Advocating for democracy in China: Have democracy and human rights organizations based in the U.S. faced governmental opposition?

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Contents

Table of Figures

1 INTRODUCTION

This year marks the 31st anniversary of the Tiananmen protests and their violent crackdown in 1989. Since then, many of the Tiananmen activists succeeded in leaving their home country and settling in the U.S., choosing the country known as one of the most prominent advocators for democracy (Béja 2003:440). In the U.S., individual activists as well as organized groups have lobbied for their interest of democratizing China, forming a movement that is called Overseas Chinese Democracy Movement (OCDM). The OCDM organizations have played a major role in influencing bilateral relations between the U.S. and China (Chen 2014a:1). However, observers around the world have witnessed in recent years that governments have increasingly opposed democracy and rights organizations, constraining organizations' activities by erecting legal barriers (Wolff & Poppe 2015:i).

This phenomenon is called the "Closing Space phenomenon" (ibid.) and describes the growing resistance against democracy and human rights promotion. Closing Space has been mostly studied in authoritarian and semi-authoritarian countries, yet scholars have noted a similar trend in some democratic countries, including the U.S. (Celermajer & Avnon 2019:674). Thus, the question is whether the U.S. government still supports groups promoting democracy in China, or whether it has also started to oppose democracy and rights organizations such as those of the OCDM.

Currently, there is a major research gap on a potential Closing Space in the U.S. This means that a potential increasingly hostile political and civil climate is not addressed nor understood by academia. This lack of knowledge can contribute to a fundamental erosion of civil society organizations which provide essential democracy and rights advocacy both within and outside the U.S. With regards to OCDM organizations[1], increasing barriers to their work can lead to very tangible deteriorations of human rights in China. By investigating the Closing Space phenomenon in the U.S., we can better understand which challenges U.S. based human rights organizations face.

With regards to the current power struggles between the central Chinese government and democracy activists in Hong Kong, as well as continuing human rights violations against Uighur minorities

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[1] This always includes other comparable rights organizations that were not founded by Tiananmen activists but are also based in the U.S. and advocate for democracy and human rights in the PRC.

in Xinjiang, the question of democracy and human rights in China is more relevant than ever. Hence, OCDM organizations' relentless fight for democracy and human rights in China is of utmost significance. By raising this research problem, the thesis aims to target two underserved bodies of literature: first, the Closing Space phenomenon in democracies such as the U.S. (Chaudhry & Heiss 2018), and second, theoretical research on the OCDM and its members (Chen 2018:110).

Scholarly literature on civil society organizations reflects three major perspectives, namely Social Movement Theory, Political Opportunity Structure, and the Closing Space phenomenon. These research fields provide valuable insight, especially in understanding social movements as "collective efforts to pursue [common] interests" (Flacks 2004:135), viewing political opportunity structures as 'filters' between movement mobilization and the choice of strategies and movement impact (Kitschelt 1986:59, Teräväinen 2010:197), as well as the Closing Space phenomenon that sees the recent assertive pushback against democracy and human rights advocacy as a defensive reaction of mostly authoritarian leaders that fear popular uprisings (Carothers 2016:358, 364). Despite providing key insights, these bodies of literature do not provide a satisfactory understanding of current challenges faced by democracy and rights organizations in the U.S. This master thesis will address this research gap and contribute to an improved understanding of OCDM organizations' struggles specifically and research on Closing Space and POS more generally. The thesis argues that the Closing Space concept offers a valuable advancement of POS theory as it overcomes the structural determinism of POS and acknowledges organizations' individual differences and subjective interpretations.

The thesis is structured as follows: The second chapter examines the context of the study and clarifies the stated research problem. This includes changing U.S. foreign policy and U.S.-China relations, both with regards to human rights, as well as the historical background of the OCDM. Following this, the third chapter elaborates in closer detail the theoretical foundations that this research is based upon, namely Political Opportunity Structure and Closing Space. These theoretical perspectives further suggest hypotheses for exploration which are also stated in chapter three. The following fourth chapter discusses the research design and methods, as it explains the research approach and data analysis. The fifth chapter presents the results and major findings of this study: While OCDM organizations have observed and experienced changes in political and cultural climate as well as rights deterioration in the U.S., these

developments did not restrict their work. In fact, restriction on rights occurred on a general basis but were not specifically targeted at rights organizations. This means that according to the findings, there has not been a Closing Space with regards to OCDM organizations' experience. The thesis closes with a chapter on the significance and limitations of the study, its relevance to the present context, and suggestions for future research.

2 CONTEXT OF STUDY

2.1 U.S. Foreign Policy and Human Rights

Human rights have been a prominent topic in the U.S. past and present, for both the people and government. Foreign policy decisions that pursue human rights goals have served the U.S. national interest in many ways. They are not only said to advance security interests, but also to help build a world order that is based on the aspirations of people and on the rule of law (Shestack 1989:17). Moreover, foreign policies advancing human rights are supposed to further peaceful democratization and hence, constitute geopolitical advantages (ibid.). Lastly, they are said to enjoy popular support as they "[…] reflect fundamental values of the American people" (ibid.).

For states bear the primary responsibility to guarantee and safeguard rights, human rights efforts have historically been targeted towards states. This includes rights organizations' efforts as well as other governments interested in protecting human rights abroad, such as the U.S. In turn, this also means that states are one of the primary obstacles when it comes to combating human rights abuses (Moore 1998:194).[2]

The role of the U.S. with regards to the international human rights has been highly controversial because its commitment to promoting human rights worldwide has been mixed. On the one hand, the U.S. were one of the leading forces in creating fundamental human rights documents such as the UN Charter or the Universal Declaration of Human Rights (Heinze 2005:422), therefore helping profoundly to advance the international human rights regime. On the other hand, the U.S. government has shown to be extremely reluctant when it came to adhering to international standards itself by either pushing for limitations to, or

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[2] The literature suggests that there is an inherent conflict of interests between human rights efforts and state sovereignty. For more on this, see Henkin (1999) and Cornelisse (2010).

completely refraining from ratifying some of the most significant human rights treaties (ibid.). Similarly, in the domain of foreign policy, the U.S. has promoted human rights highly selective for it often preferred short-term instrumentalism over consistently applying human rights principles and standards it claimed to support (ibid.). This has hold true since the Cold War until today, thus leading to a development of "'two steps forward, one step back', but with a net forwards trajectory", as Dietrich and Witkowski (2012) have put it (p.2).

