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CONFUCIUS INSTITUTES AND SINO-AMERICAN SOFT
POWER DIPLOMACY

By

Christian L. Bush

A Thesis
Submitted to the Faculty of the
College of Arts and Sciences of the University of Louisville
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Department of Political Science
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By

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A Thesis Approved on

March 20, 2018

By the following Thesis Committee:

Dr. Shiping Hua

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This thesis is dedicated to my parents

The Honorable John K. Bush

and

Mrs. Bridget M. Bush

Who have inspired me, both in my work and in my life

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Confucius Institutes and Sino-American Soft Power Diplomacy

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Abstract: Since 2004, China has attempted to promote its image abroad through a number of soft power initiatives including culture and language learning programs called Confucius Institutes. Though ostensibly a nonprofit organization akin to other language teaching programs like the German Goethe Institutes, Spanish Cervantes Institutes, Alliance Française, and the British Council, the Confucius Institute has drawn scrutiny from academic and political leaders for its close ties to the Chinese government, threat to academic freedoms, and other questionable practices. This essay seeks to examine that debate, assess critical viewpoints, and offer suggestions for future research and policy direction. Using recently published reports on CI development and administration, this essay will explore how the institutes are founded and run – an aspect often overlooked in critical inquiry. Given the importance of postsecondary education in political socialization, it is understandable that many are wary of any outside influence in American universities. The lingering fear is that through soft power programs like the Confucius Institute, the Beijing-sanctioned view of politics and history will become the lens for American perception of China. Ultimately, the evidence against the Confucius Institute is often based on a notion of *what could happen* rather than what usually is the norm. Finally, this essay will seek to clarify criticisms that have become overdrawn, point out the most pressing structural and contractual issues, and recommend future research on the topic.

Introduction

In recent years China has experienced a meteoric rise in economic, political, and military clout. Though it remains to be seen how this influence will shape the world, there is a clear Chinese national interest in exporting the country's cultural and linguistic traditions. Proponents of this strategy hope to build bridges between nations and promote a more robust understanding of Chinese civilization. Detractors question the authenticity of these motives, often deriding these government-backed initiatives as "soft power" propaganda.¹

Though some readers are inclined to dismiss the notion of a soft power culture war as a remnant of the Cold War or outright paranoia, the timing could not be more convenient. According to an article in the *Asian Survey Journal*, "The promotion of Chinese language and culture is coming at a time when China's rise is prompting concern or alarm in some countries and regions, particularly the U.S. and Europe. Much of the alarm comes from concerns about the buildup of China's hard power, both in the military sphere and in the economic sphere."² As the world changes and China becomes more prominent, China gains advantages through cultural exchange that occurs as part of the study of a foreign language and culture, but the Chinese cultural dissemination may mask ulterior motives.

¹ David Volodzko, "China's Confucius Institutes and the Soft War," *The Diplomat*, last modified July 8, 2015, <https://thediplomat.com/2015/07/chinas-confucius-institutes-and-the-soft-war/>.

² James F. Paradise, "China and International Harmony: The Role of Confucius Institutes in Bolstering Beijing's Soft Power," *Asian Survey* 49, no. (2009): 55, accessed November 27, 2016. <http://www.jstor.org/stable/10.1525/as.2009.49.4.647>.

Perhaps Sun Tzu most aptly defined the purpose of soft power in *The Art of War* when he wrote, “The supreme art of war is to subdue the enemy without fighting.”³ Of course, a less poetic working definition ought to be employed when discussing the political, social, and economic implications of this strategy. James F. Paradise cites in *The Asian Survey Journal* professor Joseph Nye, who coined the term soft power in 1990 as “the ability to get what you want through attraction rather than coercion or payments. It arises from the attractiveness of a country’s culture, political ideals and policies.”⁴

Soft power is neither a new phenomenon nor an exclusively Chinese one. As noted in the Hong Kong *Public Relations Review*, “From Azerbaijan to Zimbabwe, no government, whether democratic or authoritarian is immune to the compulsion and communication imperative to reach and entice the public, both at home and abroad, for its vested interests.”⁵ China is particularly interesting in this respect for the narrative it pushes through public diplomacy. Under the leadership of President Hu Jintao in 2003, China moved to emphasize its “peaceful rise” in international politics.⁶ This slogan was altered shortly thereafter to “China’s peaceful development” for fear of upsetting the status quo of United States leadership.⁷ Nevertheless, both “peaceful rise” and “peaceful development” carry a strong soft power connotation – China is naturally progressing to its rightful place under the geopolitical sun.

³ Tzu Sun, *The Illustrated Art of War*, trans. Samuel B. Griffith (New York: Oxford UP, 2005), 8.

⁴ Paradise, “China and International Harmony,” 657.

⁵ Tsan-Kuo Chang and Fen Lin, “From propaganda to public diplomacy: Assessing China’s international practice and its image, 1950-2009,” *Public relations Review* 40, no. 3 (2014): 451, accessed December 4, 2017, <http://www.jstor.org/stable/1978286>.

⁶ *Ibid.*, 450.

⁷ Zhiqun Zhu, *China’s New Diplomacy: Rationale, Strategies and Significance* (Vermont: Ashgate Publishing Company, 2010), 12.

The immediate problem with the peaceful development narrative is that it is often diametrically opposed to many foreigners' perceptions of China. Critics frequently cite a history of authoritarian tendencies, human-rights abuses, a restrictive press, and communist ideology. This sort of "political branding problem" cannot be easily overcome without fostering good will through public diplomacy. To that end, China spends nearly \$10 billion a year on soft power initiatives after prioritizing this strategy a decade ago. America, according to George Washington University professor David Shambaugh, only spent about \$670 million on its public diplomacy in 2014.⁸ Sinologists and political leaders are concerned with the daunting scope – both financial and geographic – of Chinese soft power endeavors. Though it will take more time and research to adequately assess the efficacy of this policy, lingering questions endure about where public diplomacy ends and propaganda begins. For Tsan-Kuo Chang and Fen Lin of *Public Relations Review*, the distinction is merely in the eyes of the beholder.⁹ Ultimately, it seems soft power, like propaganda, aims to socialize the political attitudes of individuals to align with the interests of a government.

Before further delving into the case study of Chinese soft power in American higher education, it is important to make another note about political socialization. Young C. Kim's "The Concept of Political Culture in Comparative Politics" bridges the process of political socialization with the existing framework of political culture. Young cites prior work of political scientist Gabriel Almond to create a working definition of what political socialization entails. Almond wrote,

⁸ "China is spending billions to make the world love it." *The Economist*, March 23, 2017, <https://www.economist.com/news/china/21719508-can-money-buy-sort-thing-china-spending-billions-make-world-love-it>.

⁹ Chang and Lin, "From propaganda to public diplomacy," 450.

Political socialization is the process of induction into the political culture. Its end product is a set of attitudes-cognitions, value standards, and feelings-toward the political system, its various roles, and role incumbents. It also includes knowledge of, values affecting, and feelings toward the inputs of demands and claims into the system, and its authoritative outputs.¹⁰

Though Almond had the process of socialization primarily in mind when writing in 1960, as contended by Young, it is important to remember the role of political culture not only as an end product, but also the major player in socialization. There is a symbiotic relationship where a number of factors or ‘inputs’ inform a person’s political perception to varying degrees. This individual in turn plays a role in society by acquiescing to and perpetuating the political culture or, in other cases, working against the current order to alter the inputs and potentially society as a whole.

In order to best understand how political socialization could prove beneficial to a government (foreign or domestic), it is also important to identify the main inputs, which of them play greater roles in informing political socialization, and most importantly, which, if any, can be swayed by soft power. Of the myriad of political influences, six often arise as major components of socialization. In order from most influential to least, they are family, education, mass media, religion, political parties, and workplace.¹¹ Because education is such a strong input in political socialization, Americans must be wary of those who would seek to alter or influence it to serve ulterior motives.

¹⁰ Gabriel Almond and James Coleman, *The Politics of the Developing Areas* (Princeton, NJ: Princeton University Press, 1960), 27-28, quoted in Young C. Kim, “The Concept of Political Culture in Comparative Politics,” *The Journal of Politics* 26, no. 2 (1964): 313-336, accessed November 29, 2016, <http://www.jstor.org/stable/2127599>.

