the harmony versus disorder binary, further consolidates the sacred position of the interest group. In the first issue of *Chinese Environment Management*, an article published by authors from the Institute of Resources and Policy of the Development Research Center of the State Council reveals the official position regarding the Wildlife Conservation Law. This article has three major arguments:

1. The revision of legislation should be based on the Chinese reality;
2. Wildlife as natural resources have been developing and used for thousands of years in China, and it is still a tradition to domesticate and breed wild animals in many places;
3. Since millions of Chinese citizens make a living from the domestication and breeding of wildlife, if all such activities are banned, these people will face difficulty in sustaining their livelihood, which might cause social instability (Chang et al 2016).

These arguments transform the wildlife issue into a stability issue, arguing that prohibiting the use of wild animals can lead to social instability, while allowing the use of these animals contributes to social harmony. Some might ask about the harmony between humans and nature. The interest group also tackles this issue skillfully. Dr. Shi, a practitioner of Chinese medicine and representative in the CPPCC, explains how the use of wildlife in Chinese medicine does not contradict the harmony between human and nature:

> First, human beings should live in harmony with animals, and there should be a dynamic equilibrium in the ecosystem. Whether it concerns the use of tiger bones or musk, it is a matter of how human beings get along harmoniously with nature. In the ecosystem, human beings are at the top of the interest chain. Therefore, human beings have an obligation to protect other animals, which is a requirement for the harmonious coexistence of humans and nature.
>
> Second, under the condition of not destroying the eco-equilibrium, human beings can take what they need for their use. As a doctor of Chinese medicine, I believe it is necessary to use natural resources under this condition. It is also a human need to maintain the balance of nature. If animals all disappeared, the moment of human extinction would come. Therefore, human beings should voluntarily protect rare and endangered animals.
>
> Third, as a doctor of Chinese medicine, I am against hunting and trading endangered animals. In a word, it is everyone's responsibility to protect the harmony of the biological world. If we do not violate this premise, it is beneficial to use animal medicine for human health. At the same time, we should make full use of modern technology [to produce similar drugs] to replace the organs of endangered animals.
>
> *(Xinhua 2016)*

What Dr. Shi implies here is that he is against the unreasonable use of wild animals, but using wildlife in medicine to promote human health is not unreasonable. Through such an argument Dr. Shi has excluded the usage of wild animals in Chinese medicine from the category of destruction of harmony. Instead, he insists that there is a way to use wildlife while protecting the harmony between humans and nature.

Through encoding the sacred symbols—Chinese and harmony—into their proposal, the interest group of the wildlife industry achieved resonance with their audiences (see Figure 4.5). As in all the previous figures, background representations act as the general context that guides (audience) scripts. (Audience) scripts, represented by the set of binary codes, direct audience reaction to actors' performances. Actors, in this case, are not ENGOs, but Chinese medicine supporters. The actors encode the symbols of "Chinese" and "harmony" from the sacred side of the (audience) scripts

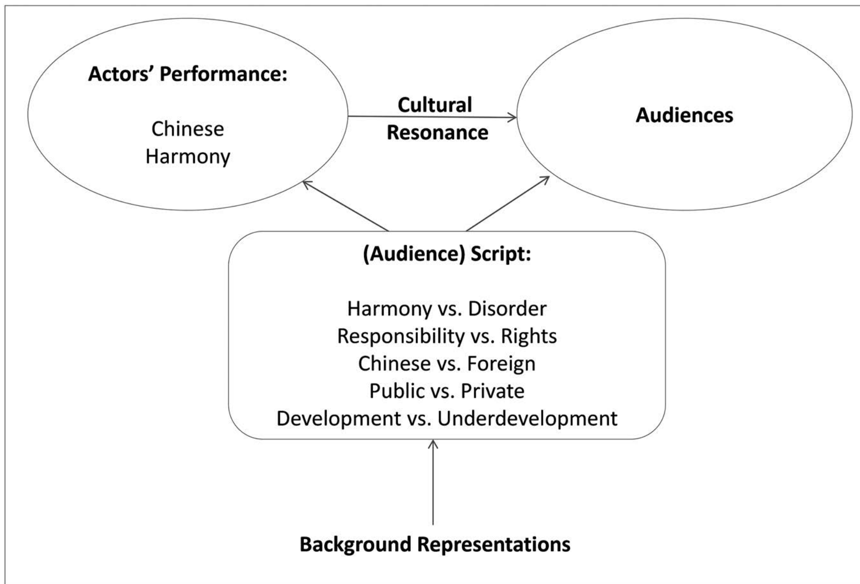


*Figure 4.5* Successful cultural resonance mechanism of case 4 from Chinese medicine supporters.

into their policy proposals and public speeches. Therefore, this performance wins sympathy from the government and, perhaps, a large group among mainstream society. The relevance of the issue—including both a concern for social stability and the national rejuvenation agenda—wins trust from the audiences. Therefore, it is no wonder that the interest group has achieved cultural resonance, which contributes to their effective policy advocacy.

In contrast, environmental groups appear weak in their argument against the Chinese medicine supporters. In an article published by Feng Yongfeng on NGOCN, one of the biggest platforms among Chinese NGO practitioners and influential beyond NGO sector, the founder of two ENGOs in Beijing, criticizes the proposal from the fourteen CPPCC representatives and doctors of Chinese medicine. However, he accuses the Chinese government at the same time:

> The government and the scientists co-opted by the government can deceive the public, but they can never fool the ecosystem. As long as you return to the position of the ecosystem to see all our decisions and behaviors, you will see how absurd and shameful our decisions are.
>
> *(Feng 2016)*

This is a rather emotional argument which not only failed to speak the language of the government but also attacked the government. Even though

Feng tries to return to the official rhetoric at the end of this article by referring to "ecological civilization" (Feng 2016), it appears too late and too weak. Policy entrepreneurs from other ENGOs do not perform any better. For example, Friends of Nature, which has rich experience in policy proposal drafting, fails to employ the right symbolic codes to gain resonance. The Friends of Nature proposal is as professional and technical as always, but it appears to have gone mute when it comes to the agenda of the government (Friends of Nature 2016).

Therefore, it is not difficult to explain the failure of ENGOs and wildlife protectors from civil society in this case; not only did they fail to align their agenda with the government's agenda, but they also did not offer solutions to the problems that concern the government (see Figure 4.6). As in the other cases, the background representations set the tone for (audience) scripts and these scripts guide audience reactions. The actors, ENGOs, perform as dissidents who can be regarded as a potential cause of social instability, and this behavior contributes to rather than weakens the "foreign agent" discourse by their opponents. This "disorder" and "foreign" message delivered by the actors' performance does not align with or help the government's agenda, so cultural resonance between the actors' performance and the audiences is interrupted. Instead, their opponent, the interest groups in the wildlife industry, have skillfully used the Chinese versus foreign and harmony versus disorder binaries, offering solutions to the problems of

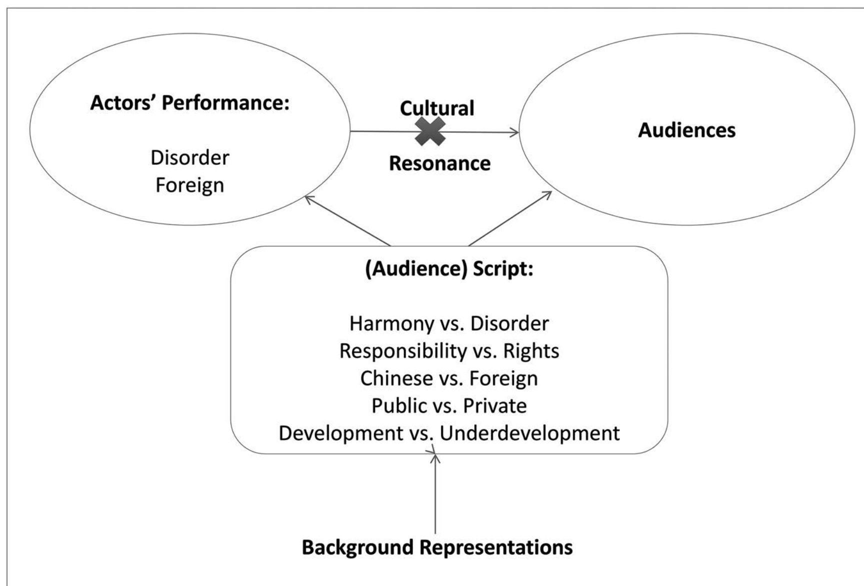


*Figure 4.6* Failed cultural resonance mechanism of case 4 from ENGOs.

the government—national rejuvenation and social stability. Thus, ENGO advocacy has failed, and the opponent has won this battle.

The failure of ENGOs in Case 4 shows that my theoretical framework, which goes beyond traditional political opportunity theory, can shed new light on the success or failure of NGO advocacy. The case of the Wildlife Conservation Law occurred in 2015 and 2016, a period during which the government and the society were rather sensitive to environmental issues. Moreover, in 2013, the government had started to revise the law, which means the ENGOs enjoyed a policy window during the period of their advocacy. However, the socio-political context and policy window did not automatically lead to the success of civil society advocacy. In other words, political opportunity theory does not explain this case very well; instead, my theoretical framework helps to better to explain the puzzle.

*******

Through analyzing four iconic advocacy cases in Chinese civil society, I have shown that to achieve advocacy success, environmental groups must encode the sacred symbols embedded in (audience) scripts into their performance. While conventional studies pay more attention to organizational and institutional factors, I argue that although these factors remain crucial, their value lies in providing access to the "means of persuasion" (Alexander 2011: 148). Persuasion, in the end, remains the core of any policy advocacy, which represents a kind of communicative mobilization from CSOs to policymakers. Organizational and institutional factors are needed to make such communicative mobilization possible, but such factors—capacities, resources, and political opportunities—cannot replace the persuasion itself. In Alexander's words, what happens in persuasion is a "cultural-symbolic process that these structural factors facilitated but did not determine in a causal sense" (Alexander 2011: 149). This persuasion or communicative mobilization is based on the ability of civil society actors to organize their actions and frame their proposals in a manner that allows their demands to resonate with their audiences. From this perspective, successful civil society actors can be perceived as skilled translators, who translate the symbolic codes from the cultural background and audience scripts to their performance. In other words, to achieve success in policy advocacy, Chinese civil society must engage not only in instrumental mobilization, but also in symbolic action (Alexander 2011: 150). I would push this argument even further: it is not just symbolic action, but also symbolic interaction that the Chinese civil society actors must engage in, considering the importance of audiences in this performance. In the end, it is this symbolic vehicle that breaks through structural constraints (Alexander 2011: 150) and allows civil society's voice to reach the political core in an authoritarian regime.

## Notes

1. For example, the founder of Green Beagle, Feng Yongfeng, publicly raised funds through his personal Weibo account to purchase air pollution monitors.
2. The image is available here: http://news.sina.com.cn/green/2012-03-20/171024145605.shtml
3. See some examples here: https://zhuanlan.zhihu.com/p/44982774
4. The Xiaonanhai project was supported by Bo Xilai, the former Chongqing party chief who was sentenced to life in prison in 2013.
5. Even though the proposal was submitted by the representative of one ENGO, the process of drafting a policy proposal is often a collective activity. Therefore, in the following text, I refer to the ENGOs' proposal, instead of Liang's proposal or Friends of Nature's proposal.
6. Big Vs refers to famous VIP Weibo users, who are often intellectuals and opinion leaders.
7. Field notes.