Moreover, the two authors have observed four waves of major human rights policy advancements during the 20th century (ibid.). According to them, these were "Woodrow Wilson's ideas following WWI, the creation of the United Nations and the Universal Declaration of Human Rights in the 1940s, congressional actions reinforced and expanded by President Jimmy Carter's administration in the 1970s, and President Bill Clinton's policies following the end of the Cold War […]" (ibid.) that each led to a furthering and institutionalization of particular human rights policies. In fact, all waves had some common characteristics. Firstly, all waves occurred after changes in the international environment that allowed for significant policy shifts. Secondly, they all took place during Democratic administrations with their presidents' personal commitment to human rights. Thirdly, the waves were accompanied by human rights activists being recruited into key foreign policy positions. Lastly, all waves were similarly short-lived and experienced some partial reversion by following administrations (ibid.).

It is therefore not surprising that the human rights literature has largely judged the U.S. government to "[…] very often [say] one thing and then [do] another on human rights issues […]" (Heinze 2005:424). Nonetheless, one has to bear in mind that states have to serve a multitude of interests. Different than NGOs that prioritize human rights concerns, governments provide general welfare for their own peoples as their most crucial interest. This is to say that all states need to accept some degree of inconsistency in foreign human rights policies (ibid.). Looking from a realist perspective, the U.S. as the single global superpower has also had the intention to design its foreign policy approach to preserve its dominant position which, by definition of realist power politics, inevitably leads to inconsistency and double standards in human rights principles (ibid.).

The history of U.S. human rights in foreign policy goes back to the Carter administration which was first to make it a key focus (Shestack 1989:17). However, the period of the Cold War was characterized

as the U.S. prioritizing the need to contain communism over other interests, including human rights issues (Apodaca 2019:54). This became especially clear during the Reagan administration as it denigrated human rights and supported numerous repressive authoritarian states (Shestack 1989:17). The end of the Cold War marked a fundamental shift in both government and public. Overcoming the geopolitical divide symbolized for many in the West the beginning of a new era of universal peace, democracy, and human rights throughout the world (Apodaca 2019:54). Observers expected the U.S. government to uphold human rights standards and punish those who violated them, no matter where. Yet others equaled the fall of the Soviet Union with the end of all human rights violations as they were commonly associated with communist regime. This optimistic interpretation lowered attention towards human rights and led to many missed opportunities (ibid.).

Despite the rather positive outlook, the U.S. in fact embraced the more extreme method of humanitarian interventions. This meant that the Clinton administration used the principle of human rights to justify interventions and its assertive multilateralism in general (ibid.:55). This continued with the George W. Bush administration. As the aftermath of the terrorist attacks on September 11, 2001, the war on terrorism was prioritized over human rights considerations on the foreign policy agenda (Heinze 2005:423). The government at that time shifted its public rhetoric to focus on 'human dignity', which compared to human rights included virtually no norms or ethics. This consequently led to a poor human rights record (ibid.:425).

Apodaca (2019) calls this a "trade-off between security and liberty" when the U.S. government decided to fight terrorism at the expense of human rights, and this not only applied to the rights of suspected terrorists, but also to common citizens of other nations. Indeed, even the human rights of American citizens were disrespected as national security concerns were used to justify surveillance or detainment (ibid.:76). For this reason, anti-terrorism still challenges U.S. human rights policy as many of the questionable laws that disregard human rights are still in place today (ibid.). Since the terrorist attacks in 2001, anti-terrorism has replaced anti-communism as the primary rationale both for granting U.S. bilateral foreign aid as well as for abusing human rights (ibid.:76, 100).

President Barack H. Obama's slogan for his presidential campaign was "change". Among others, many expected a change in human rights policy from the previous Bush administration. Based on his

campaign, it was obvious that Obama would initiate new human rights policies, but it was equally predictable that not all initiatives would be implemented successfully (Dietrich & Witkowski 2012:3). His two terms proved these predictions to be true, confirming both the drafting of new initiatives as well as structural constraints that prevented the realization of some (ibid.). Nevertheless, Dietrich and Witkowski (2012) contend that despite unsuccessful attempts, the Obama administration has still advanced U.S. human rights policy enough to say that it constitutes a fifth wave of human rights policy development, e.g. on protections for new societal groups, engagement, and democracy promotion (ibid.:35). [3]

The following presidential administration of Donald Trump has been characterized by a lack of support for democracy, freedom, and human rights (Encarnación 2017:309). Since his inauguration, President Trump and his team have attracted international attention for disrespecting equal rights, nationally and internationally. In addition, he has displayed a worldview in which minority groups are devalued. For instance, he has repeatedly associated Islam with religious terrorism and referred to Muslims as "sick people" (Todres 2018:332-333). Rex Tillerson, former leader of the State Department, positioned U.S. national interests ahead of human rights values (Encarnación 2017:309).

Moreover, the Trump administration decided to cut State Department's budget by almost 30 percent, which meant that funding for democracy and human rights programs was severely restricted (ibid.). According to Encarnación (2017), Trump's open embrace of authoritarian regimes that are internationally criticized for human rights abuses is another sign of his political views which often seem more autocratic than democratic (p. 309-310). Lewis (2017) remarks that Trump has barely raised the topic of human rights, which indicates that it does not constitute a significant part in his China agenda (p. 473). His apparent disregard of human rights is reflected in his rhetoric which has a clear 'us vs. them' logic. He puts working-class Americans against political elites and minority groups, instilling a sense of confrontation instead of

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[3] Structural constraints have been limiting the efforts of previous U.S. governments to advance human rights policies (Dietrich & Witkowski 2012:30). The authors note that the U.S., like all international actors, have only limited power over other states' actions when it comes to reaching human rights goals (ibid.). A second major limit are competing U.S. policy priorities. Even if human rights issues have gained international prominence in the previous decades, countries will always prioritize security and economic concerns over those of human rights (ibid.:31). Thirdly, the U.S. continues to hesitate to ratify multilateral treaties as there is the commonly held view among Americans who believe that domestic laws should stand above international laws. These beliefs constitute another structural constrain for advancing U.S. human rights policies (ibid.:32). The last constrain is the fact that human rights advocates in the U.S. have a relatively weak stance in domestic politics (ibid.:33).

compassion (Encarnación 2017:310). In line with Trump's disrespect for rights, the civic space in the U.S. in 2017 and 2020 has been reported to be narrowed, according to the Civicus project (see chapter 3.2).

As seen in the preceding paragraphs, the significance of human rights in foreign policies depends dramatically on the current administration. Inconsistencies in U.S. advocacy of human rights were prevalent throughout all presidencies, but their scope varied. Despite rights-favoring rhetoric, the U.S. has repeatedly engaged in highly controversial interventionist measures that abused rights of foreign as well as U.S. citizens. This might also influence OCDM organizations' POS and a potential Closing Space since the U.S. government has continued to abuse human rights within its own country.

After having discussed U.S. foreign policies and human rights with regards to the different presidencies, the next chapter will now focus on U.S.-China relations specifically within the context of human rights. It will investigate the human rights dialogue between the two countries over time as bilateral relations constitute another major factor of OCDM's POS and thus, might have led to a potential Closing Space.