¹¹ “Family, Peers, Church, and School,” *Boundless Political Science*, accessed November 29, 2016, <https://www.boundless.com/political-science/textbooks/boundless-political-science-textbook/public-opinion-6/forming-public-opinion-45/family-peers-church-and-school-260-5674/>.

Origins of Hanban and the Confucius Institute Initiative

Of the many soft power tools in the Chinese government’s arsenal, the use of nonprofit language programs known as Confucius Institutes (CIs) is particularly notable. The Confucius Institute launched in 2004, and its official purpose, according to an interview with a program director at the Chinese National Office for Teaching Chinese as a Foreign Language (also known as Hanban), is “...to teach Chinese, to promote cultural exchange, and to facilitate business activity.”¹² The name of Confucius harkens back to a prominent Chinese philosopher whose influence on Chinese government and societal relations is still often researched and taught today. Confucius and his ideals fell out of favor with the CCP and Chairman Mao Zedong rejected the tradition as one of the “four olds.” During the Cultural Revolution, Mao mobilized thousands of young Chinese in Red Guard cadres to destroy “old ideas, old customs, old habits, and old culture.”¹³ In recent years, Maoism has waned as a guiding political force, and Confucianism has enjoyed something of a resurgence in the CCP leadership – which has strived to marry traditional Chinese values to robust economic growth as a source of legitimacy. Therefore, it seems only natural that the venerable sage should be the face of Chinese public diplomacy. Or as critics often point out, calling the program Mao Institutes certainly sounds less palatable.¹⁴

¹² James F. Paradise, “China and International Harmony: The Role of Confucius Institutes in Bolstering Beijing’s Soft Power,” *Asian Survey* 49, no. (2009): 651, accessed November 27, 2016. <http://www.jstor.org/stable/10.1525/as.2009.49.4.647>.

¹³ “The Cultural Revolution: all you need to know about China’s political convulsion,” *The Guardian* online, last modified May 10, 2016, <https://www.theguardian.com/world/2016/may/11/the-cultural-revolution-50-years-on-all-you-need-to-know-about-chinas-political-convulsion>.

¹⁴ Ethan Epstein, “How China Infiltrated U.S. Classrooms” last modified January 16, 2018. <https://www.politico.com/magazine/story/2018/01/16/how-china-infiltrated-us-classrooms-216327>.

In 2004 the University of Maryland became the first American university to partner with Hanban and has the longest continually operated CI in the world.¹⁵¹⁶ Currently, more than 500 university-affiliated CIs exist around the world. More than 130 CIs are located in North America, and more than 80 percent of American CIs are located in public colleges and universities.¹⁷ Ultimately, Hanban hopes to establish 1000 CIs by 2020.¹⁸ With approximately 30 million people studying Chinese as a second language, the need for quality instruction is great.¹⁹ Seeing the opportunity to foster Chinese learning and promote China's soft power image, it is no wonder that the Confucius Institute has become the public face of Chinese diplomacy.

The Confucius Institute status as a quasi-governmental, NGO, nonprofit organization is initially very hard to untangle. James Paradise writes, "The Office of the Chinese Language Council International is governed by a group made up of members from state ministries and other organizations. These include the State Council, the Ministry of Education, the Ministry of Foreign Affairs, and the Ministry of Culture. The Confucius Institute Division is one part of Hanban."²⁰ In terms of leadership structure, the Confucius Institute is hardly detached from the Chinese government at all. However, the Chinese government also stresses that its role in the institute is "concerned with

¹⁵ China established the first CI in South Korea, but it has closed since; "Frequently Asked Questions," University of Maryland, accessed November 17, 2017. <https://globalmaryland.umd.edu/offices/confucius-institute-maryland/frequently-asked-questions>

¹⁶ Elsewhere, it has been said that the first CI was opened in Uzbekistan on June 15, 2004. Regardless, the university of Maryland CI remains one of the original and longest continuously operating CIs; "Confucius Institutes Taking Chinese to the World," *China.org*, accessed November 17, 2017. <http://www.china.org.cn/english/education/204196.htm>

¹⁷ "About Confucius Institute/Classroom," *Hanban*, accessed November 10, 2017. http://english.hanban.org/node_10971.htm.

¹⁸ Volodzko, "Soft War," *The Diplomat*.

¹⁹ Shuai Li and Richard Tucker, "A Survey of the U.S. Confucius Institutes: Opportunities and Challenges in Promoting Chinese Language and Culture Education," *Journal of the Chinese Language Teachers Association* 48, no. 1 (2013): 30. <https://www.researchgate.net/publication/279958754>.

²⁰ Paradise, "China and International Harmony," 651.

things such as quality of instruction, management performance, and impact on society”.²¹ Perhaps it is cynical to think that the aims of the Confucius Institute are anything less than pure, but this program is clearly entrenched in the politics of the Chinese government, and the educational well might be poisoned from this relationship.

Indeed, the Confucius Institutes garnered enough attention that in 2012, the Subcommittee on Oversight and Investigations, part of the House Committee on Foreign Affairs, heard testimony from Stanford professor Steven W. Mosher on the programs being potential Trojan horses. Dr. Mosher notes that, “Li Changchun, the propaganda chief of the Chinese Communist Party and the 5th ranked member of the Standing Committee of the Politburo, has been quoted as saying that the Confucius Institutes are ‘an important part of China’s overseas propaganda set-up.’”²² Though this statement seems to affirm suspicions of Hanban, this quote might be slightly misconstrued. As pointed out by Edward McCord of *The Diplomat*, this oft-cited quote about CIs being propaganda is probably a slight mistranslation. The Chinese phrase used amounts to “propaganda” in the classical sense – that is, a neutrally defined source of persuasive information.²³ If Li really meant to call the CIs “propaganda” in the modern English sense of the word, then it would be an extraordinary Freudian slip. Nevertheless, critics have used this quote as proof of Chinese propaganda efforts (in the modern sense) through CIs.

²¹ Paradise, “China and International Harmony,” 653.

²² U.S. Congress, House, Committee on Foreign Affairs, Subcommittee on Oversight and Investigations, *Confucius Institutes: Trojan Horses with Chinese Characteristics*, 112th Cong., 2d sess., 2012, 3, <http://archives.republicans.foreignaffairs.house.gov/112/HHRG-112-FA17-WState-MosherS-20120328.pdf>.

²³ Edward A. McCord, “Confucius Institutes: Hardly a Threat to Academic Freedoms,” *The Diplomat*, last modified July 8, 2015, <https://thediplomat.com/2014/03/confucius-institutes-hardly-a-threat-to-academic-freedoms/>.

But the close connection between high-ranking party officials and the Confucius Institute is not just limited to Mr. Li's offhand comment. One of the more publically recognized leaders of the Confucius Institute, Xu Lin, has served as Director General (Vice Minister) of Hanban and Chief Executive and legal representative of the Confucius Institute since 2012.²⁴ Lin has achieved a somewhat infamous reputation in CI literature for a number of high-profile incidents that have occurred under her tenure – some of which will be expounded upon later in this essay. Allegations of hiring discrimination in 2013 caught the attention of Canadian and, in turn, American teaching foundations. In late September 2014, the University of Chicago and Penn State University closed their CIs in the same week.²⁵ In April of the same year, more than 100 University of Chicago faculty members signed a petition that cited concerns that Hanban's role in hiring and training of teachers "...subjects the university's academic program to the political constraints on free speech and belief that are specific to the People's Republic of China."²⁶ The petition came as the university's five-year contract with Hanban was set to expire. In response to the pushback against the CI, Xu wrote to the university that, "Should your college decide to withdraw, I'll agree."²⁷ Xu's statement was taken to be a challenge, and the University of Chicago quickly opted to renew the agreement. In an

²⁴ Peterson, "Outsourced to China," 22; see *Ibid.*, 152.