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# 5 Beyond environmental issues

## 5.1 Case 5: The rural compulsory education nutrition improvement program and the free lunch for children initiative

China has been developing rapidly over the last three decades, but this development has not benefited everyone equally. For example, in the impoverished regions of the central and the western parts of China, some village children remain severely malnourished. According to a report by the China Development Research Foundation (2011), 12% of children in these regions showed signs of delayed development and 72% reported feeling hungry during classes. Further, boarding school students in these impoverished areas were significantly lighter in weight and shorter in height than the national rural student average (China Development Research Foundation 2011). While one might assume the government would intervene in the case of childhood malnutrition, it was actually a civil society initiative (CSI) called Free Lunch for Children (hereafter Free Lunch) that addressed this issue first.

Free Lunch was founded by Chinese journalist Deng Fei. In February 2011, Deng learned from a volunteer teacher who had just returned from Guizhou, a less developed province in the southwest of China, that students at her school were not able to have a proper lunch (Wang 2013). On the same day, Deng decided to travel to rural China and investigate this issue on his own. His investigation confirmed the teacher's observation. To reduce hunger among these students, Deng, together with more than 500 journalists, as well as dozens of mainstream domestic media outlets, initiated the Free Lunch fund-raising plan jointly with the China Social Welfare Foundation (Free Lunch n.d.). Their major campaign involved a call for donations in the amount of 3 RMB (slightly less than 0.5 USD) each day for student lunches in rural China (Free Lunch n.d.).

The development of Free Lunch can be divided into four phases. During the first phase, from February 2011 to April 2011, Deng and his team worked on the development of the project. First, the team visited four elementary schools; these visits provided them with clearer knowledge of the problems

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and inspired possible solutions. Next, they managed to establish the first school cafeteria at the Shaba Elementary School, which became a model for subsequent cafeterias (Wang 2013). Finally, the team built long-term cooperation with individuals, private companies, and local official media, which helped them in expanding the project later on (Wang 2013).

The second stage, the initial operation phase of the Free Lunch Project, took place from April 2011 to July 2011. One of the most important events at this stage was the Free Lunch registration initiative and successful mobilization on Sina Weibo, which significantly increased the publicity and popularity of the project. During the first twenty-four hours of its public fundraising, Free Lunch received 46,000 RMB (7,299 USD) in private donations (Lu 2011). Its success attracted attention from the *People's Daily,* the *Xinhua News*, and other mainstream media.

The third stage, from July 2011 to October 2011, was characterized by the rapid development of Free Lunch. Free Lunch expanded its online activities from Weibo to other popular Chinese social networks such as Renren and Kaixin. At the same time, it deepened its cooperation with Taobao and Alipay, which made it easier for Chinese netizens to donate online (Wang 2013). In addition, Free Lunch released its official advertising videos and micro movies, which were forwarded widely throughout the Internet.

The fourth stage of Free Lunch started after the State Council of China decided to allocate funding in the amount of 16 billion RMB (2.5 billion USD) each year for the nutrition of rural students on October 26, 2011 (General Office of the State Council 2011). At this point, Free Lunch helped the central government to supervise the implementation of its project at the local level; secondly, it continued to serve students in the most remote rural areas that the central government could not cover at the moment (Deng 2013).

From April 2011 to August 2017, Free Lunch for Children had raised 33,258 million RMB (5,277 million USD) and reached 893 schools (Free Lunch n.d.). While this represented massive success for a CSI, an even more astonishing aspect of Free Lunch was its policy impact. In October 2011, only six months after the project had been initiated, the State Council launched the Rural Compulsory Education Nutrition Improvement Program, which set a standard allocation for every student in the amount of 3 RMB, covering 680 cities and approximately 26 million students (General Office of the State Council 2011). Although Prime Minister Wen mentioned neither the Free Lunch project nor its creator Deng in his speech introducing the state program, this move was widely regarded as a "government takeover of Free Lunch" (Shi 2011). Zhenyao Wang, the Dean of the Institute of Public Welfare, explained: "This is a miracle for Free Lunch… [A]chieving such a large-scale reaction from the government within such a short time has never been seen in China before, or in Europe and the US" (Shi 2011).

Most observers and even the staff working at Free Lunch attribute the success of Free Lunch primarily to organizational and institutional factors.

For example, when asked why Free Lunch is more effective than many other CSI, a staff member responds by citing the strong economic capital fostered by its organizational advantage: "We do fundraising on our own, plus we operate on our own. We play both the role of foundations and NGOs. Thus, different from most NGOs in China, we have a good economic basis" (Interview 3). Besides economic capital, many observers note an advantage in other aspects. Wang (2013) asserts that the project's professional team building and management model, its transparent mode of operation, and its positive interaction with the government have contributed to its success. Bing Xu (2013) and other researchers believe the innovative use of new media, such as Weibo, Renren, Kaixin, and Alipay, is the key (Xu 2013; Yang and He 2013). Tang (2013) claims that the Chinese Red Cross trust crisis in 2011 provided Free Lunch a unique political opportunity, which explains why such a CSI garnered wide support from citizens and the government. In a similar vein, Liu (2013) argues that the symbolic power of the founder of Free Lunch, Deng, a famous journalist and a public intellectual, engendered more trust from the public and the government.

Even though these factors partially explain the success of the initiative, they do not account for everything. A crucial aspect is missing, namely, how the symbols encoded in Free Lunch's performance resonated with their audiences. In the following section, I present the action tactics and framing strategies of Free Lunch, to show how this CSI achieved cultural resonance with its audiences through the positive symbolic meanings it conveyed.

Free Lunch had maintained positive and continuous interaction with local governments since the inception of its project, seeking out the approval of village mayors and heads of townships. Most of the local governments approved and supported the Free Lunch Project. For example, in Xinhuang, Hunan, through bargaining and negotiation between Free Lunch and local officials, the two sides agreed that the local government would build kitchens for 41 local schools. Also, while Free Lunch would provide the first two-thirds of the funds, the local government would provide the remaining resources (Shi 2011); this division of funding was dubbed the "1+2 model" by the Free Lunch team. Hefeng, a town in Hunan province, also implemented the 1+2 model (Deng 2013). This type of positive interaction with local governments would not have been achieved without the positive and friendly attitude of Free Lunch from the onset. During the negotiations with local governments, Deng Feng and his team never put themselves in an oppositional position to local governments. On the contrary, they repeatedly stated that they believed local governments and Free Lunch were working for the same goal—improving Chinese children's nutrition (Deng 2013). This shared focus represented a major reason the 1+2 model could be developed and replicated. When I interviewed the Free Lunch staff, they also made it clear that they were "not in an oppositional position to governments"; instead, they were "helping the government to solve problems" (Interview 7).

Moreover, when the central government decided to launch its nutrition improvement program, Deng saw this as something positive, rather than harmful competition. Deng (2013) stated that he believed that the Free Lunch project could not efficiently solve the nutrition problem of Chinese children without the intervention of the government. Due to the massive size of this needy group—61 million rural youth often on the edge of starvation—and due to the massive expenditure per person, no civil society group (CSG) would be able to solve this problem on its own (Deng 2013). Therefore, Deng was more than happy when the government started its own nutrition plan (Deng 2013). When the state project ran into difficulty, the Free Lunch team even tried to help resolve the problems. For example, Free Lunch assisted the central government in supervising project implementation at the local level. In addition, Free Lunch built cafeterias for those schools willing to cook meals for their students (Deng 2013).

Moreover, Deng did not avoid cooperation with the central government. On 8 May 2012, Deng was invited as an "expert advisor" to the Nutrition Improvement Program conference organized by the Ministry of Education. Lu Xi, Vice Minister of the Education Ministry, told Deng that the Ministry wanted to unite social organizations to drive the state project (Deng 2013). Moreover, Lu said that she had been watching the Free Lunch Project and hoped there would be a chance for cooperation (Deng 2013). Deng accepted this offer to further deepen cooperation between Free Lunch and the state and started to work together with the central government to supervise and improve local projects. From September 2013, Free Lunch worked on ensuring all the schools in Hunan and Yunnan provinces abandon the "milk and bread" model and replace it with the homemade-meal model Free Lunch advocated. Meanwhile, the central government took action; on 17 October 2013, Lu urged local governments to take responsibility for supplying cooks to every local school and ensuring that homemade meals were provided every day at noontime (Deng 2013).

Overall, we can see that Free Lunch had sent out a message of being harmonious with the government and acting out of social responsibility. This is precisely the ideal that the government and social organization relations presented in the *People's Daily*: "Social organizations and the government are not in conflict with each other, but in a harmonious and unified relationship" (Hu 2013). The relationship between Free Lunch and the government illustrates how this harmonious and unified relationship could be achieved. The mechanism of cultural resonance between the Free Lunch performance and its audiences is illustrated in Figure 5.1. The background representations direct the (audience) scripts (see the arrow from background representations to scripts), represented by the five core binaries of harmony versus disorder, responsibility versus rights, Chinese versus foreign, public versus private, and development versus underdevelopment. These binaries guide the reaction of audiences towards the actors' performance. In this case, the actors performed two symbols very well, through their action tactics like

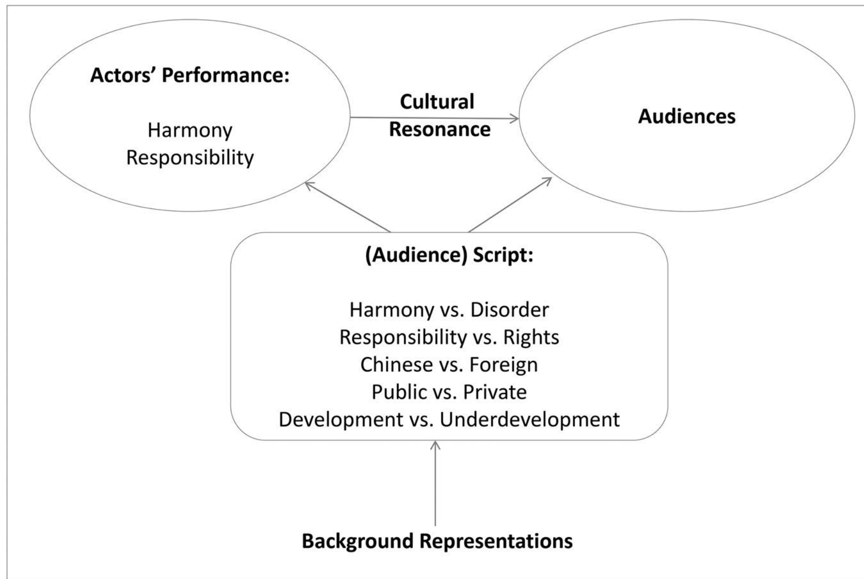


*Figure 5.1* Successful cultural resonance mechanism of case 5.

cooperating with the local governments and supervising the central government program at the local level—harmony and responsibility. Since these two symbols are on the sacred side of the (audience) scripts, Free Lunch had successfully aligned their performance with audience preferences, meeting the criterion of congruence. Moreover, the Free Lunch initiative served as a model for the central government's project, meeting the criterion of relevance. Therefore, the mechanism of cultural resonance is complete.