2.2 U.S.-China relations in the context of human rights

Since China's 'opening up' in 1978 and its unprecedented economic growth, bilateral relations between the U.S. and China have been precarious. China's remarkable development to today's second largest economy worldwide and the second largest military has sparked international debates on its new place in the world order. One major part of this discussion has been the question of whether China with its newly gained geopolitical power will challenge the U.S. as the current global power (de Graaff & van Apeldoorn 2018:113). Considering its population size and growth potential, China does represent a rising power that can challenge U.S. dominance (ibid.). Hence, observers conclude that U.S. leadership in the world order has been contested. Some argue that China is aiming to fundamentally restructure the status quo, while others have emphasized that it has largely adapted to the liberal world and thus, become a supporter rather than a challenger (ibid.:114).

U.S.-China relations have experienced numerous ups and downs, but U.S. policy towards China has always been somewhat pragmatic. It was under President Carter that U.S.-China relations normalized.

He recognized that the U.S. has many interests regarding China, human rights being just one of them (Lewis 2017:475). After the Tiananmen protests in 1989 and their violent crackdown by the government, China's international reputation was severely damaged (de Graaff & van Apeldoorn 2018:117). Hence, China's foreign policy during the 1990s followed Deng Xiaoping's paradigm of 'keeping a low profile' which strove for a quiet development and favored an avoidance of international responsibilities (ibid.). Still, its relation to the U.S. developed 'institutionalized tensions' over human rights issues (Wan 2016:104). As a consequence, the U.S. government stopped high-level government exchange and imposed military sanctions on China (ibid.).

After a few years, in 1994, President Clinton decided to separate trade and human rights issues which indicated a significant change in U.S. policy towards China (ibid.) as human rights did not interfere with economic relations anymore. Still, at the UN Human Rights Committee in 1995, the U.S. tried and almost succeeded in passing a resolution on China (ibid.). A major moment of tension was in 1996, when the People's Liberation Army exercised on a large scale to intimidate Taiwan. President Clinton responded to this power demonstration by sending two carrier groups to the Taiwan area (ibid.). The heightened tension led to greater efforts of both sides to improve relations. As a result, human rights issues played a less prominent role in the bilateral relations from the late 1990s to the mid-2000s. Nevertheless, it remained a substantial diplomatic topic in U.S.-China relations (ibid.)

During this period, China decided to follow the policy of 'raising no banner' which means that it would not challenge any present authority. It was under Deng's successors Jiang Zemin and Hu Jintao that China's economy developed successfully, both domestically and internationally, while keeping a cautious attitude in global politics (de Graaff & van Apeldoorn 2018:117). China's most significant milestone in this period was clearly its accession to the WTO in 2001 that deepened China's integration into world economy. But as its global importance grew, observers within and outside China started arguing about its proper role and influence (ibid.).

The 2008 global financial crisis which started in the U.S. was viewed by many as a sign that U.S. dominance was declining. Meanwhile, China's power seemed to rise. This impression played a significant role for Chinese self-image as it boosted Chinese leaders' confidence with regards to their political and economic system. It also reinforced their perception that the U.S. does not have the right to criticize China

over human rights (Wan 2016:107). But the more assertive Chinese attitude and its expanding global influence in fact led to a backlash from Western and some Asian countries. Consequently, U.S. relations to China visibly hardened (ibid:104-105).

The following 10 years, from 2009 to 2018, U.S.-China relations continued the downturn. The formerly peaceful coexistence with issue-specific tensions grew into a broader rivalry (Wang & Hu 2019:2). The change in leadership of the CCP played into this development as well. In contrast to Jiang and Hu, current leader Xi Jinping decided for a more assertive and proactive role in world politics. By shifting towards 'striving for achievement', he made clear that China will fight for its interests more decidedly than before (ibid:117-118).

When President Obama took office in 2009, he recognized that cooperation with Chinese leaders was necessary to navigate global issues. Hence, the administration consciously avoided potential conflicts with China, for instance by postponing a White House visit by the Dalai Lama (Dietrich & Witkowski 2012:31). Despite these efforts, the Obama administration over time started doubting that China would cooperate on global issues as the U.S. had envisioned. A turning point was allegedly an unpleasant state visit to China in November 2009 (Wang & Hu 2019:2), after which the Obama administration changed its strategy to a more confrontive attitude on existing disputes such as currency exchange and security issues. The hardened stance also included a more direct criticism of China's human rights violations, attributing more prominence to this issue (Dietrich & Witkowski 2012:32).

To navigate the risen tensions and to avoid serious conflicts, China and the U.S. "[…] compromised on key issues including cybersecurity and tensions in the South China Sea through high-level dialogues" between 2013 and 2016 (Wang & Hu 2019:3). Still, new China-led global projects such as the Belt and Road Initiative (2013) or the Asian Infrastructure Investment Bank (2016) together with growing geopolitical disputes (e.g. the Taiwan issue) continued to feed into U.S. wariness towards China's rising influence. The U.S. American government perceived it as a potential challenge to its liberal world order, leading to another deterioration of bilateral relations from 2013-2016 (ibid.). The Obama administration ended at a delicate time for U.S.-China relations when it both recognized grave human rights violations in China as well as the importance of its relation to China with regards to global issues such as nuclear nonproliferation and transnational crime (Lewis 2017:471).

When President Donald Trump assumed office in 2017, the White House hardened its rhetoric towards China by defining it as a "revisionist power" and a "strategic rival" of the U.S. (Wang & Hu 2019:4). Nevertheless, Chinese officials have not joined the more confrontational stance. Instead they continued to assure that common interests are much greater than any differences in China-U.S. relations (ibid.). This might seem surprising considering the fact that the Trump administration has issued a number of more aggressive moves against China, such as imposing trade restrictions on Chinese imports and companies to pressure China to compromise on other issues such as technology transfers and industrial policies (ibid.). The Trump administration showed its disapproval not only in economic sanctions but also in its diplomatic relations. For the first time ever, the U.S. government has accused China of interfering in American domestic politics and has harassed Chinese scholars traveling in the U.S. (ibid.). Chinese authorities replied by erecting regulatory restrictions for U.S. non-governmental organizations (ibid.:5).

In 2016, Wan resumed that U.S.-China relations over human rights have not changed fundamentally since 1994. The Chinese government continues to criticize U.S. interference in Chinese domestic affairs, as it calls U.S. advocacy of human rights and democracy "instruments of hegemony" (p. 111). Meanwhile, the U.S. still addresses human rights concerns in China occasionally but not as much as to satisfy human rights activists and other critics (ibid.). Wan further points to the inherent conflict between the U.S. as a democracy that values human rights, and China as an authoritarian one-party-system. As long as this divergence exists, human rights will continue to be a sensitive topic in China-U.S. relations (ibid.:106). As Wan puts it succinctly, "[…] human rights continue to exert a structural constraint on [U.S.–]China relations, namely that the two countries cannot be friends due to the gap in political values and political systems." (p. 106).