²⁵ Douglas Belkin, "Penn State Latest School to Drop China's Confucius Institute," *Wall Street Journal*, last modified October 1, 2014,

²⁶ Elizabeth Redden, "New Scrutiny for Confucius Institutes," *Inside Higher Ed*, last modified April 26, 2017, <https://www.insidehighered.com/news/2017/04/26/report-confucius-institutes-finds-no-smoking-guns-enough-concerns-recommend-closure>

²⁷ Didi Kirsten Tatlow, "University of Chicago's Relations With Confucius Institute Sour," *The New York Times* (blog), September 26, 2014 (11:00 a.m.), <https://sinosphere.blogs.nytimes.com/2014/09/26/university-of-chicagos-relations-with-confucius-institute-sour/>.

interview with *Jiefang Daily* in September 2014, Xu was praised for her strong negotiating style and it was noted that, “Many people have felt Xu Lin’s toughness.”

Unfortunately for Xu, the University of Chicago terminated its partnership just after the article was published, and Penn State followed suit shortly thereafter. This was a particularly embarrassing blow since Hanban was celebrating the ten-year anniversary of the CI founding.

The 2014 closures had a powerful impact on perceptions of Hanban, and Xu’s reputation for hard-negotiating strengthened CI opponents’ criticisms. The language Xu uses to describe the Confucius Institute program also deserves attention. She suggests that China must endeavor to “build a spiritual high-speed train using culture as a track,” and that, “Only culture can enter the spirit. You can’t just use education to enter someone’s spirit.”²⁸ Her philosophy and language for the Confucius Institute carries both soft power and political socialization implications. In spite of the 2014 setbacks, Xu Lin’s personal philosophy, like that of Hanban and the Chinese government, is to prioritize long term success – even in the face of short-term stumbling blocks. In terms of optics, the 2014 closings may have contributed to negative perceptions of Hanban, but the Confucius Institute continues to expand across the globe under Xu Lin’s direction.

Moreover, that the chairwomen of the Confucius Institute in 2012, Liu Yandong, was head of the United Front Work Department from 2002 to 2007. The purpose of the

²⁸ Tatlow, “University of Chicago’s Relations With Confucius Institute Sour,” *The New York Times*.

United Front Work Department, according to Dr. Mosher is, “subversion, cooption and control. During the Communist Revolution, it subverted and coopted a number of other political parties, such as the Chinese Socialist Party, into serving the interests of the Communist Party.”²⁹ Liu still serves in the Politburo, but is also now serving as Vice Premier with broad authority over the board portfolios of health, sports, and education. Given the substantial involvement of major party leaders in Hanban, many critics find the statement that the department is “affiliated with the Ministry of Education” an oversimplification or even downright misleading. In his *China U.* article Marshall Sahlins’ notes: “Simply put, Hanban is an instrument of the party state operating as an international pedagogical organization.”³⁰ Dr. Mosher takes an even more hostile view of the Confucius Institute based on its link with the United Front Work Department. Dr. Mosher ultimately concludes, “That it [United Front Work Department] has de facto control over the Hanban suggests, more strongly than anything else, what one of the chief purposes of the Confucius Institutes are, namely, to subvert, coopt, and ultimately control Western academic discourse on matters pertaining to China.”³¹

Of course, the Confucius Institute initiative has been met with other controversies as well, and a great deal of the latter part of this essay addresses multiple facets of that debate. Though a great deal of publications, both academic and media-oriented, have explored the Confucius Institute phenomenon, a 2017 National Association of Scholars report represents one of the most current and thorough examinations of the topic. NAS examined 12 Confucius Institutes, two in New Jersey and ten in New York, with specific

²⁹ U.S. Committee on Foreign Affairs, *Confucius Institutes: Trojan Horses with Chinese Characteristics*, 2.

³⁰ Sahlins, “China U.,” *The Nation*.

³¹ U.S. Congress, House, Committee, *Confucius Institutes*, 2.

attention paid to “hiring policies, formal protections for academic freedom, textbooks, course offerings, funding policies, and formal and informal speech codes.”³² Furthermore, the universities examined hosted a range of CIs from 2005 to 2015. The nearly 200-page report synthesized years of skepticism and suspicion of CIs into four broad categories: intellectual freedom, transparency, entanglement, and soft power. Though the questions raised generally rearticulate previous criticisms, the NAS report will be an important source for CI critics in the coming years. The general trend of critical academic writing on CIs tends to build on itself by absorbing the most high-level and recent reports. The Canadian Association of University Teachers (CAUT) took a public stance on CIs in December 2013 after McMaster University in Ontario closed its CI citing discriminatory hiring practices against members of the Falun Gong. CAUT ultimately concluded that CIs threaten academic freedom and encouraged universities to sever ties with Hanban.³³ In June 2014, the American Association of University Professors echoed and cited the sentiments of the Canadian organization and urged all CI-affiliated universities to approach the issue with caution and “cease their involvement in Confucius Institutes” unless they can renegotiate contracts “to allow more transparency and to protect faculty control of the classroom more carefully.”³⁴ AAUP did not fault universities for international partnerships with foreign governments, corporations, or other donors on American campuses, but singled out the Confucius Institutes as examples of universities unacceptably sacrificing academic integrity and independence.

³² Rachele Peterson, “Outsourced to China: Confucius Institutes and Soft Power in American Higher Education,” *National Association of Scholars*, (2017): 17, https://www.nas.org/articles/outsourced_to_china_confucius_institutes_and_soft_power_in_american_higher.

³³ Peterson, “Outsourced to China,” 79-80.

³⁴ *Ibid.*, 78.

To the credit of the researchers and writers, the NAS report also offers insights into the formation, administrative structure, and local differences of individual CIs – facets often overlooked in other sources. Though the study lacked a certain geographic diversity – being concerned with CIs in only two states and overwhelmingly in New York at that – it does offer a useful look into CIs established in different years. Also, the researchers used interviews and statements from CI directors, affiliated teachers, and other faculty from schools outside of the study to paint a more robust picture. The NAS study will likely prove a wellspring for future work on the Confucius Institute. In the case of this essay, I will examine NAS’ understanding of the general structure of CIs, criticisms raised and rearticulated, and add my own thoughts for future work.

Confucius Institute Structure

Confucius Institutes are joint ventures between the host university, a partner Chinese university, and Hanban – almost always coordinated through the president’s office, board of trustees or both. Of the schools examined by NAS, none of them turned to a faculty senate for authority or an advising role in establishing a CI.³⁵ The two universities sign a Memorandum of Understanding that serves as their contract for establishing the Institute. The American university also signs a five-year renewable contract with Hanban which is generally unavailable for download without an open-records request. In terms of jurisdictional purview, the CI is officially under university control. As the NAS report notes, however, “some measure of authority is shared with the Hanban, which retains the right to dismiss the teachers and Chinese director and to veto

³⁵ Peterson, “Outsourced to China,” 28.

CI programs.”³⁶ CIs also adhere to a constitution and bylaws created by Hanban.³⁷ It is important to note that universities apply to Hanban for a Confucius Institute, and the process from application to establishing a fully functional CI takes a little more than a year.³⁸ Some CIs also seem to have their own special focus (in addition to language) such as history of Chinese art and music at the University of Kentucky or Chinese Opera at SUNY Binghamton.³⁹ However, none of the CIs in the NAS report and to the knowledge of this writer have an explicit mandate to teach political science. If the CI offers university courses, the topics are mostly confined to arts, humanities, and cultural history.⁴⁰

Each university CI has a dual leadership structure with a Chinese director and a foreign or “local” director. The local director often handles the day-to-day administration of the CI, and the Chinese director can perform various functions depending on how the CI is structured – though he or she often oversees teachers and reports to Hanban.⁴¹ The two directors work together to formulate annual projects, reports to Hanban, and the yearly budget. These documents are in turn approved by a board of directors made up of American and Chinese representatives. The board also plays a role in selecting the directors. Even though the local director is chosen with input from both sides, it seems that the university plays a larger role in selecting him or her.⁴² The local director may

³⁶ Peterson, “Outsourced to China,” 30.

³⁷ “Confucius Institute FAQ,” *Hanban*, accessed November 10, 2017.
http://english.hanban.org/node_7577.htm#

³⁸ “Application Procedure,” *Hanban*, accessed November 12, 2017.
http://english.hanban.org/node_7879.htm.

³⁹ Peterson, “Outsourced to China,” 25; “Meeting Minutes” (University of Kentucky Board of Trustees, Lexington, April 27, 2010), 3.