## 5.2 Case 6: China's rare disease policies and the China-Dolls Center for Rare Disorders

Rare illnesses, by definition, only affect a small group of people. However, given the population of China and the statistic that 6–10% of people globally (on average) have a rare disease (IFPMA 2017: 7), the number of Chinese patients with rare diseases is potentially enormous. Yet, China's healthcare system is far from ready to treat these patients because it has largely ignored rare illnesses. Patients with rare diseases often do not have access to the drugs they need; even if they have access, these drugs are usually expensive because public insurance policies do not offer reimbursement (Qiaoan 2020).

However, in recent years, there seems to have been a positive policy turn for patients with rare disorders. In 2014, China's State Council established the Rare Disease Committee under the Health and Family Planning Commission and in 2017, China published a draft of its first national list of

rare diseases (Qiaoan 2020). Even though the draft covered only 100 diseases, far from exhaustive for the over 7,000 kinds of rare diseases, these changes nevertheless demonstrate that the Chinese government has finally started to tackle the difficulties this special group faces (Radke 2017). These positive changes are related to nearly a decade effort by CSGs working on rare diseases. The China-Dolls Center for Rare Disorders (hereafter China Dolls) is one of these groups.

China Dolls was founded in 2008 in Beijing, intended as a service-oriented non-governmental organization (NGO) working with a group whose members had contracted a rare disease (Interview 14). However, China Dolls soon realized that in order to substantively change the life situation of this group, policy changes were necessary (Interview 14). In 2009, China Dolls united five other rare disease groups to draft a policy proposal regarding legislation on rare diseases and handed the proposal in during the National People's Congress (NPC) and Chinese People's Political Consultative Conference (CPPCC) meetings (Zhu 2012). This proposal suggested the government: build-up national health service institutes for rare disease patients, establish a scientific definition of rare disease, construct a drug reimbursement system for rare disease patients, simplify the registration process for imported orphan drugs, and promote the research and development of orphan drugs.

The establishment of the Rare Disease Committee in 2014 and the publishing of the draft list in 2017 can be regarded as initial successes of China Dolls' policy advocacy. As one of the most successful NGOs dealing with rare disease advocacy, China Dolls has attracted much scholarly attention. Some argue that China Dolls has been successful because of its effective branding, such as inviting celebrities to be "image ambassadors" (Yu 2016); others believe its effective use of traditional and new media have contributed to its success (Jiao n.d.).

While these aspects are certainly important, I argue that there is something more to the success of China Dolls, namely that its performance achieved cultural resonance with policymakers. By encoding sacred symbols into its performance through its framing strategies and action tactics, China Dolls was able to meet the criteria of congruence and relevance.

China Dolls' strategic framing is reflected in its incorporation of the symbolic codes of harmony versus disorder and Chinese versus foreign. For example, in its 2009 proposal named "Defining 'Rare Diseases' and Perfecting Related Safeguard Policies," the term "harmony" appears many times:

> In fact, if we ignore the development, production, and introduction of rare disease medicines, such small-probability diseases are likely to become large-probability diseases, resulting in an increase in social public medical expenses and thus, damaging fairness and harmony, which leads to a wide range of social hazards.
>
> *(Wang 2009)*

This paragraph, a combination of diagnostic and prognostic framing, firstly outlines the problem—some of the large-probability diseases are the result of ignoring the development of rare disease medicines. It then engages in prognostic framing, suggesting the development, production, and introduction of rare disease medicines. This proposal is relevant to the government because it can help with the goal of building a fair and harmonious society. The following paragraph expresses a similar idea:

> [...] Today, when we are building a harmonious society, it is imperative to formulate a special rare disease regulation. This is meaningful to resolve social conflicts, advance legal processes, promote public health, and achieve harmonious development.
>
> *(Wang 2009)*

This excerpt represents prognostic framing, which moves from rare disease medicines to rare disease regulations. When it comes to the relationship between rare diseases and a harmonious society, this excerpt is explicit. Rare disease regulations can help resolve the social conflicts caused by the lack of appropriate regulation. A lack of rare disease regulation that protects the rights of this vulnerable group can bring heavy mental burdens and practical difficulties to patients and their families. When such regulation is enacted, the rights of this particular group will be better guaranteed, decreasing potential conflicts and helping maintain social stability.

In addition to regulation, it is also essential to increase public awareness of rare diseases:

> We will increase public awareness of rare diseases so that the public can correctly understand rare diseases and correctly handle the occurrence of rare diseases so that society can better integrate vulnerable people with rare diseases to promote the development of a harmonious society in our country.
>
> *(Wang 2009)*

This prognostic framing moves beyond concrete solutions such as developing medicines and enacting regulation, reaching toward public awareness. As the next paragraph in the proposal specifies: "Only by fundamentally eliminating public misunderstanding and discrimination concerning rare diseases can this group truly integrate into the large family of a harmonious society" (Wang 2009). In other words, there will not be a harmonious society if the public misunderstands and discriminates against people with rare diseases.

In addition to "harmony," China Dolls also incorporates other symbolic codes that ring a bell with the government. For example, the next paragraph

skillfully combines "Chinese characteristics" with the development of rare disease medicines:

> Facing the backward development of domestic orphan drugs and the gradual import of rare drugs, we should prospectively establish a reasonable payment mechanism for rare disease medicines with Chinese characteristics as soon as possible.
>
> *(Wang 2009)*

The "Chinese characteristics" discourse has been coined and promoted by the Chinese government, implying that imported ideas, systems, and mechanisms should be adjusted to fit the particular Chinese condition. Since "Socialism with Chinese Characteristics" was used to justify the Reform and Opening-Up, which basically introduced a capitalist form of production to China, "Chinese characteristics" has become a popular term among both officials and the public. In the official discourse on civil society discussed in Chapter Four, people's society is considered superior to civil society exactly because it embodies Chinese characteristics, and the above-quoted paragraph from China Doll's policy advocacy recognizes such Chinese particularity. The following paragraph pushes it further—not only should China develop its own mechanism with Chinese characteristics, but as a result, China could also contribute to rare disease research internationally:

> Due to its large population, China has an advantage in the world for conducting research on rare diseases. The Ministry of Science and Technology should establish a special research fund for rare diseases, encouraging scientific researchers' interest in rare disease research to contribute to human health.
>
> *(Wang 2009)*

The "Chinese characteristics" and especially the "Chinese contribution" discourses used by China Dolls mirror the official discourse of "national rejuvenation." This excerpt sends out the message that China should use its advantage in rare disease research so that it can be the leading country in rare disease medicine and improve "human health." Thus far, it has been developed countries that can produce and export rare diseases medicines. If China uses its advantage well, it will be the one to export its technology and drugs, proving its strength in the global context.

Similar to Free Lunch, China Dolls did not shun official recognition when it came to action tactics. For example, in May 2014, China Dolls was awarded the title of "Home for the Handicapped" by the State Council (China-Dolls Center for Rare Disorders n.d.). Wang Yiou, director of China Dolls, took part in the ceremony and met with Chinese president Xi Jinping, Chinese Prime Minister Li Keqiang, and other state leaders (China-Dolls Center for Rare Disorders n.d.). In December 2014, at the "CCTV Charity Night," a charity gala hosted

by the state TV channel, the director of China Dolls was named one of the 2014 "Top Ten Charity Figures of CCTV" in 2014 (China-Dolls Center for Rare Disorders n.d.). This shows that China Dolls did not view the Chinese government as an antagonist. Instead, it seems they believed that CSOs and the government could work on the same issue for the same purpose.

Furthermore, similar to many of the environmental advocates I mentioned in the last chapter, China Dolls was active in inviting policymakers, such as the representatives of NPC and CPPCC and officials of ministries, to their seminars and discussions, writing research reports and letters to create dialogues with the relevant state departments. During my interview, the director of China Dolls confirmed that they proactively try to build a positive dialogical relationship with state officials: "We invite state officials to our conferences whenever possible. Officials from the Ministry of Civil Affairs have been here, and officials from Disabled Federation have been here" (Interview 14).

Moreover, China Dolls is clear about the influence of NPC and CPPCC representatives. The director is frank that they "built connections with two session representatives who are familiar with these diseases, like doctors or parents of kids with these diseases." This gesture of building connections with officials inside of the political system symbolizes that China Dolls does not regard the government as some kind of enemy it should mindfully avoid.

The performance of China Dolls encodes sacred symbols, such as "harmony" and "Chinese," identified by their audiences, which leads to cultural resonance between the China Dolls and the state (see Figure 5.2). Similar

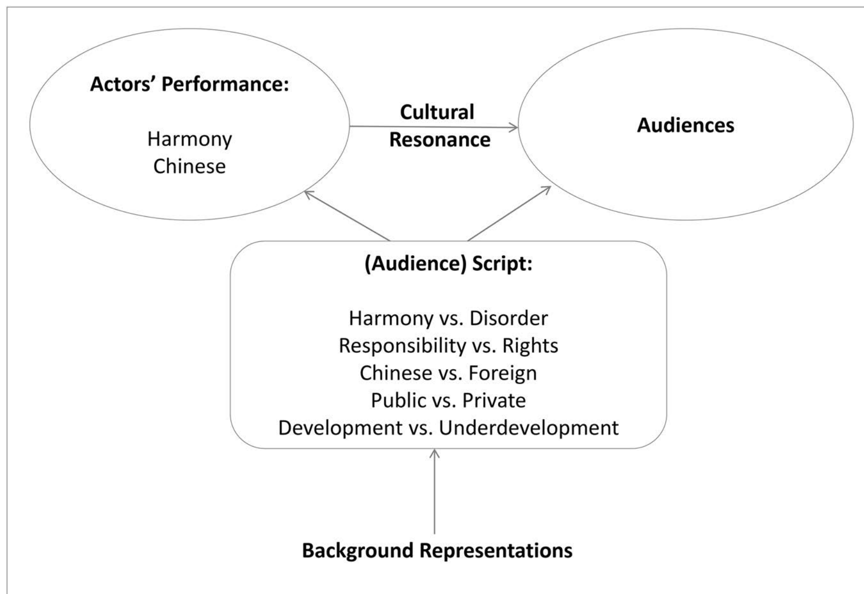


*Figure 5.2* Successful cultural resonance mechanism of case 6.

to all the other successful cases, these symbols are embedded in the wider background representations, which direct the (audience) scripts and guide the reactions of audiences towards actors' performances. The actors, in this case, performed the codes of "harmony" and "Chinese" through their framing strategies and action tactics, which correspond to the sacred side of (audience) scripts. This alignment, together with the relevance of this advocacy, fits the agenda of the audiences. Thus, a mechanism of cultural resonance is completed between the actor's performance and the audiences, contributing to policy advocacy success.