To conclude, U.S.-China relations have experienced tensions since China's economic growth has led to a more assertive Chinese leadership that questions U.S. hegemony. Profound fundamental differences in state ideology have characterized U.S.-China relations as they underpinned many of the major conflicts. Discrepancies between the need to cooperate and different views on international politics have led to volatile bilateral relations. Moreover, the current U.S. government of President Trump has allowed the tensions to rise to a new all-time high, feeding into a long-existing U.S.-China dispute. This chapter also showed that

the promotion of democracy and human rights in China has always been one of many competing U.S. interests, which explains the highly fluctuating U.S. efforts to target human rights issues.

As this chapter has discussed, the issue of human rights in China has shaped U.S.-China relations significantly. However, since the U.S. government seems to have reduced its support for democracy and human rights advocacy in recent years, it remains unclear if this development has led to new forms of resistance against OCDM organizations. After discussing U.S.-China relations on human rights, the next chapter will introduce the historical development of the Overseas Chinese Democracy Movement (OCDM).

2.3 Overseas Chinese Democracy Movement

When in 1989 Chinese students initiated a pro-democracy movement against the Chinese Communist Party (CCP), a regime perceived as highly repressive by many, it became the largest spontaneous popular movement in China since its foundation in 1949 (Béja 2003:439-440). But it was not only student groups that protested for democratic change, many non-conformist intellectuals as well as the first autonomous federation of workers took part in the demonstrations (ibid.). The Chinese government answered on June 4th 1989 by launching a military crackdown on the protesters at Beijing's Tiananmen Square that attracted international media attention (Yang 2019).

Following the violent suppression of the protests, a substantial number of political activists successfully left their home country. It was the first time such a significant outflow of political dissidents occurred since the foundation of the People's Republic of China (PRC, Béja 2003:440). A few months later, some of the activists who had fled the PRC decided to initiate a political organization that encompasses all overseas dissidents regardless of the time of their departure from China. Hence, in September 1989 a significant number of overseas political activists met in Corbeilles, near Paris, to form the Federation for a Democratic China (FDC). This group included dissident intellectuals and activists who had founded opposition journals or organizations including the Chinese Alliance for Democracy (CAD). The CAD was founded in 1983 following the suppressed Democracy Wall Movement in Beijing, becoming the first overseas Chinese dissident organization (ibid., Chen 2014b:1-3). The newly founded Federation had two main objectives. Firstly, to mobilize Chinese people within China to overturn the one-party regime. Secondly,

to lobby Western governments to put pressure on the Chinese government in behalf of democratization. For most of the activists who first found refuge in France, the West equaled the U.S., which is the reason why many of them decided to emigrate to the United States (Béja 2003:440).

The FDC subsequently established branches in 25 countries and counted 3,000 members. In the meantime, the CAD also expanded and reached a similar number of members. By the end of 1989, it not only set up branches in a number of countries outside of North America, it also maintained secret contact points inside China (Chen 2014a:2-3). By the early 1990s, the overseas Chinese democracy movement (OCDM) consisted of various individual organizations and spanned Chinatowns and university campuses globally while interacting with political bodies in the West, international media and social groups (ibid.). Until today, the OCDM advocates liberal democratic values including popular elections, free press, and the rule of law, among others, to systematically oppose the one-party system in China (ibid.:1).

However, when leaders from both the FDC and CAD failed in merging the two most significant organizations, "[…] the movement as a whole started to stagnate and decline in its visibility and influence […]" (Chen 2014a:2-3). The situation became even more confusing as a number of exile political parties such as the Liberal Democratic Party, the Democratic Party, and the Workers' Party were founded, not to mention the Interim Government of China which was established in Los Angeles (ibid.).

As Chen (2014b) puts it, "[c]onsidering its historic significance and enduring profile as China's only political opposition, the phenomenon of OCDM remains remarkably understudied by scholars" (Chen 2014b:2). Despite academic studies that assessed the movement's general trajectory, roles and challenges, more analytical and theoretical assessments remain scarce (ibid., Chen 2018:110). This research aims to contribute to this research gap by applying theoretical frameworks from the social movement and civil society literature to the OCDM.

Despite also being political opposition groups, I have decided not to include Tibetan or Uighur activists as their specific agendas differ significantly. For the same reason, the Falungong movement with its distinct strategies to influence public opinion and political actors has not been included. I am aware that this decision might seem arbitrary but in light of space and time constraints of this thesis, I have decided to

focus on the formerly described OCDM.[4] However, human rights organizations similar to the OCDM that are based in the U.S. and also work on democracy and human rights in mainland China were included.

Human rights organizations that are not explicitly part of the OCDM as they are not founded or run by exile Chinese are included in this research since, despite their different background, their work and experiences are highly similar and hence, comparable to OCDM organizations. Also, including similar human rights organizations allows the research to include a bigger population, therefore increasing the research's validity. Therefore, future use of the word "OCDM" shall include other relevant human rights organizations as well.

3 THEORETICAL LITERATURE REVIEW

3.1 Political Opportunity Structure

Approaching the OCDM and its political activism from a theoretical perspective, the concept of Political Opportunity Structure (POS) from social movement literature is highly suitable. Also called 'political process theory' or 'theory of political opportunity structure' (McAdam 1982; Tarrow 1994), these approaches have been applied to investigate how political minorities such as immigrants engage in political mobilization (Soehl 2013:1977-1978).

The concept was first introduced in 1973 by Peter K. Eisinger and describes the relative openness of a political system including political, economic, social, and historical conditions. These conditions may enhance or restrict political opportunities and mobilization (Teräväinen 2010:197). One of the most prominent critique points has been its overdetermination on the degree of homogeneity of both the political context as well as the minority groups (Soehl 2013:1992-1993). Soehl thus calls for a more specific and rigorous POS concept that takes into account group and individual freedom (ibid.). Similarly, Oliviera and Carvalhais (2017) criticize monocausal explanations for the impact of structures, groups or individual dimensions as they are inconsistent with reality (p.788).

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[4] For a similar decision, see Béja 2003:440.

In fact, there are numerous approaches to POS research to account for a more detail-oriented POS. For instance, a highly popular feature is distinguishing between formal institutional structures and informal power relations (Teräväinen 2010:197). Others, such as Soehl (2013), add an individual-level component to the POS in order to disaggregate opportunity structure in a way that faces particular political actors (p.1979). Another group of scholars has applied the POS as an analytical tool to examine to which extent powerful groups, including governments, are open or receptive to claims made by minority groups (Schrover & Vermeulen 2005:828).