⁴⁰ Peterson, “Outsourced to China,” 52.

⁴¹ *Ibid.*, 31.

⁴² *Ibid.*, 32.

receive compensation in some cases – either entirely from the university or partially from both the university and Hanban.⁴³ Chinese directors are appointed by a Chinese partner university or Hanban, and the CI director usually helps choose which nominee will fill the role.⁴⁴ Generally, the board members represent either the American host university or the Chinese partner university. Of the nine CI boards examined, seven of the boards had a majority American representation, two had equal representation, and one had a majority of members from the Chinese partner institution.⁴⁵

Though not frequently highlighted in discussion of CIs, the institutes have been established in some universities that already supported an Asian studies or Chinese department. For example, Western Kentucky University established a CI in 2010, yet the university already offered some Chinese programming.⁴⁶ WKU started a Chinese program in 1986 and matched close to half a million dollars in US Federal Funding to establish America’s ninth Chinese Flagship program.⁴⁷ NAS acknowledges that CIs are not usually incorporated into academic departments, but some, “offer their own credit-bearing courses or supply the teachers for credit-bearing courses within other academic departments.”⁴⁸ In practice, however, most CIs offer non-credit language instruction on supplemental topics such as Tai Chi or painting.

In terms of funding, Hanban’s yearly contributions can vary depending on the university’s individual contract, but usually amounts to more than \$100 thousand.

⁴³ Peterson, “Outsourced to China,” 35.

⁴⁴ Ibid., 36.

⁴⁵ Ibid., 29.

⁴⁶ Gary A. Ransdell, “Preliminary Proposal for CI” (official letter, Western Kentucky University, 2009), 5.

⁴⁷ The other eight Flagship Programs as of 2009 were: Brigham Young University, Ohio State, University of Mississippi, Indiana University, Arizona State University, San Francisco State University, University of Oregon, and University of Rhode Island. According to Hanban’s website, both Oregon and Rhode Island have established CIs; Ibid.

⁴⁸ Peterson, “Outsourced to China,” 27.

According to a template agreement on the Confucius Institute’s official website, Hanban provides \$150,000 in start-up funding and 150,000 RMB in teaching materials (about \$19,000).⁴⁹ The university is contractually obligated to match the funding provided by Hanban, but NAS notes that universities will often use in-kind contributions of office and classroom space, furnishings, technology, and other services to meet their end of the agreement.⁵⁰ Many advocates compare the CIs to the German Goethe Institutes, Spanish Cervantes Institutes, Alliance Française, and the British Council – programs that also emphasize language and cultural studies. One key distinction is that the Confucius Institutes exist as an integrated yet autonomous unit in its host university—able in some cases to offer accredited courses in Chinese language.⁵¹ Also, the other institutes operate as nonprofit entities, unlike the government-controlled Confucius Institute (which is ostensibly a nonprofit company). Additionally, CIs receive free textbooks and supplies, offer study abroad scholarships, and are authorized to administer Chinese proficiency tests to students.⁵² With a working understanding of how a CI is established and run, one can now examine the arguments for and against the program in a more nuanced light. As noted before, NAS identified four areas of criticism: intellectual freedom, transparency, entanglement, and soft power.

Intellectual Freedom

Of the four facets, intellectual freedom usually ranks as the highest concern from critics. Because this category is so broad, it would be easier to conceptualize it in terms of

⁴⁹ “Agreement on the Establishment of Confucius Institute (Template)” in “Application Procedure,” Hanban. [http:// english.hanban.org/node_7879.htm](http://english.hanban.org/node_7879.htm).

⁵⁰ Peterson, “Outsourced to China,” 68.

⁵¹ Marshall Sahlins, “China U.,” *The Nation*, October 30, 2013, <https://www.thenation.com/article/china-u/>.

⁵² “Agreement on the Establishment of Confucius Institute (Template)” in “Application Procedure,” Hanban. [http:// english.hanban.org/node_7879.htm](http://english.hanban.org/node_7879.htm).

legal, administrative, and content issues. Regarding to the first subcategory, a great deal of literature has raised questions about the nexus and potential friction between Chinese and American law. Every university NAS examined denied that Chinese law has direct influence over its respective CIs. However, some acknowledged that teachers and directors supplied by Hanban must obey Chinese law.⁵³ Moreover, every establishment contract NAS examined and the CI contract template include a provision regarding respect for Chinese law or respect for the *Confucius Institute Constitution* – which in itself acknowledges deference to Chinese law.⁵⁴ As a matter of legal practicality, these ambiguities raise issues regarding jurisdiction for adjudicating disputes.⁵⁵ In other words, how can a university and Hanban reconcile Chinese law when it contravenes with American law? However, it seems that there have not been any legal disputes to test this mechanism. A common theme in the criticism of CIs is as much a fear of what *could* happen under a university’s contractual obligations as what *has* happened in the nearly fourteen years of the programs history. Though the proverbial “sword of Damocles” argument is probably less compelling than concrete precedent, NAS contends that Hanban has intentionally created a web of legal ambiguities to encourage universities to defer to Chinese law.⁵⁶

CI defenders, as NAS points out, dismiss these ambiguities as “technical details that carry little weight in day-to-day affairs.”⁵⁷ Moreover, the report writers essentially concede that it would be nearly impossible for the Chinese government to exert full legal

⁵³ Peterson, “Outsourced to China,” 47.

⁵⁴ “Agreement on the Establishment of Confucius Institute (Template)” in “Application Procedure,” Hanban. [http:// english.hanban.org/node_7879.htm](http://english.hanban.org/node_7879.htm).; Peterson, “Outsourced to China,” 47.

⁵⁵ Peterson, “Outsourced to China,” 48-49.

⁵⁶ *Ibid.*, 48.

⁵⁷ *Ibid.*, 47.

authority over an American-based CI. It is noted that, “China may not explicitly enforce its laws at Confucius Institutes—and any attempt to do so presumably would collapse in the face of a legal challenge, since a contractual agreement cannot supersede American law on American soil.”⁵⁸ Nevertheless, it is still possible for the Chinese government to exert considerable influence over Chinese nationals that work in American CIs. In this regard, it is important to examine the employees of CIs.

Chinese teachers and directors answer simultaneously to “...the American director, the CI board, and Hanban.”⁵⁹ And though the nature of the institute arrangement does create some overlapping oversight, one must wonder who or what institution the teacher and Chinese director will place the greatest emphasis on – especially given that Hanban funds their salaries and reviews their performances. In day to day operations, however, it is unlikely that Hanban can effectively monitor its employees. Joseph Tse-Hei Lee at Pace University told NAS that the Chinese Ministry of Education claims to be “everywhere, even in different parts of the world. Horizontally it looks very impressive.” However, “[T]hey don’t have the resources on the ground” to monitor each Confucius Institute’s affairs.⁶⁰ If one subscribes to Mr. Lee’s assessment, then the most compelling evidence of soft power skullduggery must lie in the hiring practices and the predispositions and training of teachers and directors selected by Hanban.

Though, defenders of CIs maintain that Hanban’s role in the hiring process is merely a form of quality control, the question remains of whether Hanban discriminates

⁵⁸ Peterson, “Outsourced to China,” 51.

⁵⁹ Ibid., 32.

⁶⁰ Ibid., 50.

in the hiring process. Because Hanban plays such a substantial role in prescreening applicants prior to their employment in American CIs, NAS concludes that the institutes are not truly “autonomous” – even if Hanban employs a hands-off approach in day-to-day administration.⁶¹ In the years before 2012, Hanban used to employ explicit language to ban members of the Falun Gong, a minority religious group, from serving as teachers in CIs. This policy is unsurprising in the context of government persecution of the “heretical” movement for years.⁶² In 2012, McMaster University in Canada closed its CI after a Chinese teacher and Falun Gong member accused Hanban of engaging in discriminatory hiring practices against members of the religion. Sonia Zhao brought her complaint before the Ontario Human Rights commission and ultimately received refugee status in Canada.⁶³ Zhao has continued to oppose the Confucius Institute and her role in preventing the Toronto District School Board from establishing of a CI in 2014 has been recreated in the documentary “In the Name of Confucius.”⁶⁴ Though McMaster University shut down the CI on its own volition, adjudication would have helped clarify the jurisdictional role of Canadian law vis-à-vis Chinese law to determine if legal wrongdoing occurred in this situation.