## 5.3 Case 7: The Anti-Domestic Violence Law and the Beijing Zhongze Women's Legal Counseling and Service Center

One in four married women in China has experienced domestic violence at least once, according to official government figures; U.N. Women in China says the number is even higher (Roxburgh 2017). Several Chinese laws imply that the abuse of women and family members is illegal, such as the Constitution of the People's Republic of China, the General Principles of the Civil Law of the People's Republic of China, the Law on the Protection of Women's Rights and Interests, and the Second Marriage Law of 1980. However, there are no explicit mechanisms through which abused women can seek legal recourse. This situation began to change after China passed its first law against domestic violence in July 2015 and implemented it in March 2016.

The Anti-Domestic Violence Law would not have been passed without the efforts of many forces. It is commonly perceived that the All-China Women's Federation is the most important among them, if not the only one (Sheng 2012; Xia 2014; Zhang 2016). The concept of "domestic violence" was popularized in China through the United Nations Fourth World Conference on Women in Beijing in 1995. Since then, every year during the NPC and CPPCC meetings, there have been officials from All-China Women's Federation advocating against domestic violence (Interview 17). However, a closer look at the advocacy process reveals that many grassroots CSOs also contributed to the positive outcomes. Among these CSOs, the Beijing Zhongze Women's Legal Counseling and Service Center (hereafter Zhongze) is a significant actor. Like many women's rights CSOs in China, Zhongze was established after the 1995 U.N. Conference on Women. Since then, Zhongze has been a leading women's rights CSO in China, participating in a great deal of women's rights advocacy and providing legal services. According to Zhongze's April 2010 report, from 1995 to 2010, it had "helped 70,000 people, taken on close to 3,000 cases, carried out more than eighty training sessions and seminars on women's rights, submitted over seventy recommendations on laws and regulations, and published thirteen books and over 200 articles" (Cao 2016).

Among Zhongze's achievements, one of the most well-known is its role in the now-defunct Anti-Domestic Violence Network. This network was formed by both official organizations such as the All-China Women's Federation and

grassroots organizations such as Zhongze, Hongfeng, and GenderinChina. As mentioned above, the contribution of the All-China Women's Federation in fighting domestic violence should not be overlooked. At the same time, Zhongze and other grassroots organizations in the network also participated in every step of the drafting of the Anti-Domestic Violence Law. For example, when the State Council publicized its first draft of the law for suggestions in November 2014, Zhongze was very active in putting together recommendations from experts, lawyers, and NGO practitioners:

> On 25 November 2014, right after the first draft of the Anti-Domestic Violence Law was revealed by the State Council, Zhongze invited experts and lawyers on the law from both China and abroad to discuss the drafts. In this seminar, we went through the draft from the beginning to the end and offered suggestions on every single article. We emailed the electronic version and posted the printed version of the suggestions to the Legal Affairs Office of the State Council. In addition, we encouraged the lawyers, experts, scholars, and students around us to send suggestions regarding the first draft.
>
> *(Interview 17)*

This quote highlights the important role Zhongze played in re-drafting the Anti-Domestic Violence Law in 2014. This process was repeated by Zhongze in September 2015, when a newer draft was publicized on the NPC website for public suggestions (Interview 17). When the period for public suggestions was closed for this draft, more than 8,700 people had delivered more than 42,000 suggestions to the NPC (Interview 17). Very few drafts from the NPC had attracted more attention. This result would not have been achieved without the efforts of Zhongze and other CSOs. Similarly, Zhongze also managed to deliver their suggestions on a subsequent draft through NPC representatives and the media, even though this newer draft was not open to the public for suggestions, reflecting the good relationships Zhongze maintained with people inside the political system.

The final version of Anti-Domestic Violence Law, passed in July 2015 and effective in March 2016, incorporated many of Zhongze's suggestions (Interview 17). For example, the final version covers not only physical but also psychological abuse, it applies to both married and cohabiting couples, and it allows relatives to file a complaint on behalf of victims. These measures had all been proposed by the Anti-Domestic Violence Network composed of Zhongze and other organizations. The final version of the Anti-Domestic Violence Law signals a victory for the Anti-Domestic Violence Network's two decades of campaigning.

This victory can be attributed to two factors. One is the positive influence from official organizations such as the All-China Women's Federation; the other is the positive impact of the CSGs led by Zhongze. The impact of the All-China Women's Federation is easy to explain in that as a government-organized non-governmental organization (GONGO), it is supported by the

government and has always a high level of policy impact. But Zhongze's success is more mysterious. Some might attribute its success to its symbolic power. As one of the oldest and most influential women's rights NGOs in China, Zhongze and its leader, Guo Jianmei, have received many awards both in China and internationally. For instance, Guo Jianmei was the recipient of the 2007 Global Women's Leadership Award, the 2009 Prix Simone de Beauvoir pour la liberté des femmes (shared with Professor Ai Xiaoming), and the 2011 International Women of Courage Award. Further, many female dignitaries have visited the Center, including Hillary Clinton, Madeleine Albright, and Madame Annan, among others (Cao 2016). Others explain the successful impact of Zhongze by referring to Guo's potential contact with political elites since her graduation from the prestigious Peking University Department of Law and her work with the Ministry of Justice and the All-China Women's Federation before she founded Zhongze (Cao 2016).

Although all these factors may play an important role in Zhongze's success, they miss an essential aspect, namely, that Zhongze had aligned its performance with the sacred side of the symbolic codes of its (audience) scripts. For example, when asked about its "ideal" relationship with the government, a former Zhongze staff member opines:

> In the ideal case, CSOs should maintain a positive relationship with the government through dialogue, interaction, and collaboration. The two, civil society and the government, have the same goal at the end. The government governs top-down; civil society helps with the governance bottom-up. However, in reality, there is not enough dialogue, interaction, and collaboration.
>
> *(Interview 17)*

This response from the former Zhongze staff member shows that the organization does not view the government as being antagonistic to its work. On the contrary, it sees the government and the civil society as one—working together for a better society. This view corresponds to the ideal state-society relationship advocated by the *People's Daily*. Moreover, when asked about current NGO-state relations, the staff of Zhongze continued:

> The current NGO-state relationship is far from ideal, and this is because government, especially at the local level, often views NGOs as an opponent. The local governments do not see NGOs as a solution to social problems or a mechanism for maintaining stability. Instead, they think NGOs are problem-makers.
>
> *(Interview 17)*

The ideal NGO-state relationship does not reflect the current reality. In the ideal case, NGOs carry out their signal functions in the Habermasian sense, which means they help the government detect social problems and contribute

to resolving them. In the case of the Chinese government, this is a process of maintaining stability. However, in reality, the government does not recognize the problem-solving functions of NGOs, a fact which blocks the channels for problem-signaling and problem-solving. However, Zhongze thinks that this is not only the fault of government—NGOs should also take responsibility:

> NGOs should learn how to communicate with the government. They should make the government realize that we are working on the same goal: the well-being of the people and the prosperity of the country. We are both working on the rule of law, democracy, human rights, etc., a better society, in short. To help the government with better governance, we should be strategic. We need to make them understand what we are doing is good for the society. This requires us to talk to the government proactively. For example, Zhongze always invites government officials when we have legal seminars and research meetings. The government has both the good and bad aspects of their work. We praise the government for its good deeds and criticize its bad deeds constructively. Mere criticism without praise is not the right way to communicate. In this matter, civil society still needs to improve.
>
> *(Interview 17)*

In this quote, the former Zhongze staff member is even more explicit about the common goal shared between NGOs and the state—"the well-being of the people and the prosperity of the country." While civil society organizations in the West would be more reluctant to frame their role and function in this way, at least some of their counterparts in China do not see it as a problem. When civil society views itself as working on the same goal as the government, it does not see the government as an evil Other; rather, it is one of Us, deserving to be treated fairly and gently. In other words, criticism should be constructive and should be accompanied by praise.

This positive attitude toward the government also helps to explain other actions by Zhongze. For example, while many NGOs in the West are reluctant to maintain ties with the government, and would be offended if the government does not embrace its suggestions, Zhongze does not seem to mind:

> We have processed many legal cases over the past twenty years and in this process, we have developed many suggestions for relevant policies and regulations. We have delivered our legal suggestions to the Highest Court, the Legal Affairs Office of the State Council and the CPPCC from time to time. Maybe these administrations will not offer any reply, but I feel this is our responsibility and I believe our actions will have positive results with regard to future legislation.
>
> *(Interview 17)*

This kind of devotion comes from the Confucian spirit of *shi*—a strong sense of social responsibility, which has motivated Zhongze to "do its

job" of submitting legal suggestions over two decades. The state might not appreciate their efforts, but that does not discourage or breed resentment, because, as the above interviews show, it is their responsibility to do the job regardless of the response from the state.

The symbolic codes revealed in Zhongze's action tactics explain why the state would take Zhongze's advocacy seriously in the drafting of the Anti-Domestic Violence Law. Three pairs of codes emerge from Zhongze's narrative: harmony versus disorder, responsibility versus rights, and Chinese versus foreign. In Figure 5.3, I have listed these three pairs of codes in the bubble named actors' performance. The founder of Zhongze, Guo Jianmei, once said, "It's only because of my love for my motherland that I do all this. The function we serve is to resolve social conflicts" (Cao 2016). This statement from Guo combines the sacred symbols of "harmony," "responsibility," and "Chinese." Firstly, all Zhongze has been doing, from its own perspective, is solving a social problem. In other words, it helps the government maintain stability, which, in turn, helps to build a "harmonious" society. Secondly, Zhongze staff do this out of a sense of social responsibility, rather than fighting for their individual rights. Thirdly, Zhongze has the same goal as the government, to achieve the well-being of the people and the prosperity of the country, a patriotic sentiment that also rings a bell with the government. Through incorporating these sacred codes into their performance, Zhongze has achieved cultural resonance with their audiences, resulting in the success of its advocacy in the Anti-Domestic Violence Law.

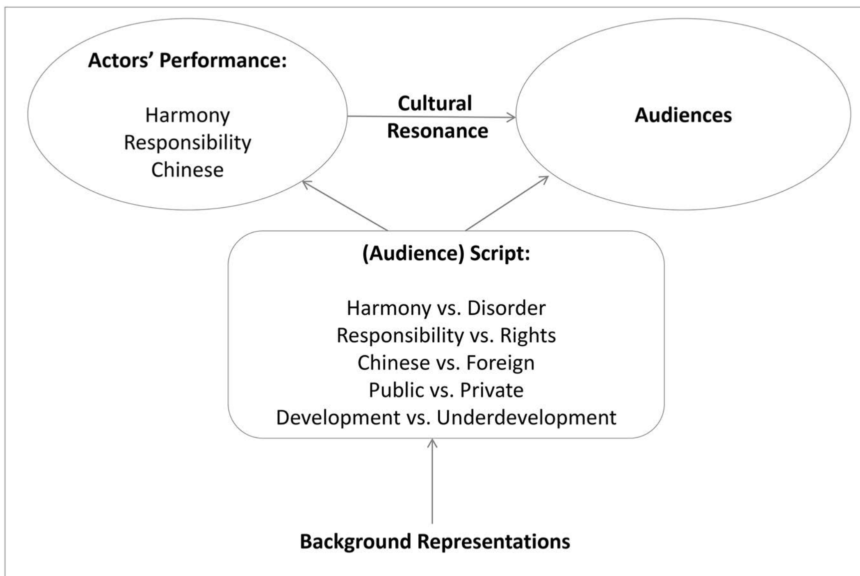


*Figure 5.3* Successful cultural resonance mechanism of case 7 regarding advocacy.

