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House Committee on Foreign Affairs

Subcommittee Hearing: Is Academic Freedom Threatened by China's Influence on U.S. Universities?

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American Universities: Chess Pieces in China's Grand Quest for Knowledge

Dear Congressman Smith and members of the Subcommittee,

I'm pleased to have this opportunity to speak today alongside the distinguished panelists here. Earlier this year, I wrote an article about New York University Shanghai and published it on ChinaChange.org, a website that I edit. Today I would like to speak about the Chinese government's policies on joint higher education ventures, its mechanisms of controlling them, the Communist Party's presence in these ventures, and the regime's severe suppression of academic freedom in Chinese universities. I will also be happy to answer your questions about my research on NYU Shanghai.

China's national policies on joint ventures in higher education

In 2003, China first issued the [*Regulation on Chinese-foreign Cooperative Education*](#) (《中华人民共和国中外合作办学条例》) to set the rules for joint-venture higher education programs. Between 2004 and 2007, China issued several follow-up regulatory documents regarding the implementation of the initial regulation. In 2010, China promulgated [*the National Plan for Medium and Long-Term Education Reform and Development \(2010 – 2020\)*](#) (《国家中长期教育改革和发展规划纲要(2010-2020年)》). The National Plan devotes a chapter (Chapter 16) to joint higher education, which gives a more detailed, and more visionary, description of its purpose and implementation. In 2014, the Ministry of Education issued a document reviewing the joint higher education ventures in China over the past three years, since the promulgation of the National Plan (《教育规划纲要实施三年来中外合作办学发展情况》).

The purpose of joint ventures in higher education is to bring the best international higher education resources to China. This includes: “bringing world-class experts and scholars to China to engage in teaching, research, and management; conducting joint research with first-rate foreign universities on advanced basic research and high technology, especially in the areas of science, technology, agriculture, and medicine; and introducing educational ideas, content, teaching methods, talent training models and management expertise.”

The *Regulation* encourages foreign education institutions to primarily use their intellectual property as their investment in the joint venture.

But China is very concerned about so-called “education sovereignty.” “According to WTO rules,” admits the Ministry of Education document in 2014, “China promised to open its education sector, and foreign educational institutions may engage in education service trade as businesses.” But China has plainly refused to deliver its WTO promises in this area, as in many others. Meanwhile, it has sought to take advantage of the best education, research, and knowledge resources from foreign institutions.

The solution to these opposed goals is to set up a joint venture with the Chinese government being the controlling party. Remarkably, many foreign universities are willing to oblige.

The *Regulation* stipulates that the board of these joint ventures must have a Chinese majority, and the president must be a Chinese citizen. “Courses and imported textbooks in these joint-venture programs or universities must be submitted to government review and approval organs for record.” And “the joint-venture programs and universities must provide courses about the Chinese constitution, law, citizen morality, and the current state of the country, just as similar domestic institutions are required.” Those who understand the coded language of the government know that this refers to political education, or more plainly, the indoctrination of students with Marxism-Leninism, “socialism with Chinese characteristics,” Maoism, and only the Party’s view of its history.

I’m afraid that the most insidious part of the control mechanism lies in the finance of these joint-venture universities. And it is also the least transparent and least known part. Financial dependence on the Chinese government, even if it is partial, puts foreign universities in a vulnerable position where they may feel the need to conform to China’s expectations, not only on the joint-venture campuses, but also on home campuses.

The *Regulation* prohibits foreigners from conducting education on topics such as the military, police, and politics, and prohibits religious organizations, including churches and religious teachers, from engaging in educational activities. Religious education is also prohibited.

According to the Ministry of Education, the near 2,000 joint-venture programs in China focus on advanced manufacturing, modern agriculture, and modern service sectors. And China wants more talent in the fields of energy, mining, environmental protection, and finance. Of the near 2,000 programs, 37% are engineering, while literature, history, and law are less than 2% each.

China’s drive to take advantage of the best and most advanced educational resources around the world is multi-faceted. Between the fall of 2013 and early 2014, nine top Chinese research universities signed the *Hefei Statement*, along with four international university leagues, all from developed countries. The purpose of the Statement was “to identify the key characteristics that make research universities effective; and to promote a policy environment which protects, nurtures and cultivates the values, standards and behaviors which underlie these characteristics and which facilitate their development.” Among these are the demand for “academic freedom by faculty... without undue constraint,” and “tolerance, recognition and welcoming of competing views.”

While the *Hefei Statement* was signed, the Chinese government was in the process of carrying out the most severe crackdown on academic freedom in recent memory.

In other words, China is attempting to deepen international cooperation by lying. Again, its counterparties have been all too willing to oblige.