Oliveira & Carvalhais (2017) describe the key factors of the accessibility of a political system as resources and institutional arrangements that either promote or constrain social and political participation (p. 790). A major part of POS research studies how state-level policies and institutional arrangements shape the political identity formation of minorities, a question that is rarely being asked in research on minority political participation (Soehl 2013:1978, 1980).

According to Joachim 2003, activists consciously chose strategies that match their specific political opportunity structures to achieve optimal effect. Nevertheless, not all chosen strategies are successful. Soehl (2013) criticizes that research on POS neglects failed mobilization as the concept of POS is often understood as a "selector of the fittest strategies" (p. 1993). This reasoning tends to overdetermine structural factors and offers little insight on individual choices of political actors (ibid.).

Numerous other researchers have emphasized the importance of subjective interpretations, the so-called "cognitive liberation" (McAdam 1982). Still, most contend that opportunity structures play a substantial role in shaping actor's perceptions (Soehl 2013:1994). Bondaroff and Burke (2014) point to the role of history in POS. Choices of political actors may become part of the POS for future political actors, meaning that actors themselves may influence the POS in which they operate (p. 168). This provides a theoretical advancement of the original POS concept that takes opportunity structures as given by institutional arrangements and political power (Rootes 1999:75).

Another critique on the original concept is Koopmans and Statham's (1999) argument that it does not account for varying political mobilization among different actors. To explain mobilization variation, the

authors suggest complementing the POS with a discursive dimension that encompasses political, cultural or symbolic factors (Gaffney 2003).

With regards to the numerous attempts to specify and further POS, Gamson and Meyer have already warned in 1996 against the danger of POS "[…] becoming a sponge that soaks up every aspect of the social movement environment" (p. 275). Hence, research on POS is still evolving trying to establish the optimal balance between generalization and specification of opportunity structure.

Recently, another field of research has emerged that can be seen as providing yet another way to investigate political opportunity structure. In fact, this research originates in civil society literature and has not yet been linked to POS research. Despite the apparent disconnection, literature on the so-called "Closing Space phenomenon" offers an insight into changing political and civil climate and its impact on civil society organizations, accounting for both objective and subjective POS.

3.2 Closing Space Phenomenon

In recent years, human rights activists have increasingly reported facing a widening, assertive pushback from governments. Regardless of the previous proliferation of human rights issues in international politics, recipient governments have started to erect legal barriers to externally sponsored democratic and human rights organizations (Carothers 2016:358). The newly established constraints, be it through a hostile political and public discourse facilitated through harassment or intimidation, or through new legal restrictions, severely impact human rights organization's operations. According to the International Human Rights Law Clinic of the University of California, the increasingly hostile climate restricts activists' ability to voice unpopular views and challenge authorities (IHRLC 2017:6).

This phenomenon has been called the "Closing Space phenomenon" and describes a "[…] general trend of increasing challenges to, and open resistance against, the international promotion of democracy and human rights" (Wolff & Poppe 2015:i). The restriction of civil society organizations[5] is often combined

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[5] Civil society organization (CSO) function independently from state and commercial actors, span diverse subject areas, and typically operate at a grassroots level. They exist to further collective interests in a range of social, cultural, legal, political, and economic contexts. CSOs include formal and informal groups such as community-based organizations, foundations, nongovernmental organizations, think tanks, and various
other entities (IHRLC 2017:5)

with other measures restricting the freedom of expression, association, and movement of civil society actors (IHRLC 2017:4). Governments pushing back civil society support seriously hinder organizations' effectiveness, sustainability for external resources and support which are often crucial for organizational survival (Carothers 2016:360).

The scientific literature has investigated the Closing Space phenomenon by examining its scope and depth, characteristics and evolution over time (Wolff & Poppe 2015:i). Carothers (2016), for instance, observes that governments closing civil space often influence each other as similar patterns of pushbacks occur within regions (p. 360). In a more recent literature review on Closing Space, Hossain et al. (2018) argue that instead of shrinking, civic space has indeed rather changed while admitting that new constraints concern aid supported groups more than others. They also note that it has led to a shift of power from civic to political actors, meaning an increasing dependence of civic organizations on political actors. With regards to a country's socio-economic development, the authors remark that a closed civic space raises the probability of economic crises and decreases the likelihood of an equitable, sustainable, or inclusive development (Hossain et al. 2016:3).

Most often, scholars have found that semi-authoritarian regimes display the Closing Space phenomenon. As of until recently, these governments have allowed international aid organizations to operate democracy and rights programs within their territory as a way to improve their international reputation. But increasingly, when facing pressure, states decide to restrict civil society organizations (Carothers 2016:361). Most notably, this occurred in Latin America, Africa, and Asia, where political leaders attacked Western democracy organizations and reduced space for their activities in their countries.

While democratic assistance from Western sources has first been regarded as post-cold war efforts to establish global political values, it is now increasingly seen as "[…] the hard political edge of a newly militaristic, interventionist U.S. geostrategy" (ibid.:359). One of the reasons for this impression was the fact that Georgian and Ukrainian civic activists which were supported by Western organizations initiated mass protests against state authorities. This led to the idea that the West, especially the United States, were the secret mastermind of the uprisings (ibid.).

As democracy promotion became associated with 'Western-imposed regime change', democratic and human rights organizations lost legitimacy (ibid.:365, Chaudhry & Heiss 2018:4). Apart from this, there are a number of other factors that contributed to the pushback. Bakke, Mitchell and Smidt (2020) for instance argue that when governments cannot comply with legally binding human rights commitments, they are more likely to restrict the activities of civil society organizations as a means to hide their noncompliance (p.85). Moreover, NGOs shaming state authorities publicly can lead to economic cutbacks for governments as foreign aid and other economic benefits might be affected by negative publicity. Thus, NGOs can also challenge state economic interests (Chaudhry & Heiss 2018:3). Another potential factor is a government's perception of being vulnerable to domestic critics. If a government fears internal challengers, it tends to restrict civil society organizations (ibid.:4). Furthermore, there have been ongoing debates about non-Western democracy, which may differ from the liberal notion prevalent in Western societies. Consequently, governments and political movements increasingly question the model of liberal democracy, sometimes they even openly defend authoritarian practices (Poppe, Leininger & Wolff 2019:777-778).

Lastly, another major contribution to closing civil space has been the increased international awareness of counterterrorism, e.g. the War Against Terror (Carothers 2016:365, Celermajer & Avnon 2019:675). When the United States imposed new legal controls on citizens' rights as a means of combating terrorism, it allowed state authorities to declare groups as terrorist entities without transparent classifications as definitions of 'terrorism' and 'material support' were overly broad (Carothers 2016:366). As a consequence, other governments around the globe followed by implementing similar counterterrorism policies (ibid.:365) that also constrained democracy and rights organizations.