However, the case of Zhongze is more complex. To the surprise of many, only a few months after the Anti-Domestic Violence Law was passed, Zhongze closed down. The former Zhongze staff have been silent about the reason for the organization's closure (also during my interview), but some assume it is the result of state pressure, closely related to the government crackdown on Chinese NGOs that rely on foreign funds (Sohu Sina News 2016). Chinese citizens' online discourse also points in this direction. Online comments have attacked Zhongze as a "running dog" of the Americans, a tool used by hostile foreign forces to subvert China, or a spy organization using the banner of public interest to harm Chinese interests (Cao 2016). It seems many Chinese citizens are concerned about Zhongze's close ties with Hillary Clinton, inferred from her visits to Zhongze and a photo of Guo Jianmei with Clinton. An article from *Global Times*, a state-owned tabloid, also implies that the fact Zhongze receives funding from the Ford Foundation may be the reason it closed down (Shan 2016).

The closure of Zhongze right after the passing of Anti-Domestic Violence Law shows that the success of advocacy and the success of an organization can be two different things. The former is about the passage of particular legislation or policies; the latter is more complicated, involving whether an NGO can sustain itself politically, financially, and socially. In the case of Zhongze, it won the battle for the Anti-Domestic Violence Law, yet the polluted symbol of "being foreign" may very well have led to its demise. In contrast to the success of Zhongze's advocacy depicted in Figure 5.3, Figure 5.4 illustrates

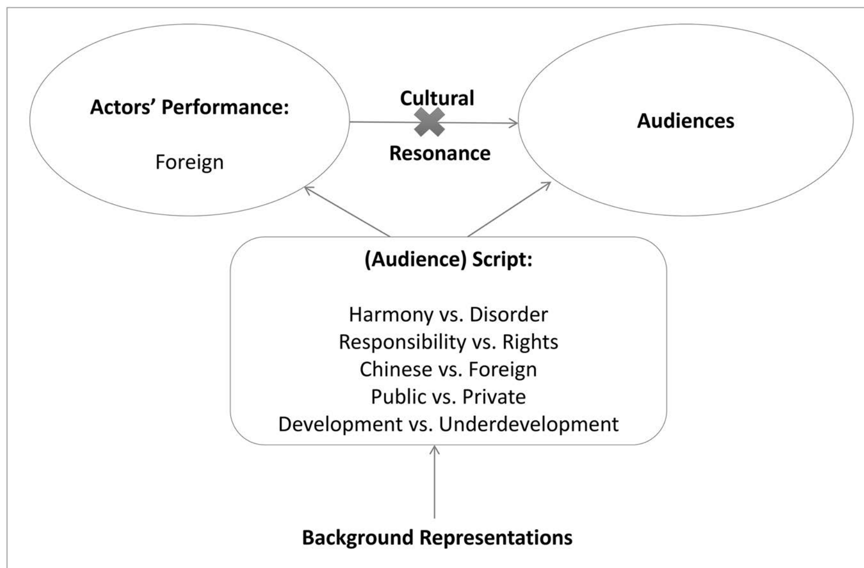


*Figure 5.4* Failed cultural resonance mechanism of case 7 regarding organizational survival.

how being perceived as "foreign supported" harms Zhongze's legacy, thus leading to its closure. The actors, in this case, suffer from the polluted symbol of "foreignness," connected to foreign politicians and supported by foreign foundations. Therefore, the mechanism of cultural resonance is interrupted, and the organization has closed down as a consequence.

The closing down of Zhongze also casts a shadow on the newly passed Anti-Domestic Violence Law, because the loss of such an influential organization is symbolic; it will undoubtedly hamper the implementation and further improvement of the law. Therefore, taken as a whole, I would argue that this case involved both success and failure. The concern of Zhongze for China (the scared side of the binary) contributed to the passage of the law, but the fact it was funded by an American foundation (the profane side) decreased its legitimacy, which ultimately led to its closure.

## 5.4 Case 8: The campaign against sexual harassment and the Feminist Five

The "Me Too" campaign initiated in 2017 has placed sexual harassment under the spotlight internationally. Even though an article published by the *China Daily*, a state newspaper, responded to this campaign by claiming that China does not have Harvey Weinstein-type predators (Haas 2017), surveys show otherwise. According to a study by the China Family Planning Association, more than one third of university students surveyed said they had experienced sexual violence or harassment (Lai 2016). The situation of on-campus harassment is already alarming; yet, it may be even worse off-campus. Up to 70% of female factory workers in Guangzhou said they had experienced sexual harassment in the workplace, according to the China Labor Bulletin (2013), and 80% of Chinese women are reported to have suffered harassment in the workplace, according to the Harvard International Law Journal (2010). Sexual harassment is not limited to the workplace. According to a 2012 poll, among the more than 9,000 people surveyed online, 13.6% said they had experienced sexual harassment while riding the subway, and 81.9% agreed that this is a problem (China Daily 2012).

Facing this situation, a new generation of Chinese feminists have decided to break the silence, the most famous being the "Feminist Five." The Feminist Five refers to five Chinese young women—Wei Tingting, Li Tingting (Li Maizi), Wu Rongrong, Wang Man, and Zheng Churan (Datu)—detained by police on International Women's Day in March 2015 as they planned to hand out fliers on buses and subways in several cities calling attention to sexual harassment (Qiaoan 2020). Their planned action was considered "picking quarrels and provoking trouble" (Yang and Feng 2017).

Since "picking quarrels and provoking trouble" was not considered a serious offense in China, officials soon released the Feminist Five. However, since their action was regarded as a provocation and not carried out at all, it is difficult to argue that this campaign was successful. Not only did the

Feminist Five miss a chance to deliver their messages to officials and to the public, all of them ended up with a criminal record for their deeds and one was even barred from leaving the mainland for a decade, which forced her to miss her enrollment in a law degree program at a university in Hong Kong (Yang and Feng 2017). However, one could argue that from a long-term perspective, thanks to the domestic and international outcry related to this campaign, public awareness of sexual harassment in China has been rising. Evidence of the increasing awareness includes the anti-harassment ads that appeared in June 2017 in subway stations across Beijing, Shanghai, Shenzhen, and Chengdu, in the name of the government-backed All-China Women's Federation. Since there is no evidence this move by the Federation was related to the Feminist Five movement, I maintain that overall, the Women's Day campaign itself was not successful.

Some might argue that the failure of this case, together with the closing down of Zhongze, shows that the issue area of women's rights is a sensitive one that provokes the government. Supporters of such an argument might assert since "women's rights are human rights," as Hillary Clinton famously put during the 1995 U.N. conference in Beijing, and since rights activists can be a target at any time in China, it is no wonder the Feminist Five and Zhongze have experienced trouble.

However, the fact that anti-harassment advertisements were put in subway stations by a government-backed organization indicates otherwise. If it is a dangerous issue area that is inherently forbidden in China, then the GONGOs would not follow up on this issue and promote it. Therefore, the problem might not be the inherent issue area. One might argue that even though the issue area itself is not sensitive, the fact that a GONGO took over the CSG action shows how state manages specific issues through state corporatism. I agree that this development is an example of state corporatism in China; yet, the grassroots under state corporatism are not necessarily in trouble. Take the Free Lunch case as an example. When the state decided to take over the nutrition improvement project, it did not suppress Free Lunch. It even learned from and cooperated with Free Lunch, representing a successful case of civil society group advocacy. Therefore, it is not about the particularity of the issue area or the state management model, but how the activists operated in this issue area and interacted with the state.

I argue the Feminist Five's performance in this case did not resonate with the government. The planned action of the Feminist Five took place at the same time as the NPC and CPPCC meetings in March, a period during which authorities are highly sensitive to any provocation. As one of the five feminists, Li Maizi said, "If you plan any kind of action during a sensitive time, the government takes that as a confrontation" (Yang and Feng 2017). Since they are experienced in performance art protests, the Feminist Five must have been aware of the symbolic meaning of their movement during the NPC and the CPPCC in the capital of the country. If they decided to carry out this movement anyway, as Li herself puts it, "[T]he government

takes that as a confrontation." This decision by the Feminist Five sent out the message that they were not interested in building a positive relationship with the government. My interview with a new generation feminist, who is close with Feminist Five, confirmed this attitude. She told me that her CSO does not lobby policymakers. When asked why not, she explained:

> Personally, I don't think it is possible to communicate with them. I don't think we can change them through lobbying. If the government does not launch a policy or a regulation, it is because they don't want to do it. Maintaining the current status-quo is the most comfortable for them. If there is no pressure, they won't change.
>
> *(Interview 18)*

This feminist does not hide her skepticism toward the government, and she admits that her distrust stopped her from communicating with officials in the way Zhongze did. When asked about their relationship with the government, she commented:

> Confrontation is always there. Of course, we don't openly say it. We only say we do not cooperate. They [government officials] never say they want to cooperate with us anyway. We engage in dialogue with them, but in a different way [from Zhongze]. In the end, everything we do, including imposing pressure, is for communication.
>
> *(Interview 18)*

While she admits that communication is the final goal, she sees this communication as achieved through a different method. This method is more similar to the Western civil society repertoire—through confrontation, pressure, non-violence, and non-cooperation. These action tactics, used by the generation of feminist who grew up in an increasingly Westernized China, are very different from those of Zhongze, whose tactics seem to be a product of the traditional Chinese milieu. When asked about the ideal NGOs-state relations, this new-generation feminist also provided an answer decidedly different from Zhongze: "The ideal case, well, what we hope most at this moment is that they [officials from the Ministry of Public Security] don't bother us" (Interview 18).