Recent developments show that China's quest for advanced knowledge and technology is picking up steam and is coming to this country. Just a few days ago, newspapers reported the launch of a technology institution called the "Global Innovation Exchange Institute" in Seattle, a joint venture of China's elite university Tsinghua University, the University of Washington, and Microsoft, that focuses on technology and design innovation in the areas of the "Internet of things", intelligent cities, mobile healthcare, and clean energy. U.S. media reported that Microsoft was the investor, but in the Chinese press it was described as "an important step and a milestone of Tsinghua University's international strategic deployment." Many of us would like to know whether the Chinese government is also an investor in this initiative, and if so, what its share and level of control is.

Two other recent reports in Chinese newspapers indicate that China is seeking investment in the [research triangle](#) of Duke University, University of North Carolina at Chapel Hill, and North Carolina State University. In an innovation forum at the University of Maryland, a Chinese official expressed the desire to build the [first innovation incubation platform](#) on the East Coast, with Chinese investment and research expertise from American universities.

These are only some of the examples of a constant flow of news where China is pouring money into extracting knowledge and innovation from foreign resources. [Jason Lane](#), co-director of the Cross Border Education Research team at the State University of New York, Albany, said partnerships like the one between Tsinghua and Washington are "the next generation of Confucius Institutes." This is deeply alarming, given the Confucius Institutes' abundantly documented infringements on academic freedom in American universities and around the world.

Another component of China's quest for quick and easy acquisition of advanced science and technology is simpler: theft. We regularly read reports about Chinese government-sponsored hackers breaking into sensitive systems here in the United States, often with grave consequences like the recent breach of the federal personnel files. To give just one example of these thefts, [Penn State University disclosed](#) recently that Chinese hackers have been sifting through the computers of its engineering school for more than two years. Penn State develops sensitive technology for the U.S. Navy.

The presence of the Communist Party in joint-venture programs

After I published *New York University Shanghai: What Is the Deal?*, a young professor at NYU Shanghai commented angrily about my "guess" that Chinese students at NYU Shanghai are likely required to take the four "thought and political education" courses. She said, "the answer is a simple 'no'". That's the reason you couldn't find them on our

website.” But I soon found from Daniel Cuesta, who works in academic affairs at NYU Shanghai, that Chinese students do take these courses, though he was unable to provide details. In what was intended to be a lighthearted comment on the ChinaChange website, he quipped that NYU Shanghai could probably “skype in the Dalai Lama.” I have tremendous respect for these professionals and the pride they take in their work, but their naiveté about the modus operandi of the Chinese Communist Party is astounding. They now work within the glass box erected for them by the Party, and seem to not even realize it.

At NYU Shanghai, Chancellor Yu Lizhong admitted that there is “Party organization life” on campus. He did not elaborate, but any Chinese person will know the connotations of the term. I was able to find reports of the Party’s presence in other joint-venture universities. In the SJTU-ParisTech Elite Institute of Technology, an engineering college and joint venture between Shanghai Jiaotong University and Paris Technology Institute, the CCP party branch there said they “do not at all relent on students’ thought education” and they proactively “guide students to embrace communist ideas and beliefs in a highly international educational environment where they face the challenge of defending [China’s] educational sovereignty.”

The Ministry of Education paid particular attention to ideological indoctrination in its 2014 Review of the joint-venture universities and programs. “They have engaged in thought and moral education as well as patriotic education based on the characteristics of students in these schools and programs, and have achieved remarkable results. Sino-foreign joint-venture universities, such as the University of Nottingham Ningbo, have insisted on establishing Communist Party committees so that there would be the Party’s work wherever the masses [i.e. people] are, and there would be a Party organization wherever there are Party members, achieving the Party’s no-blind-spot coverage on a grassroots level. Some universities have also established overseas Party branches to ensure that the Party’s work remains synchronized with its work at home when students....study abroad.”

Is access to the Internet unrestricted on these joint-venture campuses? It may vary from campus to campus, but a Hong Kong paper recently reported that students at the Shenzhen campus of Chinese University of Hong Kong cannot use the CUHK VPN to access the Internet, despite the fact that the university has invested in precisely that capacity. Instead, Internet on the Shenzhen campus is restricted by the Great Fire Wall of China.

We know that in Chinese universities, students, especially Party and Youth League members, are routinely recruited as informants, reporting on their teachers and fellow students, ensuring that none are proffering ideas counter to those of the Party. Are similar initiatives taking place at these joint-venture programs? The authorities showed particular concerns for students in these programs, so it would be surprising if they were not.

At NYU Shanghai’s Education Development Foundation, which raised money for the university, we learned that key members are in fact retired high ranking Party officials.

In the parlance of the CCP, these are “cadres working on the second front” (“退居二线”) who often assume roles in the “non-governmental sector” to exert government control.