Governments have mostly employed legal and administrative constrictions to control and limit NGO activity (Chaudhry & Heiss 2018:6, Celermajer & Avnon 2019:675). These legal barriers include fiscal constraints, laws to discourage or prohibit NGO establishment, and laws to prevent NGO advocacy in public policy (ibid.). In fact, financial restrictions can become an existential threat for organizations which rely on foreign funding (Carothers 2016:363). Seen from a POS viewpoint, legal restrictions can be regarded as objective POS (Oliveira & Carvalhais 2017:790). Rhetorical attacks, especially from right-wing NGOs, and increasingly hostile public opinions have created additional pressure for civil society organizations

(Celermajer & Avnon 2019:675). These more implicit constraints can be regarded as subjective POS (Oliveira & Carvalhais 2017:790).

The above-mentioned constrictions have impacted NGO activities in a number of ways. First of all, Chaudhry and Heiss (2019) report that instead of simply scaling back, donors change their funding strategies. They redirect their funds within restrictive countries to tamer issues that align better with governmental preferences, and withdraw from politically sensitive causes (p.7). Chaudhry and Heiss call this a 'turn to transcalar advocacy' where civil society campaigns are dominated by organizations from the Global South (ibid.:12). Celermajer and Avnon (2019) have found a range of reactions to changes in the political and social climate around human rights. They categorized the responses into five clusters, namely (1) *denial*, (2) *stay on track*, (3) *tactical reactions to adversaries' actions*, (4) *revise assumptions, goals and strategies,* (5) *rally, mobilize, and expand domestic base of support* (p.688).

While most of the literature focuses on authoritarian and semi-authoritarian countries, some scholars have also remarked a similar tendency in some liberal democracies (Chaudhry 2016, Carothers 2016:361). As Celermajer and Avnon (2019) put it,

> *"[t]he growing tendency to posit human rights advocates […] may not, however, be limited to regimes types that are, by definition, antagonistic to political advocacy from civil society actors. We are now witnessing some similar patterns of repression in certain democratic states."* (p.674)

The authors investigated the Closing Space phenomenon in the state of Israel and found that especially right-winged groups have actively engaged in delegitimizing human rights organizations (Celermajer & Avnon 2019:681, 684), while the declining popularity of left-center parties led to organizations' decreasing access to political decision making (ibid.:688). This raises the assumption that right forces tend to restrict rights organizations' efforts, hence contributing to the Closing Space, whereas left powers seem to support human rights advocacy and therefore counter the Closing Space.

Furthermore, the authors mention explicitly a similar escalation and legitimization of attacks on human rights issues in the United States (ibid.). Indeed, there are several organizations that have reported recent human rights erosions. For instance, the Leadership Conference on Civil & Human Rights has compiled a list of civil and human rights rollbacks by the Trump administration since 2017. One of the

headlines from 2018 reads: "On June 18, Nikki Haley, the U.S. Ambassador to the United Nations, announced that the United States was withdrawing from the UN Human Rights Council" (The Leadership Conference on Civil & Human Rights 2020), showing a clear deprioritization of human rights issues.

These rollbacks have also been documented by Civicus, a civil society alliance that tracks civic space throughout the world (Civicus n.d.). For 2017 and 2020, Civicus reports a narrowed civil space in the U.S., meaning that "[w]hile the state allows individuals and civil society organizations to exercise their rights to freedom of association, […] violations of these rights also take place. […] The media is free to disseminate a wide range of information, although the state undermines complete press freedom either through strict regulation or by exerting political pressure on media owners" (Civicus n.d). These instances of limiting civil and human rights indicate that the phenomenon of Closing Space might have taken place in the U.S. as well. However, research explicitly on Closing Space in the U.S. is still rare as the research field is rather new and mainly focuses on non-democratic countries.

To compare both the Closing Space and POS concept, it can be inferred that the Closing Space concept displays a similar reasoning compared to the POS concept. Firstly, Closing Space and POS refer to both formal institutional structures and informal power relations. Secondly, as the research on Closing Space tends to focus on individual's experiences within organizations, it can be seen as a way to disaggregate opportunity structure. Lastly, the Closing Space phenomenon examines how responsive governments are towards the interests of minority groups, which is another parallel to the POS concept. By adding the individual level of organizations' members, the Closing Space phenomenon overcomes the structural determinism of POS and acknowledges individual differences and subjective interpretations. This further accounts for variation in political mobilization among organizations. For these reasons, the Closing Space phenomenon offers a valuable advancement of POS literature.

3.3 Specification of Research Question

As noted earlier, the Closing Space phenomenon as an aspect of changing POS has barely been investigated in the U.S. For Closing Space is related to long-term changes in political and civil climate, the chosen period of 2001-2020 should offer sufficient insight on significant developments. Moreover, the OCDM and similar human rights organizations have not been an object of study in this research field as of now. To shed more

light on the issue of a potential Closing Space in the U.S. and to learn more about OCDM organizations' experiences, this research asks the following research question:

In the period of 2001-2020, have U.S. based human rights organizations working on China

experienced the Closing Space phenomenon?

This chapter discussed the theoretical frameworks on which the research is based. The concepts of POS and Closing Space provide a suitable frame for studying the OCDM and its political activism in the U.S. The following chapter will now turn to discuss the study's research design by phrasing working and null hypotheses, and by elaborating in more detail the questionnaire and content analysis.

4 METHODS

This thesis will explore whether U.S. based human rights organizations working on China have experienced the Closing Space phenomenon. There are two theories of interest, Closing Space and POS. Considering the findings of Civicus (n.d.) and the Leadership Conference on Civil & Human Rights (2020) as well as evidence from existing studies on Closing Space in democracies, it seems likely that a form of the Closing Space phenomenon has taken place in the U.S. as well. To explore the research question with regards to the relevant theories, the thesis will cover the years from 2001 to 2020, spanning three presidential administrations. Since the Closing Space phenomenon is linked to broader and long-term changes in the political and civil sphere, I aimed for a time period as long as possible. As most of the current OCDM organizations were founded before or in the early 2000s, the Bush administration beginning in 2001 was the earliest that all investigated organizations have existed. The thesis covers developments including those in 2020 as this is the longest possible time span. Considering the above-mentioned remarks, I will therefore explore the following working hypothesis:

H[1]: U.S. based human rights organizations working on China

have experienced the Closing Space phenomenon in the period of 2001-2020.