The symbolic meaning delivered by the performance of the new generation of feminists is that they are not interested in aligning their actions with the sacred side of official discourse. They do not care for the stability-concern of the government, they do not identify with the nationalist campaign of the state, and their values and behaviors are similar to those of Western civil society. Their actions can be perceived as "foreign" in the eye of their audiences—foreign firstly because these actions are not familiar to their audiences, and, secondly, because these actions are similar to those in the West. This polluted code of "foreign" acts as a discordant element in the

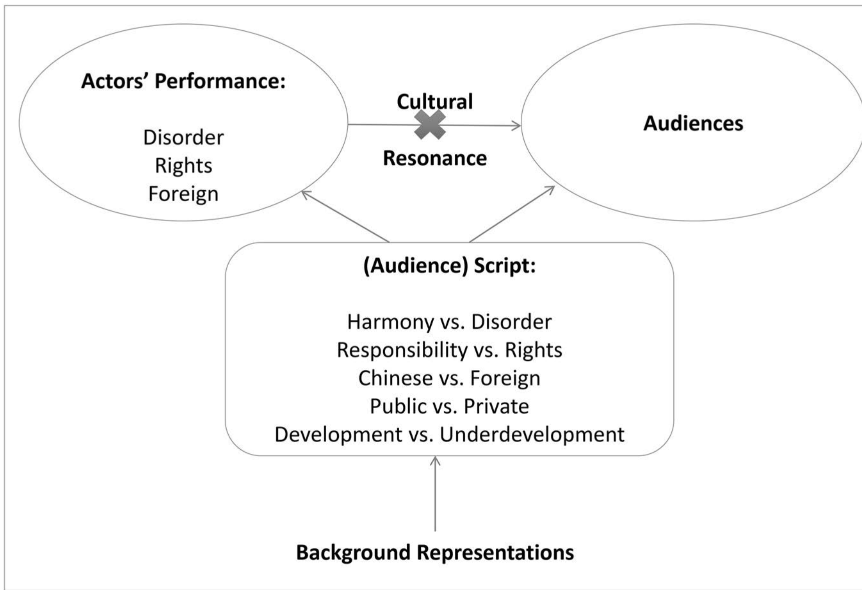


*Figure 5.5* Failed cultural resonance mechanism of case 8.

performance (see Figure 5.5). "(Women's) Rights," associated with the liberties of individuals to pursue life and goals without interference from other individuals or the government, are often perceived as the opposite of the "social responsibility" appreciated in the traditional Chinese value system. In contrast to "responsibilities," an individual's duties to the community often accompanied by an attitude of respect and cooperation, "rights" are likely to be associated with disorder and chaos. In this case, the action tactics of the new-generation feminists are easily interpreted as causing disorder, fighting for individual rights, and, in general, Westernized, so it is no wonder the government did not accept their performance. The mechanism of cultural resonance is interrupted, and policy advocacy is not effective.

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In this chapter, I have analyzed four advocacy cases in non-environmental issue areas. I have shown that similar to the environmental advocacy cases discussed in the last chapter, the CSGs working in other issue areas must also encode the sacred symbols embedded in (audience) scripts into their action tactics and framing strategies. Compared to the cases analyzed in Chapter 4, the advocacy forms in Chapter 5 appear to be more diverse. Some civil society groups set out a model for the government to mobilize, some groups engage in performance art to pressure the government, and some choose more traditional ways of delivering policy proposals. Due to

the diverse repertoires, not all of them deliver their message through policy proposals, or in general, in linguistic form. Actually, in the majority of the cases from this chapter, it is not the explicit mention of symbolic codes, but the way CSGs encode these symbols into their action tactics that matters. However, despite the diverse repertoires, the mechanism of cultural resonance applies to all of them. This cultural resonance is based on the ability of civil society actors to organize their performance in a manner that allows their audience to identify with their agenda. That is to say, in order to achieve success in policy advocacy, Chinese civil society must engage in "symbolic action" (Alexander 2011: 150). Without this symbolic vehicle, Chinese civil society would not be able to break through the structural constraints and reach the political core in an authoritarian regime.

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Interview 14: Director of China Dolls, interview by author, Beijing, April 22, 2016.

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# Conclusion

## Civil society in the Xi Era

Seven years ago, I met an intelligent young woman originally from Hangzhou. She was only eighteen years old at that time but already halfway through her bachelor's study at a top college in the United States. What was more exceptional was her sense of social responsibility. At the age of seventeen, she had done a Thoreau-style gap year in a village near her hometown, experimenting with organic farming and practicing voluntary teaching with the village kids who usually had no access to a good education. Half a year later, she told me that she would like to pursue Uygur studies during her Masters' and Ph.D. work, and afterwards all I knew was that her social media interactions suddenly stopped in early 2017. I recently learned that she had been taken away by police during her research stay in Xinjiang, making her one of the many missing individuals since the "war on terror" started in that region. As a Han Chinese who had no history of "terrorist activities," she should have been safe. Yet, her link to activists and "overseas forces" (mainly American academia in this sense) made her more suspicious in the eyes of the Chinese authority. Since her disappearance in 2017, nobody is sure what happened to her. The only thing I know is that the message I sent her on social media remains unseen.

In some issue areas, even undertaking academic research is a luxury, let alone performing activism. Under the current conditions, advocating for the Uygur minority is such an issue that can be easily interpreted as going against the "national unification" and "social stability" codes embraced by authorities and the majority. The human rights rhetoric often used in the West to discuss this issue has been shown in this book to be one of the least favorable symbolic codes for the Chinese policymakers, thus ineffective in persuading them. The only two codes that might play some role are "harmony" and "developmentalism." For example, arguing that the so-called "stability-control" method currently implemented could lead to more instability in the long term and showing that it slows down Xinjiang's economic development and wastes state revenue gathered through the economic achievement of other regions. However, even advocating under

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such state-sanctioned codes could be dangerous, given how "securitized" (Buzan, Wæver and Wilde 1997) this issue area has already been. In 2018, a senior official of the Xinjiang Uygur autonomous region, Wang Yongzhi, was removed for his "serious disciplinary violations" (Yin 2018). Wang's crimes, among corruption and bribing, include secretly releasing 7,000 detainees from the re-education camp. In the leaked document of Wang's confession, he said he was concerned that the actions against the Uygurs would breed discontent and thus result in greater violence in the future (Ramzy and Buckley 2019). Additionally, he stated that he thinks taking away young labors would slow down the economic development, hindering the state plan of poverty alleviation (Ramzy and Buckley 2019). Such statements, aligned with harmony and developmentalism, did not prevent him being punished for not "rounding up everyone who should be rounded up" (Ramzy and Buckley 2019).

Therefore, I am not naive enough to believe, or ignorant enough to claim, that regardless of issue areas, one can deliver their message to the political core effectively through the cultural resonance model proposed in this book. Instead, the message I would like to deliver is that some pathways are more effective than others in some cases. If such an option exists, then it is worth the efforts to channel one's agenda into such a strategy. I hope, and I believe, that someday we—both activists and scholars—will move beyond this energy-consuming work of looking for the "right" strategy in order to speak to power, but before that, we have to find pathways towards incremental changes under "the impossible." These are the incremental changes that lead to the future we are longing for.

Similarly, the Hong Kong issue has also become a hot button issue around which one has to be extremely cautious when it comes to mounting any advocacy efforts. Even though the protest in Hong Kong started in a peaceful manner in 2014, the initial action repertoire of "taking to the streets" in Occupy Central did not resonate well with the authorities in Beijing even in the beginning. The sit-in protests, massive gathering, and the democratic demand resembled the 1989 Tiananmen Square Protest which has remained a taboo in mainland China for the past three decades. In 2019, the plan to allow extraditions to mainland China sparked a new wave of protest, which turned violent this time and grew into an anti-China and pro-independence movement. The violent clash between the protestors and the police gained even less resonance from Beijing. Even though the accelerated violence put the extradition bill to a halt, it was clear that harsher measures would follow this temporary back down from the political core.

In June 2020, China passed a new security law for Hong Kong which criminalizes any act of secession (breaking away from the country), subversion (undermining the power or authority of the central government), terrorism (using violence or intimidation against people), and collusion with foreign or external forces. According to this new law, the crimes mentioned above can be punishable by a maximum sentence of life in prison (Tsoi and

Wai 2020). Attempting to speak for the protestors can be seen as collusion with their so-called "secession," "subversion," and even "terrorist agenda," which is non-negotiable in the eyes of the decision-makers in Beijing. Like the Xinjiang case, there could have been a tiny space for advocacy through the stability/harmony and developmentalism codes; however, since the movement turned violent and the government became determined to put things back to order through the legal measure, this tiny advocacy space has died out.

Besides, labor issues are also going through a process of "securitization" (Buzan, Wæver and Wilde 1997) these years, leaving little space for advocacy in this area, as best illustrated through the Jasic Incident. On 27 July 2019, a group of Jasic Technology Co., Ltd. workers took to the streets due to their dissatisfaction with low pay and poor working conditions. The workers demanded to form a labor/trade union which would truly represents their interests. Jasic responded by firing the employees, which sparked two weeks of demonstrations from factory workers in Shenzhen, and some of them were later arrested by the police.

Activism is not limited to workers—university students are involved as well. Marxist students from top Chinese universities who sympathized with the workers joined the supporting force and performed public advocacy through open letters. On 29 July, Yue Xin and other activists published "The Peking University Students on the '7-27 Worker Arrest in Shenzhen': the Letter of Solidarity," asking the Shenzhen police to release the arrested workers immediately, and requesting an explanation and apology for the relevant arrests (BBC 2018). On 19 August, Yue Xin published an open letter to the Chinese president Xi Jinping, which reads:

> […] all members of the Solidarity and I will strengthen political consciousness, strengthen the beliefs of Marxism-Leninism and Mao Zedong Thought, and firmly stand on the position of the great working-class. We will resolutely safeguard China's socialist and people's democratic dictatorship. We will continue to fight until all the arrested workers are acquitted, the local evil forces are investigated, and the workers' basic rights and legal status are guaranteed.
>
> *(BBC 2018)*

This letter received no response from the political core, and the student activists were arrested soon afterward. Such a reaction from the Chinese party-state towards this "Marxist" and "Maoist" movement shows that, as elaborated in Chapter 3, the "Socialist" or "Marxist" symbolic code in China has largely given way to "developmentalism." The Solidarity of workers, if jeopardizing economic development, will not be supported regardless of its socialist nature. Besides, the action repertoire of taking to the streets also easily gets on the officials' nerves, which does not resonate well with them. Ironically, the Chinese Communist Party, itself formed and strengthened

through working-class movements, knows all too well the threat of such movements, thus has zero-tolerance towards such activities.

The Xinjiang, Hong Kong, and labor issues mentioned above painted a bleak picture of China's civil society these past few years. However, it is not all dark. The COVID-19 crisis complicated the situation and injected, to some extent, new energy into civil society.

During the COVID-19 outbreak in China, Chinese civil society has provided extensive services and support to those involved in the frontline rescues. Volunteering activities comprised of citizens made up a big part of these services and support. According to an estimate in May 2020, 8.81 million registered volunteers participated in 460,000 volunteer projects and contributed 290 million hours in response to the epidemic (State Council News Office 2020). This level of citizen participation in volunteering activities is unprecedented. However, the majority of these activities were organized by state agencies such as the Communist Youth League. Besides, all volunteers were required to "submit to the arrangement of local Party committees and government departments" and not provide offline service out of their region (Ministry of Civil Affairs 2020). Therefore, while celebrating the temporary eruption of the volunteering spirit and associated activities in Chinese society, we should be cautious about viewing this as an opening of civil society. During recent years, the state has been relatively active in developing a state-led volunteer management system (Hu 2020), and this volunteer participation and management during the epidemic response may suggest the success of such a state agenda rather than the rise of civil society force.

In addition to individual and spontaneous volunteering, more organized support from established foundations and non-governmental organizations (NGOs) also contributed to the COVID-19 rescue. Foundations collected and donated funds to support their affiliated charities and other state-approved emergency response agencies. Emergency management and public health NGOs worked with state agencies, medical institutions, and foundations by delivering medical gear and other services. Community-based NGOs assisted local governments in epidemic control and management.