Perhaps more pressing to the academic freedom argument is the role of political ideology in the hiring process. In other words, does Hanban employ a political “litmus

⁶¹ Peterson, “Outsourced to China,” 42.

⁶² Falun Gong is an amalgamation of Buddhism, mysticism, and qigong traditions that became popular in 1990s Under Chinese President Jiang Zemin. Fearing that the movement had grown too strong to manage after a 1999 demonstration, the government opted to crack down on the Falun Gong ever since; Andrew Jacobs, “China Still Presses Crusade Against Falun Gong,” *The New York Times*, April 27, 2009. http://www.nytimes.com/2009/04/28/world/asia/28china.html?rref=collection%2Ftimestopic%2FFalun%20Gong&action=click&contentCollection=timestopics®ion=stream&module=stream_unit&version=latest&contentPlacement=35&pgtype=collection

⁶³ Toshiyuki Hayakawa, “Confucius Institute from China – Concerns Are Spreading in the West” last modified December, 4 2017. <http://inthenameofconfuciusmovie.com/confucius-institute-from-china-concerns-are-spreading-in-the-west-world-times-japan-by-toshiyuki-hayakawa/>.

⁶⁴ Ibid.

test” in its hiring process?⁶⁵ NAS has offered anecdotal evidence to indicate that Chinese teachers are “encouraged” to avoid sensitive topics, but concludes that the existence of such a litmus test is “unclear.”⁶⁶ It is hard to assess political ideology among hires for generally apolitical CI subjects. It is harder still to identify a trend when questioning employees *after* Hanban and the host university have selected the candidate. Without some control group of CI applicants who have applied and been rejected or greater access to Hanban’s hiring protocols, the accusation of a political litmus test is speculative. One possible solution would entail investigating how many CI teachers and directors are members of the Chinese Communist Party. If a strong CCP presence in Hanban exists, the political connection would likely gain a great deal of traction in media circles. Where this line of thinking fails, however, is that Party membership, while somewhat political in nature, also indicates professional standing and a noteworthy resume booster.⁶⁷ It is possible that a large number of Chinese CI employees are members of the CCP, but it would be as much a sign of professional acumen in the hires as a sign of loyalty to Marxism.

When studying Chinese politics, the issue of Taiwan remains a sensitive subject for the Beijing government and many American scholars. Along with other issues mentioned below, Hanban’s stance on Taiwan and its perceived attempt to indoctrinate said message are often cited by critics. At Notre Dame, Associate Professor Lionel Jensen noted that an early version of the Memoranda of Understanding agreement between the university and its Chinese counterpart “states that the signatories accept the

⁶⁵ Peterson, “Outsourced to China,” 44.

⁶⁶ Ibid.

⁶⁷ Lotus Yuen, “Communist Party Membership Is Still the Ultimate Resume Booster,” *The Atlantic*, May 29, 2013, <https://www.theatlantic.com/china/archive/2013/05/communist-party-membership-is-still-the-ultimate-resume-boosters/276347/>.

One-China Policy.”⁶⁸ The One-China Policy, as defined by the U.S. State Department, recognizes “the Government of the People’s Republic of China as the sole legal government of China, acknowledging the Chinese position that there is but one China and Taiwan is part of China.”⁶⁹ Furthermore, the One-China Policy has been the longstanding foreign policy of the United States for a number of years.⁷⁰ Though some academics assert that the more democratic Taiwan should be considered a separate political entity from China, the One-China Policy remains a fairly standard viewpoint. Because of this, it seems to be less controversial for Beijing to assert that there is “one China” in its CIs. With that said, if Hanban’s probing of the Taiwan issue merely stopped at the One-China Policy, it probably would not occupy such a prominent place in critiques of the CI venture. In 2014, noted CI critic Marshall Sahlins published an article in *The Nation* synthesizing many of the same issues NAS would expand upon in 2017. One year after the University of Chicago CI closed its doors, the anthropology professor released a book, *Confucius Institutes: Academic Malware*, that documented controversies surrounding CIs worldwide. In regard to Taiwan, Sahlins argues that Beijing dropped the One-China Policy clause from its agreements in the face of resistance to an overtly political message. However, the description of Taiwan as “China’s largest island” remained at the time of the article’s publication.⁷¹ Sahlins also acknowledged that universities with independent Asian Studies programs have more flexibility vis-à-vis the Confucius Institute. When commenting on potential discussion of the Tiananmen Square Massacre, Fulun Gong, and Tibetan independence, University of Chicago professor Ted Foss said, “I think

⁶⁸ Peterson, “Outsourced to China,” 100.

⁶⁹ “U.S. Relations With Taiwan,” U.S. State Department, last modified September 13, 2017, <https://www.state.gov/r/pa/ei/bgn/35855.htm>.

⁷⁰ McCord, “Confucius Institutes: Hardly a Threat to Academic Freedoms,” *The Diplomat*.

⁷¹ Marshall Sahlins, “China U.,” *The Nation*, October 30, 2013, <https://www.thenation.com/article/china-u/>

there's a certain amount of self-censorship. And thank goodness we have money for the Center for East Asian Studies; we can go there for these kinds of projects. Our mandate for the Confucius Institute here is to look at business and economy in modern China.”⁷²

In an even more high-profile incident, *Insider Higher Ed* reported that Hanban Director Xu Lin confiscated printed programs and tore out pages at a 2014 European Association for Chinese Studies conference in Portugal. Those pages contained advertisements for the Chiang Ching-kuo foundation – a Taiwanese cosponsor of the event. Xu also removed advertisements for a book exhibit at the Taiwan National Central Library.⁷³ Though Xu Lin merits greater discussion later on, her actions and the abrasive conduct of Hanban towards political issues surrounding Taiwan do create a disturbing pattern and fodder for critics.

In terms of administrative and classroom content issues, NAS suggests that Chinese and local employees may be subjected to censorship – either overt or self-imposed. To illustrate this point, critics often note high profile incidents of certain topics being banned from CIs such as Tibet, the Dalai Lama, Tiananmen Square, and the Falun Gong. In June, Teufel Dreyer, a political scientist at the University of Miami, told NAS that a Florida university cancelled a visit from the Dalai Lama following concerns from a local CI. In 2008 North Carolina State University likewise disinvited the Dalai Lama at the behest of CI employees.⁷⁴ *The New York Times* reported that Hanban offered Stanford \$4 million to open a CI and endow a professorship, and the organization initially suggested that the professor should avoid discussing Tibet. However, Stanford

⁷² Sahlins, “China U.,” *The Nation*.

⁷³ Peterson, “Outsourced to China,” 100.

⁷⁴ *Ibid.*, 97.

renegotiated to remove the requirement and later established the CI and an endowed chair in classical Chinese poetry.⁷⁵

NAS also characterizes the teachers as evasive on sensitive topics and quick to redirect discussion or avoid any politically sensitive topics. This approach is particularly notable in conversations regarding Tiananmen Square and the 1989 protests – a topic still highly sensitive today. NAS suggests that teachers might redirect questions regarding the 1989 events to a discussion of Tiananmen Square’s architecture and that they have been coached to do so by Hanban.⁷⁶ Randy Kluver at the Texas A&M CI characterized this reluctance to NAS as a sign of “disciplinary humility” rather than censorship. In an interview with the NAS writer Rachelle Peterson, Kluver said, “Are they directed away from politics? Yes. But it’s not censorship so much as a matter of expertise.”⁷⁷ As noted before, no CIs dedicate their teaching to political science or anything representing a political history teaching mandate. Chinese teachers may simply want to avoid discussing politics when their academic disciplines may be vastly different. And to be fair, one could hardly fault a biology teacher for feeling ill-equipped to address his or her opinion on the efficacy of the Electoral College. If a CI teacher’s reluctance to discuss politically charged topics is generally rooted in a desire to save face, then critics should probably not attempt to press the issue.