According to the findings from Celermajer and Avnon (2019), left-wing forces seem to support human rights advocacy, therefore countering the Closing Space, while right-wing forces seem to restrict human

rights advocacy, therefore contributing to the Closing Space phenomenon. [6] This supports evidence from Dietrich and Witkowski's 2012 study that found that Democratic presidents tend to further human rights policies (p.2). This leads me to the conclusion that there might have been similar dynamics in the U.S. with regards to the changing presidential administrations. Those terms taken by Republican presidents are thus considered right-winged, while those taken by Democratic presidents are considered left-winged. This consideration results in the following second hypothesis:

H[2]: The Closing Space phenomenon is more evident during Republican administrations

than during Democratic administrations in the period of 2001-2020.

Consequently, my null hypotheses are thus:

H[1.0]: U.S. based human rights organizations working on China

have not experienced the Closing Space phenomenon in the period of 2001-2020.

H[2.0]: The prevalence of the Closing Space phenomenon has not changed with relation to changing

presidential administrations in the period of 2001-2020.

To answer my research question, I chose to employ a two-step approach using primary and secondary data. Firstly, I conducted original research by sending out questionnaires to respective human rights organizations aiming at collecting valuable information regarding my research question. In a few cases, I conducted oral interviews using the same questionnaire.[7] This constitutes my primary data.

For my secondary data, I employed a content analysis on organizations' annual reports that are published online and that touch upon changing civil or political climate. The intention of the second step was to complement information collected with the questionnaires to gain an improved understanding of the research problem. Since my research design asks for Closing Space effects from 2001 to 2020, it was necessary to limit OCDM organizations to those that have existed since 2001.

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[6] While the terms „left-wing" and "right-wing" are not precise definitions and might include different levels of conservatism or liberalism depending on the context, I use these terms here to express a general distinction of political parties that tend to either more conservative or right policies and others that tend more towards liberal or left policies.
[7] due to personal requests from participants.

This excluded organizations that were closed earlier and those founded later on. Also, only human rights organizations based in the U.S. were included, which meant international organizations based in Asia, for instance, could not be addressed. Further, not all organizations that I approached responded or were available for my research. Thus, I inquired nine organizations and one individual actor, meaning that this research design is a small n research[8].

Since one of the respondents elected to keep the organization's name confidential, all organization names are kept anonymous in this study. This is important to maintain confidentiality for research participants. Hence, with regards to the questionnaires used for the survey, anonymous codes were used to ensure confidentiality. Concerning the content analysis, anonymous source descriptions were used for referencing.

4.1 Survey

The goal of the survey was to collect valuable information that helps answer my research question, that is whether U.S.-based human rights organizations working on China have experienced a Closing Space phenomenon. The questionnaire consisted of 13 mostly open-ended questions that were designed to be answered by human rights organizations' senior members as they covered a time span of approximately 20 years (2001-2020). Most questions were derived from academic literature on Closing Space as presented earlier in chapter 4.2. Some inspiration on the drafting of the research questions were taken from a questionnaire that was created by Celermajer and Avnon for their 2019 study on human rights organizations in Israel, courtesy of the authors.

The questionnaires had anonymous codes that were attributed to each organization to be able to distinguish answers without disclosing their names or the number of interviewed organizations. The questionnaires were sent out by email and were to be completed at respondents' own convenience. The questions were divided into three sections: Firstly, civil climate and public opinion change since 2001 and its impact, secondly political climate including policy priorities of the three administrations George W. Bush,

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[8] This means this is a research „in which there is a small number of participants." (Stuart-Hamilton 2007:246)

Barack H. Obama, and Donald J. Trump, and legal constraints since 2001, thirdly final questions on how the organizations responded to challenges as well as administrative questions such as further suggestions on other people/organizations to approach or whether to disclose organizations' names.

I approached nine organizations and an individual activist; from these eight organizations one did not respond. Thus, I sent out eight questionnaires in total and received three written answers. Further, I conducted two interviews.[9] For the interviews, I used the same questionnaire. However, one interview was conducted in Chinese because the interviewee preferred Chinese language. The change in language might mean that the results of this interview may be slightly less comparable to the others. Still, I decided to include the interview as it might provide valuable insight on my research question.

The results were evaluated with regards to the indicators of Closing Space named by the literature (see chapter 3.2). These were mainly the questions 1.2, 1.3, 2.1 and 2.2 which targeted potential societal and governmental constraints on organizations' work. If organization representatives responded to these questions that they have experienced some form of restriction, this would be evaluated as evidence for an existing Closing Space.

4.2 Content Analysis

The content analysis was based on Abbott and McKinney's 2013 work "Understanding and Applying Research Design". In this book, content analysis is described as the "study of cultural artifacts" (p. 316). The object of study can be anything that was created by humans, which is examined to understand a certain aspect of human life and interaction (ibid.).

The aim of the content analysis was to complement information gathered through the questionnaires and interviews. The material used were annual reports or similar annual documents published on organizations' websites. However, suitable material was limited as most organizations either do not publish annual reports at all, do so only irregularly, or those published often did not cover the complete

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[9] For individual reasons suggested by the interviewees.

time span from 2001 to 2020. Those remaining only rarely touched upon the civil or political climate as they were mostly focused on the organizations' work progress.

Selected material was published on a yearly basis, available online, and provided information on organizations' working environment in civil society and politics. In total, twenty reports could be included in the content analysis.[10] As time was an important variable for my research question, taking a census of my materials allowed me to see change over time (Abbott and McKinney 2012:318-319). The next step was to code the material, turning the raw data into a standardized form to categorize patterns emerging from the data.

The coding technique that I used is called "open coding". Its purpose is to analyze qualitative data, which is why it is often part of qualitative data analysis methodologies (Khandkar 2009:1). The type of open coding conducted here is *line-by-line coding*, which means that the texts are analyzed line by line (ibid.:4). Open coding generally includes three steps: labeling the phenomena, defining categories, and naming categories (Abbott and McKinney 2012:320). The first step begins with breaking down the text into smaller units which are examined more closely to compare for relations, similarities, and differences. The smaller units are then labeled to identify them further in the analysis (Kjandkar 2009:1). When all units are labeled, the labels themselves are grouped into broader categories which are based on common properties (ibid.:3).These categories are then compared to the indicators found in the literature on Closing Space (see chapter 3.2) to see whether the findings provide evidence for increasing governmental restrictions.