In recent years, civil society organizations (CSOs) have been largely under the state's administrative absorption agenda (Kang and Han 2007). COVID-19 epidemic leads to the fragmentation of CSOs and the (temporal) pluralization of society. Business-affiliated CSOs (e.g., Alibaba Foundation, Tencent Foundation) maneuvered through their business networks. The government-affiliated CSOs (e.g., Red Cross) worked through governmental systems. The CSOs that are more on the side of civil society (e.g., Shenzhen One Foundation, Guangdong Harmony Foundation) functioned through their NGO networks. This fragmentation shows that some social organizations have already obtained the capacity to function through their network independently, beyond the state-corporatist framework (e.g., the business-affiliated and civil society-like foundations), meaning the administrative absorption is dissolved temporarily during the epidemic crisis.

Thus, even in the era of new totalitarianism where the administrative absorption is heightened (Kang and Zhang 2020), there is still a chance of pluralization in society. This pluralization is based on the inherent fragmentation of CSOs and is triggered by the exogenous shock of COVID-19 during which the government is temporarily paralyzed. Whether such a pluralization can last is questionable. However, the important role some foundations played in the rescue, and the network they built with NGOs, business, and also among themselves, has laid a foundation for the development of civil society in the future.

Yet, one has to be cautious in being overly optimistic with this initial sign of pluralization because, similar to the volunteering activities discussed before, one of the features of the operation of CSOs in COVID-19 is the dominance of state force. State-affiliated charities and foundations are given much higher flexibility to act in the crisis, while independent CSOs are under much closer monitoring and given less operational space. Therefore, it is certainly too early to declare any opening-up, as shown even more clearly in the policy advocacy area.

In general, little policy advocacy attempt was observed during the COVID-19, and even less was successful. Although there has been a temporary opening of information in February (Repnikova 2020), the state quickly reinforced its control. Many WeChat and microblog accounts were hacked or attacked, and numerous news stories were removed. Moreover, citizen journalists who went to Wuhan to collect first-hand footage and document the outbreak were punished, with the worst so far being a four-year prison sentence (Guo 2020). The state is determined to rewrite the story of the epidemic into a victorious China overcoming the virus under the Chinese Communist Party's leadership, to be specific, under the guidance of the paramount leader Xi Jinping (Qiaoan and Gallelli, forthcoming). Therefore, no other voice is allowed.

However, even under such conditions, some observable changes can be regarded as some kind of success in policy advocacy. The most prominent one is the social change triggered by Dr. Li Wenliang's death. Dr. Li was among the first group of medical professionals in Wuhan who learned about the virus. After he sought to provide information in medical circles about the situation in Wuhan early on, and was disciplined by the local police, he passed away shortly after due to the same virus he tried to warn others about. Dr. Li's death triggered a public outcry which has not been seen in China for decades. On 30 December 2020, exactly one year after Dr. Li Wenliang's death, Shanghai passed a new regulation which relieves medical professionals from any punishment for reporting on infectious diseases (The Paper 2020). This would not have happened if not for the unprecedented public outcry.

Some wonder whether the COVID-19 epidemic could be another moment like the 2008 earthquake—giving civil society the momentum to grow. The short answer from China scholars is often "no" (Hu and Sidel 2020).

The COVID-19 epidemic will most likely not be such a turning point, firstly because 2008 was exceptional in the sense that it introduced the vocabulary of "NGO," "volunteers," and "civil society" to many in China. Therefore, it represented an opening that could not be easily repeated. Secondly, in the more restrictive political environment in 2020, volunteering was a considerably more constrained and state-dominated force than that in 2008. Thirdly, even though more NGOs joined the COVID crisis rescue than the 2008 earthquake rescue, they have generally been less autonomous in their emergency response due to the state's increasingly restrictive policies (Dong and Lu 2020). Thus, all in all, it is unrealistic to expect the crisis to lead to an expansion of civic activities and civil society space in China. Yet, it does not mean we could not see potential opportunities for civil society to expand in the long term. Under the currently restricted political environment, using symbolic codes embraced by the authorities might be the best way to push one's agenda through.

## Summary: the story of David versus Goliath

In the introduction, I asked how a small David could win the battle against a giant Goliath. In my story, David won the battle by reframing it less as a fierce conflict and more as peaceful communication. By speaking the language of Goliath, David persuaded Goliath to identify with him; thus, in the end, no battle was necessary.

This process of identification is what I call "cultural resonance." Cultural resonance is achieved through two channels: congruence, or frame alignment, and relevance, or puzzle-solving potential (McDonnell, Bail, and Tavory 2017). There can be an objective level of congruence in the actors' performance and audience scripts, but this inherent familiarity does not automatically lead to resonance. To achieve cultural resonance, actors must also engage with the challenges their audiences face. It is this puzzle-solving potential, together with initial congruence, which leads to cultural resonance. Translated into the language of David versus Goliath, this means David must persuade Goliath that he is close to Goliath and that he can help Goliath with his struggles. Without these two conditions, the resonance between these two sides could not occur, and Goliath would not put down his armor.

This process of cultural resonance does not occur in vacuum. It is constrained and enabled by background representations. Audiences adopt some of these representations, or symbolic codes, into their scripts (and their scripts meanwhile shape the background representations). The symbolic codes presented in the (audience) scripts direct the actors' performance and audience reactions. In other words, in the communication process between David and Goliath, the fact that they share a meaning system allows them to speak to each other, and the shared system also limits the possibilities in this conversation. Since this meaning system regulates what is good and

what is evil, David must align himself with the sacred side to win support from Goliath. Actually, this is not a typical story of David versus Goliath: Goliath is not the villain who must be knocked down, and David is not the future king. Instead, they are simply two sides of a conversation with one being apparently more powerful than the other.

Through such an atypical narration of the classic David versus Goliath story, this study contributes to scientific discourse in several ways. Empirically, applying this new theoretical perspective fills a gap in Chinese civil society studies by showing how NGOs succeed in pressing for policy changes, and the emphasis on framing in policy advocacy expands the horizon of civil society research in general. Theoretically, the framework itself represents an analytical innovation which enriches both the cultural pragmatic theory of social performance and social movement theory on framing.

It also enriches the existing literature on Chinese civil society with a new theoretical perspective. Conventional studies on Chinese civil society focus more on the economic capital (e.g., sources of funding), cultural capital (e.g., professional level), social capital (e.g., leadership ties), and symbolic capital (e.g., aura of founders), but they tend to ignore or downplay the communicative process that takes place when NGOs try to persuade policymakers to change policies. To illustrate the communicative process, I find the cultural theory of social performance a more inclusive framework. A good performance already implies that the players possess the necessary capital to play with. In other words, performance includes and utilizes capital, but capital does not include and utilize performance. For example, the connections that NGOs have with policymakers (for example, their social capital) does not guarantee that their advocacy will be successful (as shown in Case 3 of Chapter 4); instead, this factor must be used together with other elements to ensure success in policy advocacy. Furthermore, a good performance can help civil society to win audiences, and these audiences will become part of the new social capital. Therefore, to better explain civil society interaction with the government, a theory of performance rather than a discussion of capital is needed.

This study also invites us to take a fresh look at civil society research in general by elaborating on the framing process in the policy advocacy of NGOs. Researchers have long recognized that framing is important for social movements. Yet, policy advocacy is usually perceived differently, as a behind-the-scenes rational discussion in which cultural symbols and emotions are not necessarily involved. Therefore, when discussing policy advocacy, researchers often write about tactics such as lobbying, gaining membership in government bodies, building networks and coalitions, using the media, and conducting campaigns. This study shows that just as in efficient social movements, framing is a critical element in policy advocacy. It is not enough to stop at the institutional and organizational levels when discussing policy advocacy. Instead, the process of framing in policy advocacy must also be investigated.

In terms of theory, this study further develops the cultural pragmatic theory of social performance by highlighting the role of audiences and explicating the process of cultural resonance. Alexander uses the term "re-fusion" (2004) in his theory of social performance. "Re-fusion" seems to imply that when the actors manage all the elements (background representations, scripts, and texts) consistently, the performance will appear authentic and audiences will be persuaded. This mechanism of re-fusion neglects the importance of audiences (Binder 2017). Audiences are also influenced by background representations, and they also have a set of scripts to direct their actions and reactions towards the performance.

What if all the elements of actors are seamlessly fused but this performance seems irrelevant and uninteresting to the audience? For the audience, this performance will not be a successful one, no matter how perfect the performance itself is. To showcase the agency of audiences, I use the concept of resonance instead of re-fusion in my research. The term resonance implies that what we encounter daily and what must be explained is not "social action" but "social interaction." In other words, the concept of "resonance" acts as a gentle reminder of the intersubjectivity of social life.

Additionally, this study develops social movement theory on framing by transforming the mechanism of "resonance" into "cultural resonance." Social movement theorists acknowledge the existence of culture in social interaction. For example, Benford and Snow's (2000: 621) concept "narrative fidelity of the frame" is an attempt to include the cultural background in their analysis. However, this attempt is inadequate in many ways; for example, the relationship between "narrative fidelity" and the five other elements (frame consistency, empirical credibility, credibility of the frame articulators, centrality, and experiential commensurability) is unclear. The laundry-list style of listing culture together with these five other elements downplays the overarching power of this concept. To some extent, all frames are embedded in culture, highlighting culture's constraining power, and all social actors can do is to choose one stream of culture over another. Besides these academic contributions, this study also has real-world implications, which will be clarified in the following sections.

## How far can it travel?

I elaborate in detail the mechanism of cultural resonance through cases from China. Therefore, a reasonable question would be: "Can the result be generalized?" The answer is both yes and no—"no" in the sense of the particular content and respective repertoires, "yes" in the sense of the universal mechanism.

On the one hand, the particular action tactics and framing strategies I have outlined cannot necessarily be generalized and copied, considering they are based on a specific socio-cultural context at a specific time. Civil society actors from a different geographical region, and/or different time

period, might not find the concrete steps in these cases replicable. For example, in the United States, the symbolic binary code of harmony vs. disorder might not have the communicative power it does in China. Actually, recent political developments in Slovakia have already shown that this binary does not play a large role in the Central-Eastern European political milieu. These cases have certain characteristics that cannot be easily copied. The key to the success of these cases is that they channel the temper of a given culture at a given time. However, this cultural analysis is not aligned with any form of "cultural essentialism" because "culture" here is not unchanging or monolithic, but historically fluid and pluralistic. Culture does not determine social processes entirely, and its influences vary among different sub-groups in society. I believe I have made this very clear through my hermeneutic analysis of the Chinese cultural background and my case studies.

On the other hand, the overall mechanism of cultural resonance is generalizable. The illustrative cases are from Chinese civil society because this is the area I researched and am most familiar with. But the mechanism of cultural resonance exemplified by these cases can be applied to civil society in other socio-cultural contexts. Cultural resonance, in the end, is about effective human communication and persuasion. The two underlying conditions—congruence and relevance—are not limited to any given culture. This mechanism is similar to the "moral framing" discussed by social psychologist Robb Willer (2017) and the "real communication" advocated by Celeste Headlee (2015). As Headlee asserts, we must re-examine how to communicate, how to "talk to" each other rather than "talk at" each other in an increasingly divided world (2017). Therefore, the mechanism of cultural resonance is not only the key to advocacy success in China, but also the key to consensus among social actors in any socio-cultural context.