Academic freedom pummeled at Chinese universities

In China’s current political system there has never been academic freedom as understood by Americans, though the level of repression has fluctuated. Much has been written about the Chinese Communist Party’s [Document No. 9](#), issued in the spring of 2013, which prohibits Chinese universities from teaching ideas about constitutional governance, universal values, free press, civil society, and the rule of law. This edict has shut down what little academic freedom was enjoyed before. Articles, such as a recent piece in the [Christian Science Monitor](#), have reported that professors were fired, or pressured to quit their jobs, for espousing liberal ideas and teaching them in the classroom; Party officials cut or constrained trips to academic conferences; student reading lists were vetted for ideological content. A media professor told the paper that, “There are topics I know that as soon as they are mentioned in my classes, I would be sacked immediately.”

For the record, I would like to quote a social media post of the well-known law professor He Weifang at Peking University from last December. The post was later deleted by China’s Internet censors, but I was able to read a preserved copy and have confirmed its authenticity:

【Universities are as silent as the winter cicadas】 When lecturing, it is like walking on thin ice because there are surveillance cameras overhead. Gingerly we conduct research. We are not supposed to write papers on constitutional democracy; even if we do, there is no place to publish them. To take part in an international conference, we have to file a request with the authorities one year in advance, and the request would be denied if it is deemed even slightly sensitive (there are no transparent criteria for what is sensitive). Many on-campus academic lectures must be approved by the propaganda department of the university’s CCP Committee. It’s a mystery which faculty members are on the “black list.” They have been incessantly talking about making Chinese universities world-class universities. How do they do that?

Conclusion

China’s intentions in the world of higher education were made clear in a pair of recent instances involving UC Berkeley. In November 2014, Peking University gave the President of UC Berkeley an [honorary professorship](#), and expressed strong interest in “cooperation” on big data processing, a new and important computing technology with wide application. In February 2015, [the Wall Street Journal reported the forced closure of a labor center in Guangzhou](#) jointly established by UC Berkeley, and Sun Yat-sen University, as part of the broad, systematic suppression of rights activities and civil society over the last two years.

The US-China relationship for the last 30 years has operated on the premise that the US should engage with China, help her grow economically, and that economic development will lead to the Chinese Communist Party's embracing human rights and democratic values. Instead, today we have a monstrous combination of state capitalism, the kleptocratic marriage of power and money, and broader and harsher suppression of the Chinese people and their legitimate demands for political and civil rights. Internationally, we are witnessing an increasingly aggressive China, a rising threat to the peace and security of the world, and a challenge to the existing world order.

One can argue about the current order and point out all its defects, but I assure you with certainty that you do not want a global regime set up and dominated by the Chinese Communist Party.

Over the past three decades, China has benefited from an unprecedented transfer of knowledge and know-how from Western countries, much of it through joint ventures and through theft of intellectual properties. Many such relationships have soured in recent years, and the trend is likely to deepen. Now, the Chinese government is attempting to duplicate its successes in the business realm and apply them to the world of higher education. Its aim is to extract the knowledge and expertise from the world's most prestigious and successful research institutions, all the while pursuing a political agenda that tramples on the ideas that set the human mind free and give it dignity—that are the basis of higher education as we know it.

To be sure, I have no problem with free exchange of knowledge and technology. But I have a problem with freely providing knowledge and technology to the communist regime in China, which has no other effect than to strengthen it and its grip on power. I have a problem with our institutions of higher education looking the other way as terrible human rights violations take place in the country.

Dear members of the subcommittee and fellow panelists, if you are wondering why I have a problem with our higher education institutions becoming business partners with China, here is why: In the past three years, I have covered scores of Chinese citizens who advocated or exercised their political and civil rights using legal and peaceful methods. Among them are human rights lawyers, liberal intellectuals, professors, authors, journalists, pastors, accountants, computer programmers, artists, NGO practitioners, activists, factory workers, women's rights activist, Uighurs and Tibetans, people from all walks of life. They were thrown in jail, or placed under house arrest. They were tortured and their homes were raided. Some were forced to leave the country to seek political asylum. I have said this before, and I will say it again: China's brightest and most courageous men and women are either in jail or on their way to jail. It may not be obvious when you walk on streets in China, but it is a fact.

Over the years the CCP has learned and mastered the game of taking advantage of a free society like ours. It is sad to see how easily our universities can fall prey to the Party's scheme—out of greed, or ignorance, or both. It is my wish that American universities, when entering these joint ventures with the Chinese government (all Chinese universities are totally controlled by the government), are able to see the full picture and where they fit into it. Or to use another analogy, that they are able to step away from the chessboard and realize which pieces they have become in the other party's game.

Links in the order of appearance:

<http://www.lawinfochina.com/display.aspx?lib=law&id=3555&CGid=>

[http://planipolis.iiep.unesco.org/upload/China/China National Long Term Educational Reform Development 2010-2020.pdf](http://planipolis.iiep.unesco.org/upload/China/China_National_Long_Term_Educational_Reform_Development_2010-2020.pdf)

http://www.gov.cn/jrzq/2010-07/29/content_1667143.htm

<http://www.crs.jsj.edu.cn/index.php/default/news/index/80>

http://www.leru.org/files/news/Hefei_statement.pdf

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