Perhaps the hardest part of nailing down the censorship issue in any qualitative or quantitative way is that it is hard to ascertain the extent to which teachers and faculty, both foreign and domestic, self-censor. Sinologist Perry Link described the specter of

⁷⁵ Peterson, “Outsourced to China,” 96.

⁷⁶ Ibid., 99.

⁷⁷ Ibid., 45.

Chinese censorship authority as an “anaconda in a chandelier” rather than a “man-eating tiger or fire-snorting dragon”⁷⁸ Those who live and work below the chandelier live in fear of when the snake might strike and what might cause it to do so. Therefore, they conduct themselves in such a way to avoid falling prey to the serpent. NAS concludes that “Self-censorship, rather than explicit censorship, is the primary means of curbing conversations in Confucius Institutes.”⁷⁹ Still, it seems that the censorship argument is less potent for the same reason as the legal ambiguities criticism. Like the “Sword of Damocles” I used to describe the legal situation, the “anaconda in the chandelier” argument is only as strong as the reader’s belief that the anaconda exists, that it will strike at some point, and that those beneath the chandelier adjust their behavior to avoid asphyxiation. It is true that China has authoritarian tendencies and a government that holds political tenants and motives that are not always compatible with American beliefs. In other words, the snake exists. However, in the literature of anecdotal evidence and conflicting viewpoints, what threshold causes the snake to truly strike remains a tougher question. Moreover, the apparent supremacy of American law, practical limits of Hanban’s influence, and the narrow cultural mandate for CIs make me wonder if the snake can effectively reach the ground. Finally, I think it is difficult to make a total judgement call on how people react to the anaconda. Certainly, the Chinese have a different perception of it than Americans, but the extent that it causes an individual to act in a certain way to appease the serpent will inevitably vary in a way that is difficult to qualify.

Because of these and other difficulties, not surprisingly, NAS ended its inquiry into academic freedom with CIs having “uncovered few smoking guns,” but claiming,

⁷⁸ Peterson, “Outsourced to China,” 83.

⁷⁹ Ibid., 82.

“[W]e see the anaconda in the university chandelier as a major threat to intellectual independence and the integrity of Chinese studies in the United States and elsewhere.”⁸⁰

Transparency

Aside from academic freedom issues, observers raise questions regarding their lack of transparency. None of the twelve CIs that NAS examined publically discloses its contract with Hanban or related materials.⁸¹ With that said, this information can be accessed through open-records requests, and NAS did obtain eight university contracts with Hanban.⁸² While researching for the NAS report, the authors note a pattern of stonewalling, cancelled meetings, and missed calls. When Rachelle Peterson sat in on a CI class at Alfred University, she was removed by provost Rick Stephens and escorted to her car.⁸³ NAS notes that the level of openness varied from school to school with Pace University offering the best opportunity to observe the CI administration.⁸⁴ However, the authors highlight this evasiveness and lack of transparency as a strong reason to question Hanban’s motives.

Another question of transparency ties in with the legal liability of a university as per its contract. In addition to the jurisdictional issues raised in the previous section, there is a suspicious “tarnishing the reputation” clause in many of the CI contracts. The clause states that any university action that “severely harms the image and reputation of the Confucius Institute” can result in the termination of the university’s contract and all

⁸⁰ Peterson, “Outsourced to China,” 85.

⁸¹ Peterson, “Outsourced to China,” 18.

⁸² Ibid.

⁸³ Ibid., 75.

⁸⁴ Ibid.

funding.⁸⁵ Outside of the NAS study, the same language appeared in WKU’s 2010 contract with Hanban.⁸⁶ However. It should be noted that this language does not explicitly appear in Hanban’s contract template. Hanban does reserve the right to terminate a CI if, “according to assessment, the Institute has not reached the standard and made no remediation or failed to reach the Headquarter’s requirement after remediation.”⁸⁷ Perhaps it is possible that this language somehow implicitly includes the “tarnishing the reputation” clause or said clause is added later in university-Hanban negotiations. Regardless, the fact that no CI has been shut down using the “tarnishing the reputation” clause seems to reduce its danger. Conversely, the notion that a university would sign a contract with such a provision and operate while under the danger of provoking Hanban’s ire calls back to the “anaconda in the chandelier.” Another provision in the contract threatens legal action if a university engages in “any activity conducted under the name of the Confucius Institutes without permission or authorization from the Confucius Institute Headquarters.”⁸⁸

Entanglement

Another core facet of the CI debate is the notion of entanglement between American universities and the interests as Hanban. According to the Institute of International Education, 328,547 Chinese students enrolled in American universities during the 2015-2016 school year—31.5 percent of all foreign students in the US. Those

⁸⁵ Peterson, “Outsourced to China,” 46.

⁸⁶ *Agreement for the Implementation of the Hanban Confucius Institute at Western Kentucky University*, Western Kentucky University, Article 11, February 8, 2010.

⁸⁷ “Confucius Institute (Template)” Hanban.

⁸⁸ Peterson, “Outsourced to China,” 78.

numbers are up dramatically from 62,582 Chinese students in 2005-2006.⁸⁹ From a university perspective, the prospect of enrolling Chinese students, often at close to full tuition, is an easy decision. British sinologist Isabel Hilton suggested that the CIs represent one way the Chinese government might pressure colleges with threats of decreased enrollment – a major blow to revenue.⁹⁰

Compared with the potential revenue from foreign students, Hanban's contributions to its CIs can seem insignificant. However, many university faculty and staff reminded NAS that this funding comes at a time when budget cuts for higher education are particularly acute.⁹¹ After ingratiating itself in the university, Hanban could exert influence over affiliated departments and administrators. Though its ability to legally compel American staff is nonexistent, Hanban can withhold privileges such as scholarships or study abroad trips, modify funding, and evaluate the CI as it sees fit.⁹² This creates a potentially dangerous feedback loop where a university is married to its CI and loses its leverage over Hanban. As James Paradise writes, "Concerns about interference from China...have generated caution among some foreign academics who fear that those who pay the piper may call the tune."⁹³

Lastly, CIs are a unique form of soft power language programming in that they are literally entangled with the university landscape. As opposed to the Goethe Institutes and independent NGOs, Hanban insists on setting up its CI on college campuses.⁹⁴ This creates an effect of binding the CIs reputation with its respective university. Furthermore,

⁸⁹ Peterson, "Outsourced to China," 20.

⁹⁰ Ibid., 103.

⁹¹ Ibid., 20.

⁹² Ibid., 51.

⁹³ Paradise, "China and International Harmony," 653.

⁹⁴ Peterson, "Outsourced to China," 77.

any programming sponsored by the CI is seen as having the endorsement of the university. The presence of Chinese soft power influence on campus is legitimized through this arrangement.

Soft Power

The final category of criticism NAS poses concerns to the ultimate aims of the CIs – that is, are they vehicles for soft power projection? NAS concludes that yes, “they (Confucius Institutes) attempt to persuade people towards a compliant attitude, rather than coerce conformity.”⁹⁵ Through a combination of legal ambiguities, narrow content focuses, and entangling agreements, Hanban has successfully established CIs across America and around the world. Though the NAS report only examined CIs in New York and New Jersey, there is a CI in almost every state – despite political or regional differences. Regardless of one’s opinion on the topic, it is important to consider how these programs will shape Chinese education in America.

One aspect that NAS mentioned tangentially is the style of Chinese taught. Ironically, the subtlest form of soft power in the CIs might be the most obvious. NAS notes that, “Terry Russell, an Associate Professor of Asian Studies at the University of Manitoba, was also disappointed that the textbooks taught only Mandarin at the expense of other dialects, making the books ‘monocultural.’”⁹⁶ Hanban hopes to establish the Beijing Mandarin dialect as the standard for engagement with China. Furthermore, it aims to promote studying “Standard Chinese Characters”. This phrase refers to the system of simplified characters that deviate from the traditional script still used in Taiwan, Hong Kong, Malaysia, and other parts of Asia outside the sphere of Chinese political

⁹⁵ Peterson, “Outsourced to China,” 12.