## Caveat

To achieve cultural resonance, the actor must adapt to the audience language. This process of adaptation might worry some critics. Isn't there a risk that the actors will compromise too much to cater to their audiences? This compromise seems even more controversial when it happens in the context of "civil society," because if there is one thing that civil society activists should stick to, it is their principles.

I am in no way claiming that civil society actors should betray their principles to be acknowledged by the government, or that they should never fight with the government. I see compromise and fighting as more complementary than contradictory, at least in the sense of tactics. Fighting often requires compromise with the regime to some extent. For example, in the Velvet Revolution in the Czech Republic, the revolutionaries made many compromises with the communist regime, like letting communists sit in the transitional government, to achieve an orderly and legal transition to democracy (Saxonberg 2001). Meanwhile, even this "compromise" implied

some amount of "fighting," as the civil society groups were mobilizing for their cause and achieving their goals through less-risky means. Moreover, history has shown that when the regime is strong but the opposition is weak, it is often not the best time to practice high-risk activism, and when the regime is weak but the opposition is strong, there is more space to do so. In other words, it is wise to know when to lean towards which direction.

Just as compromise and principle represent a false binary, most of the time, right and wrong is not so clear-cut either. Compared to an "evil" state versus a "heroic" civil society scenario, I believe a more realistic picture is to envision that the civil society is talking about one thing and the government is talking about another thing. Because the two sides speak different languages, at best, they "talk through" each other rather than "talk to" each other; at worst, they interpret the other side as the enemy and become involved in a battle. In the latter case, from the perspective of civil society actors, the government becomes the oppressive "other" and they themselves become the tragic heroes. As much as I respect these activists, except for a few extreme situations, society develops more rapidly when fewer activists die as tragic heroes and more stay alive as responsible citizens. As historian Natalie Zemon Davis opines, "I realized that between heroic resistance to and fatalistic acceptance of oppression, there was ample space for coping strategies and creative improvisation. Much of human life was and is carried on in this fertile middle ground" (Davis 2013).

A legacy of the traditional black-and-white conceptualization of civil society-state relations in China is to look at society as a "victim" of the suppressive state. The explicit and implicit recommendation from such research is that the situation of society will be improved when there is a less-suppressive state; in other words, the solution is "regime change." Even though this perspective may have some truth in it and the Central-Eastern European experience has shown that regime change can be a solution (though democratic consolidation can take much longer), such research exhibits several serious problems. One is that the reality in Central-Eastern Europe then and China now is considerably different, and Saxonberg (2013), through a comparative study, has explained why the Communist Party in the former had fallen and in the case of the latter remains far more robust. Further, according to many surveys, mainstream Chinese society seems satisfied with the government, preferring the current status quo to regime change (Saich 2012, 2016; Ma 2017; Pew Research Center 2017; Turcsanyi 2018). Another problem with those advocating the kinds of rebellions that took place in Central-Eastern Europe is that such research implies that beyond fighting for regime change, there is little Chinese civil society can do. Such an implication can be depressing for activists, considering how stable and strong the party-state seems to be in contemporary China.

My research shows that there is indeed something civil society can do in current circumstances to make changes step by step, while not violating the value system of the state and mainstream society. Civil society must often

take these kinds of steps to survive a nonreceptive political environment. For instance, Taylor (1989) points out that American women's right activists had little impact in the hostile period from 1945 to 1960 and that they, willingly or not, even contributed to maintenance of the status quo. But through adjusting their repertoires and finding a niche in which to survive, these abeyance organizations retained potentially dissident populations, and acted as signposts for the revitalized movement for gender equality in the late 1960s (Taylor 1989). Similarly, I believe in the present situation in China, in which the regime is strong, but the opposition is weak, more can be accomplished by focusing one's appeal toward the regime. Moreover, even though these activists are not demanding democratization explicitly, their participation in the policy process no doubt contributes to the pluralization of society and good governance in general. Good governance, defined by Yu Keping and agreed upon by many Chinese intellectuals (Yu 2011; Wang and Guo 2015), includes legitimacy, transparency, accountability, rule of law, responsiveness, and effectiveness. Even though good governance is not necessarily equal to democracy, because the core of democracy, representation, is missing, it is nevertheless a reasonable springboard to prepare for the next step. Democratization is a desirable goal, but it is a long and complex process, and it is not a cure-all. It is important to acknowledge that the improvement of social justice and social welfare under the current system is no less important. This is exactly what these civil society groups are contributing to: more accountable, transparent, and in general, better governance.

Another implication of this study is that the explicit promotion of democracy espoused by many international donors might not offer the most effective rhetoric in the current Chinese context. This is not to deny the inherent value of democracy or democratization. A normative discussion of the concept of democracy is not within the scope of this project, but empirically speaking, when international society pushes too hard for democratization, it might end up undermining the intended liberalization or welfare outcomes of domestic CSGs. Therefore, if international donors can adjust their rhetoric, as some of the Chinese CSGs have done, they are more likely to see a better result in improving governance and social justice in China. Or, in general, if the international community desires to encourage more policy participation in authoritarian regimes, they must study the meaning system of political elites and the beliefs of the people living in that society, to find out what rhetoric works in the given context.

Moreover, some critics might question whether Chinese CSGs consciously adapt to the state's language or they simply act out of instinct. The former is implied by terms such as "strategies" and "tactics," often used in this work; the latter is implied also, since I have pointed out that CSGs and the authorities are exposed to the same meaning system. However, this is a false paradox since the distinction between conscious and unconscious is not so clear-cut in reality. The CSGs utilize their strategies more in the sense of "habitus" (Bourdieu 1984), as a kind of unconscious strategy,

both value-oriented and instrumental (Bourdieu and Wacquant 1992). In other words, it is a kind of strategic impression management enabled and constrained by underlying cultural structures. It is important to realize that these CSGs are neither brain-washed puppets nor filthy opportunists. They just happen to find their way in this political environment through both feeling and thinking.

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Since Chinese President Xi Jinping came to power in 2012, the space for Chinese civil society has been constantly shrinking. Even one of the Feminist Five, famous for confronting the authorities, acknowledged in 2016 that, "The political environment is very difficult now," and "We have to think very carefully about new methods to push forward China's feminist movement" (Fincher 2016). With the Constitutional Amendment in 2018, Xi Jinping has cleared his way to extend the presidency beyond two terms, which means the conditions for civil society activity are not likely to improve in the short run. In this situation, the tactics and strategies I discuss in this work appear to be even more relevant. The new Constitution has written "harmony" and "national rejuvenation" explicitly into the Articles and emphasized "development" even more (Xinhua 2018). At this historic moment, symbolic identification and cultural resonance might be the only vehicles that can carry the civil society agenda to the political core. As activist Han (CNN 2016) has commented, it does not help if civil society in China is fearful; instead, it should be careful and hopeful. My research expresses a similar point. In the end, carefully acting and framing the civil society agenda to achieve cultural resonance is the best hope for the small David to survive the hostile environment and maybe even achieve a fruitful interaction with the giant Goliath.

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# Appendix

## Interview list

Interview 1: Director of Stars Youth Development Center, interview by author, Guangzhou, 22 August 2015.

Interview 2: Director of Friends of Nature, interview by author, Beijing, 27 August 2015.

Interview 3: Staff Member of Free Lunch for Children, interview by author, Beijing, 27 August 2015.

Interview 4: Vice Director of Shan Shui Conservation Center, interview by author, Beijing, 28 August 2015.

Interview 5: Staff Member of Youchange Foundation, interview by author, Beijing, 29 August 2015.

Interview 6: Staff Member of Chi Heng Foundation, interview by author, Beijing, 29 August 2015.

Interview 7: Staff Member of Free Lunch for Children, phone interview by author, Brno, 28 September 2015.

Interview 8: Director of Friends of Nature, phone interview by author, Beijing, 12 December 2015.

Interview 9: Staff Member of Bike Guangzhou, interview by author, Guangzhou, 23 March 2016.

Interview 10: Staff Member of Green Beagle, interview by author, Beijing, 7 April 2016.

Interview 11: Director of Department of Law and Policy Advocacy, Friends of Nature, interview by author, Beijing, 8 April 2016.

Interview 12: Staff Member of Institute of Public and Environmental Affairs, interview by author, Beijing, 15 April 2016.

Interview 13: Staff Member of Nature University, interview by author, Beijing, 15 April 2016.

Interview 14: Director of China Dolls, interview by author, Beijing, 22 April 2016.

Interview 15: Director of Yiyou Charity, interview by author, Beijing, 22 April 2016.

Interview 16: Staff Member of Department of Law and Policy Advocacy, Friends of Nature, interview by author, Beijing, 25 April 2016.
Interview 17: Former Staff Member of Zhongze Women's Legal Counseling and Service Center, interview by author, Beijing, 27 April 2016.
Interview 18: Director of a women's rights CSO, interview by author, Beijing, 27 April 2016.
Interview 19: Director of Friends of Nature, phone interview by author, Brno, 30 June 2016.
Interview 20: Director of Department of Law and Policy Advocacy, Friends of Nature, phone interview by author, Brno, 18 July 2016.

NGO List (ordered according to the level of interaction, high to low):

Friends of Nature 自然之友, Beijing
Center for Legal Assistance to Pollution Victims (CLAPV) 污染受害者法律帮助中心, Beijing
Nature University 自然大学, Beijing
Green Beagle Institute 达尔问环境研究所, Beijing
Institute of Public and Environmental Affairs (IPE) 公共环境研究中心, Beijing
Free Lunch for Children 免费午餐, Beijing
Zhongze Women's Legal Counseling and Service Center 北京众泽妇女法律咨询服务中心, Beijing
China-Dolls Center for Rare Disorders 瓷娃娃罕见病关爱中心, Beijing
Stars Youth Development Center 满天星青少年公益发展中心, Guangzhou
Society of Entrepreneurs and Ecology (SEE) 阿拉善SEE生态协会, Beijing
Shan Shui Conservation Center 山水自然保护中心, Beijing
Chongqing Two Rivers Volunteer Service Development Center 重庆两江志愿服务发展中心, Chongqing
Chengdu Urban Rivers Association 成都城市河流研究会, Chengdu
Fujian Green Home 福建省绿家园环境友好中心, Fuzhou
He Yi Institute 合一绿学院, Beijing
Green Innovation Hub 创绿中心, Beijing
Green Hunan 绿色潇湘, Changsha
Green Kunming 绿色昆明, Kunming
Guangzhou Lvwang 广州绿网环境保护服务中心, Guangzhou
Bike Guangzhou 拜客广州, Guangzhou
Teach for China 美丽中国, Beijing
Yiyou Charity 亿友公益, Guangzhou
YouChange Foundation 友诚基金会, Beijing
Chi Heng Foundation 智行基金会, Beijing/Hong Kong

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