⁹⁶ Ibid., 66.

control. Putting controversial topics, dubious management, and questionable capital aside, Sinologist Michael Churchman of the Australian National University believes that the act of promoting simplified characters is one of the most troubling aspects of CIs. By requiring the exclusive promotion of Beijing Mandarin Chinese with simplified characters, the curriculum excludes other speaking and writing styles that are still active. Churchman writes,

The reason why the most obvious interdiction covering subject matter in the Confucius Institutes has been so little discussed probably stems from the fact that although outsiders are always on the lookout for evidence that the Chinese party-state is trying to exercise control over prominent political issues, linguistic matters are generally regarded as being relatively insignificant.⁹⁷

One of the great ironies of the controversy surrounding the Confucius Institutes is that the final triumph of simplified Chinese characters would constitute a major cultural milestone and soft power achievement, yet it is not frequently mentioned in scholarly discussion. On a practical level, Mandarin eminence would require those wanting to do business in Asia to prefer and ultimately depend on Beijing's official version of Chinese. It would also be an unparalleled triumph of regional soft power as China could finally claim once and for all that the efficiency and practicality of Mandarin and simplified characters had triumphed over the cumbersome traditional characters and unstandardized dialects of other Chinese speaking countries.

Assessing NAS Recommendations

NAS concluded that universities should sever all ties with Hanban and close their Confucius Institutes. For schools wishing to keep their CIs open, NAS offered nine reforms to address the four areas of concern listed above. Some of these

⁹⁷ Michael Churchman, "Confucius Institutes and Controlling Chinese Languages," *China Heritage Quarterly*, (2015): accessed December 2, 2016, http://www.chinaheritagequarterly.org/articles.php?searchterm=026_confucius.inc&issue=026.

recommendations could probably be met under current negotiations between Hanban and prospective universities. As noted before, the “tarnishing the reputation” clause is not currently part of the contract template on Hanban’s website, and four of the universities in the NAS report have achieved parity by making the clause mutual for both Hanban and the host institution. Ideally, the provision should be removed for any future CIs, but if it must remain, university faculty can at least have some reassurance that the ambiguous provision is no longer one-sided if the clause is written to apply mutually.

Another fairly reasonable reform would address some of the transparency issues. NAS suggests that universities disclose contracts, agreements, and other correspondences with Hanban for easy download. Though many CI contracts carry a clause keeping the agreement secret, the vast majority of CIs are located in public universities – which are, of course, subject to open records requests. By insisting that these documents remain private, Hanban only adds to the perception that it has something to hide and emboldens its critics. Moreover, the contract negotiators should keep in mind that secret contracts may deter casual researchers, but anyone with a stake in finding out more information about CIs will not be deterred by the prospect of filing an open records request.

Though the two aforementioned recommendations would be relatively easy to implement, some of the others are much more abrasive to the current CI model. NAS advises universities to formally ask if Hanban discriminates in the hiring process; more specifically, does Hanban prioritize hiring CCP members and continue to ban members of the Falun Gong? As mentioned before, it would not be surprising to find that a large number of CI directors and teachers are Party members as a matter of professional acumen rather than political preference. On the other hand, I think such a finding serves

as confirmation bias for Hanban's biggest detractors and would be cited out of context like Li Changchun's "Confucius Institutes as propaganda" comment. As for discrimination against the Falun Gong, it also seems unlikely that foreign researchers could confirm that Hanban treats all applicants fairly – nor would they likely take Hanban at its word if it stated as much.

NAS also recommends that universities divest themselves from CIs physically and administratively. Though Hanban enjoys a unique status among soft power education programs in that it occupies a fixed location on a college campus, NAS advises universities to separate CI budgets from regular university budgets and avoid advertising for any CI events on university calendars or for extra credit assignments. On the administrative side, NAS recommends that CI programming never count as for-credit classes. In regard to the first point, it is a little surprising that NAS did not recommend moving all current and future CIs to off-campus locations. Though this would limit a university's ability to pay in-kind contributions and probably would be unacceptable to Hanban, it would mitigate many underlying concerns. Under this recommendation, a university would have the contradictory role of paying into the CI program and housing it while still keeping it at arm's length. The problem is greatly exacerbated when course credit is added to the conversation. On one hand, the ability to expand or even create a Chinese program from scratch is extremely appealing to universities without the existing department. However, it seems any credit-bearing courses offering through a CI are and always will be inherently suspicious. Though it seems unlikely that universities will relinquish the *option* to have Chinese courses taught through CIs, critics can take comfort in the fact that many CIs do not currently offer credit-bearing courses. Of the CIs

examined by NAS, only about six offered for-credit courses.⁹⁸ Pace University has certain curriculum rules that prevent visiting teachers from offering classes, but the CI offers supplemental language instruction.⁹⁹ Also, Rutgers University offered eight for-credit courses. However, during the summer of 2016, the university announced that all CI courses for the upcoming year would be indefinitely cancelled, and Chancellor Richard Edwards indicated that he preferred to have core Asian studies requirements taught in the School of Arts and Sciences and the Asian Studies department.¹⁰⁰ At New Jersey City University, CI assistant director Tamara Cunningham said that the school's arrangement with Hanban specified that the CI should not offer credit bearing courses in deference to faculty unions.¹⁰¹ Though the NAS study is not completely generalizable, one saving grace of university CIs is that faculty and staff have pushed to limit the amount of for-credit classes offered through the institute. Protectionism inadvertently creates a line of defense between Chinese soft power interests and American higher education. However, I do not think that Hanban would be satisfied in investing so much money into programming that is extracurricular and therefore less attractive. On the other hand, I do not think critics of the Confucius Institute would be completely placated in knowing that Hanban has been confined to an extracurricular capacity and its threat to intellectual freedom less potent. Based on NAS recommendations, it seems a *fait accompli* that Hanban would be unable or unwilling to continue its CIs in as meaningful a capacity.

Perhaps the most controversial recommendation in the NAS report seeks to promote sensitive issues that CIs wish to avoid. It reads,

⁹⁸ Peterson, "Outsourced to China," 56.

⁹⁹ *Ibid.*, 55.

¹⁰⁰ Peterson, "Outsourced to China," 54.

¹⁰¹ *Ibid.*, 55.

“Require that all Confucius Institutes offer at least one public lecture or class each year on topics that are important to Chinese history but are currently neglected, such as the Tiananmen Square protests or the Dalai Lama’s views on Tibet”¹⁰²

This request, though well-intentioned, is problematic for a number of reasons. First, a major contractual and administrative component of CI agreements ensures that Hanban gets to choose which programmatic ideas receive funding. I think it would be difficult to convince the Chinese to give universities a block grant without reasonable assurances that the funds would be used in a manner consistent with the interests of the Chinese government. If anything, the fact that universities get to create programming individually rather than receiving it from above should be a cause for relief. It also seems a bit ironic to force the Confucius Institute to advertise certain viewpoints. Though NAS faults CIs for “...present[ing] an intentionally narrow, bureaucratically approved perspective on Chinese culture”, who will decide what topic is currently being neglected, and how will they ensure it too is not a narrow perspective as well? Indeed, the better alternative is not to force an academic enclave to espouse views that it is diametrically opposed to. I suspect very few free-market business programs would put up with sponsoring and advertising for a program that praises the value of Marxist-Leninist theories for economic development. What universities should focus on is retaining the right to offer whatever programming they wish *outside* of the CI. Aside from the anaconda in the chandelier argument, there seems to be nothing stopping a university from hosting a lecture or course that offers alternative perspectives of Chinese culture and history.

¹⁰² Peterson, “Outsourced to China,” 11.

I have singled out these recommendations because they would probably be unacceptable for Hanban – especially the promotion of alternative viewpoints idea. Many of the NAS criticisms and corrective measures are valid and desirable. However, some of the recommendations to schools wishing to retain their CIs are somewhat draconian. If, in a desire to maintain academic integrity and its CIs, every American university adopted the NAS report, it is unlikely that Hanban would continue the program.

Concluding Thoughts and Future Research

The Confucius Institute program is a particularly fascinating nexus of competing viewpoints and interested parties – educational, political, domestic, and international.

Though China wants to project its soft power culture and peaceful development across the world, many Americans are wary of this authoritarian nation. It also seems that Chinese authorities have a tendency to perpetuate the perception that their public diplomacy motives are less than pure – if only inadvertently. Two of the aforementioned NAS recommendations are easy ways to dispel some of this perception by making the contract process more accessible to the public. Another part of the branding problem is that Xu Lin has become synonymous with the oft-cited controversies that have occurred under her tenure. Worse still is her tendency to use abrasive tactics that are hardly compatible with a soft power approach. When Joseph Nye coined “soft power,” he suggested that attraction and subtlety are the best tools – not strong-arming universities

and tearing up Taiwanese publications. In order to earn respect for the Confucius Institute, Hanban must make sure that its leadership is respectable.

As for the programmatic criticism, Hanban has two advantages in the CI debate that are rarely pressed. First, most of the high-profile instances of CI controversy are anecdotal. There is little evidence to suggest any consistent effort on Hanban's part to promote certain political ideologies, and NAS even admitted that it could not find a "smoking gun." Because so many of the arguments against the CIs also use hypothetical language, it is harder to give them serious credence. The "tarnishing the reputation" clause sounds formidable, but there is no indication it has ever been triggered in the nearly fifteen years that CIs have existed. In most political disagreements, the onus should be on the accuser to prove that there is an existing problem or that one is inevitable – not worry about what *could* happen under current circumstances.

Nevertheless, what evidence NAS and other critics raise should not be completely disregarded because it seems anecdotal. Instead, it plays into the second advantage of the current CI model that advocates and Hanban have not pressed.

One of the more interesting trends in the NAS report that is rarely discussed in previous literature is the individuality of CIs. NAS notes that,

"We found that certain practices can vary from Institute to Institute. Some Confucius Institutes grant more authority to the host university and to the local faculty than do others. Institutes faced varied levels of scrutiny from the Hanban. Some reported an outright ban on discussing subjects that are censored in China; others reported freedom of speech. But overall, we found that to a large extent, universities have made improper concessions that jeopardize academic freedom and institutional autonomy. Sometimes these concessions are of official and in writing; more often they operate as implicit policies."¹⁰³

¹⁰³ Peterson, "Outsourced to China," 17.

In addition to varying levels of oversight, the CIs discussed in the report often had different models for their board and director roles. Even more surprising was the fact that CIs often do not offer for-credit classes at all. The individual cultural category assigned to CIs also differentiates them from each other. And though CIs may have different niches, the fact that none of them have an overt political mandate is fairly reassuring. Even more critical is that some universities have successfully negotiated to remove more controversial elements of their contract with Hanban. Though not every university might have enough clout to alter the terms of an endowed chair as Stanford has, many universities have achieved parity in the “tarnishing the reputation” clause and maintain an Asian studies or Chinese department that can host events that Hanban would never fund. Perhaps one of the problems with the CIs is a lack of uniformity. Many of the criticisms seem anecdotal – perhaps because they are so different. Some teachers or Chinese directors might be overzealous or the school did not arrange its contract with adequate safeguards. Essentially, a few high-profile incidents can be generalized as proof of a grander scheme. However, I think the idea of CIs being autonomous and individual units runs contrary to the narrative of a massive Chinese political conspiracy. It is simultaneously Hanban’s great strength and great weakness.

Though no CI has an overtly political focus, it could be beneficial to the China’s soft power ambition if it pursued such a venture. Granted, this would probably be impossible under the current level of criticism. If NAS is right that CI teachers are told to avoid certain topics and redirect conversations, then it is harder to win the trust and

support of a foreign audience. Instead, China should focus on political relativism for foreign audiences. Rather than extolling the value of Maoism or authoritarian capitalism in a general sense, a politically engaged CI would emphasize how these trends are intrinsically linked with “China’s peaceful development.” Political relativism is not new in Chinese academic circles, and the government even released a white paper entitled “Building of Democratic Politics in China.” Rather than suppressing or avoiding engagement with the ideological underpinnings of democracy, this white paper countered the universality of democracy with historical and political relativism. Chinese dissident Liu Xiabo noted how the paper attempted to establish that, “[T]he central leadership position of the CCP was both a historical choice and the voluntary choice of the Chinese people—that is, it was created by history rather than the will imposed by the CCP on the people.”¹⁰⁴ Additionally, Hanban could emphasize the results of China’s unique history and political structure as being necessary for the sustained economic growth for decades.

Rather than trying to convince a foreign audience that the Chinese government is benign, or that Chinese political values are superior to Western political values, Hanban could focus on emphasizing the ideological legitimacy of such an approach for China and the fact that democracy should not be treated as a universal value. Though it is unlikely Hanban would attempt to overtly broach political departments (or be allowed to by any

¹⁰⁴ Xiaobo Liu, “Two Essays on China’s Quest for Democracy,” trans Human Rights in China. *Journal of Democracy* 22, no. 1 (2011): 154, accessed November 29, 2016,

university for that matter), it might yield better results than solely relying on culture and language promotion.

Since the first American CI was established in 2004, American opinion of China has varied. However, according to the Pew Research Center annual polls from 2005-2017 on American favorability towards China, it is rare for more than fifty percent of Americans to hold a favorable or very favorable view – only occurring three times in twelve years. As of 2017, American attitudes towards China are at comparable levels to that of 2005.¹⁰⁵ Gallup has been keeping data since the late 1970s. Just before 1989, favorability swelled at seventy-two percent. After 1989, China lacked a net positive favorability rating but has climbed from the low to high forties in the same timeframe as the Pew polls.¹⁰⁶ Recently, China has peaked in favorability at nearly 53 percent – though still far behind pre-Tiananmen levels. Perhaps this is the beginning of a larger upward trend, but it will take more time and data to confirm. Though the Confucius Institutes and China's other soft power endeavors may only play a small role in favorability towards China, nearly half of all Americans are still skeptical of the Middle Kingdom.

Even if China has approached its public diplomacy with honest intentions and the best means of spreading Chinese culture and language, there is always the possibility that foreigners will outright reject it as disingenuous. As Dr. Sujian Guo and Dr. Shiping Hua note in *New Dimensions of Chinese Foreign Policy*, “It is unfortunate that the task of explaining China to the world is still in the hands of propaganda chiefs” and further

¹⁰⁵ “Opinion of China,” *Pew Research Center*, last modified 2017, <http://www.pewglobal.org/database/indicator/24/country/233/>.

¹⁰⁶ “China Favorability Index,” *Gallup* online, last modified 2017, <http://news.gallup.com/poll/1627/china.aspx>.

notes, “To cultivate a positive image in the world, China has to learn how to conduct public diplomacy and international public relations, other than perceiving them as ‘external propaganda work’.”¹⁰⁷ For soft power endeavors like the Confucius Institute to be successful, China must present them in a way that appeals to legitimate interests and does not appear to have strong underhanded motives. In other words, the purpose of soft power hinges on attraction rather than coercion or payments. The overarching message of the endeavor carries more weight than the money Hanban sends to a university. As noted before, the type of Chinese bureaucrat that often directs Hanban’s efforts is often tied to propaganda efforts. This, in turn, hurts the legitimacy of Chinese public diplomacy efforts.

Ultimately, Hanban continues its mission to establish Confucius Institutes across the globe and across the world. While they are clearly vehicles for soft power public diplomacy, I believe there are ways to safely integrate these programs into American universities. If there truly were not any redeeming qualities in terms of extra programming, funding, and prestige, university administrators would not embrace such a controversial partnership. With that said, imposing reasonable constraints based on structural problems in the CI contract process and course content issues is preferable and more pressing than any “sword of Damocles” argument.

Future research on this topic should focus on identifying more quantitative data and larger trends. The NAS report was thorough for twelve schools, but they were all located in New York or New Jersey. I would suggest a similar depth of study but with a

¹⁰⁷ Sujian Guo and Shiping Hua, *New Dimensions of Chinese Foreign Policy* (Lexington: Lanham, 2007), 146.

larger sample size and more geographic diversity. It would also help future researchers if it could be established how many CIs offer for-credit courses and how many CI-affiliated universities have a separate Asian studies or Chinese department. Though briefly explored in this essay, it might also be helpful if the cultural niches of each CI were compiled to show the different focuses that Hanban wants to export abroad. If scholars and the public are going to make an informed judgement on the merits of the Confucius Institute, then future research must be devoted to drawing generalizable trends to help illuminate China's soft power ambitions, methodology, and socializing effects on individuals.

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