4.3 Limitations of Methods

Despite best intentions, the above-described methods have their limitations. Concerning the survey and interviews, asking for experiences over a time span of 20 years is somewhat troublesome as recent events are more present in respondent's memory as earlier ones. This might have skewed the results to offer more detail on recent happenings at the expense of those long ago. Moreover, although I have cut down the amount of questions as much as possible, I expected the time to complete the questionnaire to around 45

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[10] This also meant that I took a census of the materials available as I selected all the pertinent materials (Abbott and McKinney 2012:318).

minutes. This might have put off some respondents and led to lower response rates. Another critique might be the limited number of responses in general as it decreases the validity of the results, making them less representative. Those answers that I received did not always fully answer the questions asked, as for instance three out of five respondents related question 1.1[11] to the general public opinion on China, not specifically on rights and democracy. This weakens the validity of the results. Also, I realized that question 1.3. both targets changes in political and civil climate, but up to this point in the questionnaire political climate has not yet been discussed. It might have been better to place this question at the end of section 2 "Political Climate". Another question that could be improved is question 2.2.5. that only asked whether international factors have affected organizations' work but not how. This additional information would have made the answers more insightful. Further, even though respondents usually were senior organization members, their individual tasks within the organizations might have differed considerably, leading to diverse experiences. This might limit the degree to which their answers can be compared to each other.

Concerning the content analysis, the limited amount of appropriate online material is a matter of concern as it makes results less representative. The focus on online material from one major source might mean that the results may not be generalizable for all respective human rights organizations. Additionally, the choice of open coding bears the potential of bias influence as it is a highly subjective coding technique. Labeling and creating categories is done by one researcher only, so individual interpretations may impact results. I tried to balance this by making my choices of labels and categories as transparent as possible in the appendix, so potential biases would be easier to discover. Finally, the choice of organizations that I investigated had a strong influence on the results. I tried my best to include all relevant rights organizations by doing extensive online research and asking all participants which other organizations I should approach, but it is still possible that I did not reach out to or did not receive a reply from some organizations that would have fit my criteria.

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[11] "Looking back over the last two decades, how, in your view, has public opinion in the U.S. regarding rights and democracy in China changed? How did it shift and when?"

5 RESULTS

5.1 Survey and Interview Results

The survey was divided in three parts, (1) civil climate and public opinion, (2) political climate, (3) final questions. In total, the questionnaire consisted of 13 mostly open-ended questions, from which 11 questions where concerned with organizations' experience of closing space and two organizational questions at the end.

The first question on civil climate and public opinion asked about respondents' perception on changes in U.S. public opinion on rights and democracy in China over the past 20 years. Overall, three respondents related this question to the public opinion more generally on China (Questionnaires RANC, 0A6C, N9TT), while a Chinese speaking representative stated that human rights and democracy in China have always been supported by the American public, but to varying degrees (Questionnaire 7ETR). To begin with, several interviewees referred to a 2001 incident when an American fighter jet was hijacked by Chinese forces, leading to a major deterioration of U.S.-China relations (Questionnaires QK6A, RANC, also see Garver 2002).

According to the individual activist, 2008 with the Olympic Games taking place in China and during the Obama administration in general, public opinion on China was noticeably more in favor (Questionnaire QK6A). The death of Liu Xiaobo in 2017 was mentioned by one participant as a turning point (Questionnaire N9TT).[12] Another interviewee explained, public opinion on China dropped sharply over the last two years, but he did not relate this development to China's human rights record but rather to concerns on environmental degradation, job losses, trade war, and China's rising military power (Questionnaire RANC).

Similarly, the Chinese speaking respondent agrees that public opinion on China has become more critical over the past two years. He traces this development back to state leaders Trump and Xi as both opted for more confrontational stances (Questionnaire 7ETR). Major serious human rights violations such as deportation camps in Xinjiang are mentioned by another respondent to have contributed to changing

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[12] While the participant did not explicitly mention what king of change this led to, it is very likely that it has contributed to a more negative public opinion on China.

U.S. public opinion on China (Questionnaire RANC).[13] Two respondents mention the 2020 pandemic that started in China as another major deterioration of public opinion (Questionnaires RANC and QKA6).

These observations are only in some instances supported by a 2019 survey on U.S. American public opinion conducted by the Pew Research Center (2019). As reported by the individual activist, public opinion during at least some of Obamas term was clearly more in favor of China: from 2009 to 2010, around 50% held positive views, while 38% (2009) and 36% (2010, 2011) held negative views. Yet, in 2012 public opinion changed significantly.

During the following years, public opinion in the later Obama administration was characterized by a clear unfavorable view with 52%-55% negative and 37%-38% positive views from 2013 to 2016. Also, observations are supported about negative public opinions since President Trumps inauguration in 2017, reaching a negative climax in 2019, when 69% reported unfavorable and only 26% favorable views (ibid.). However, the years 2005 to 2007 are shown to have had predominantly positive views as well, which was not mentioned by organization representatives (ibid.)

% who say they have a ___ opinion of China

100%
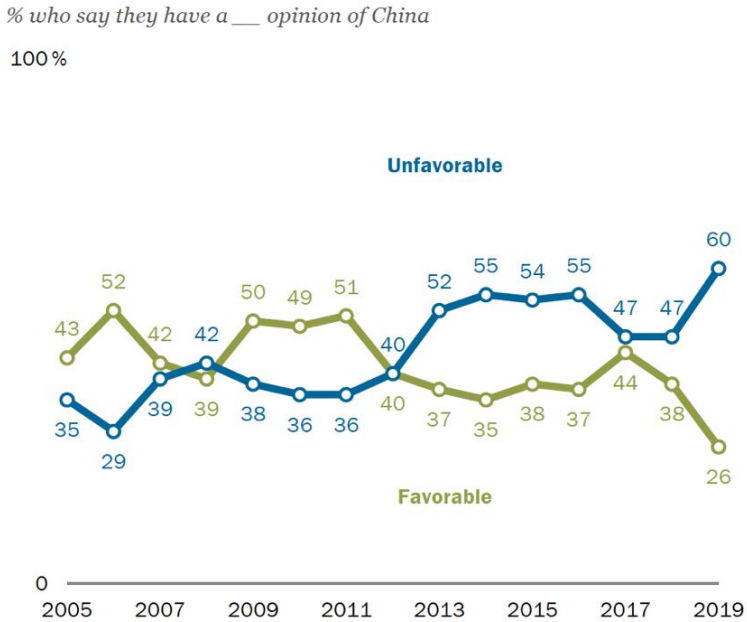
Note: Don't know responses not shown.
Source: Spring 2019 Global Attitudes Survey. Q8b.

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Figure 1: Favorable and unfavorable views among U.S. Americans on China, 2005 – 2019 (Pew Research Center 2019)

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[13] While the participant did not explicitly mention what king of change this led to, , it is very likely that it has contributed to a more negative public opinion on China.

The second question 1.2. asked whether these developments in public opinion have affected respondents' organizational work. All five respondents reported that the developments had very little to no consequences for their work, or that it was hard to say. Additionally, one person reported that U.S. citizens have become less interested in the Chinese democracy movement over time (Questionnaire 0A6C).

The third question 1.3. asked whether respondents' organizations have experienced an unusual fluctuation in donations that might be attributed to changes in political or civil climate. All participants denied this. Two of them stated that mainly Chinese people living in the U.S. provide donations, but American people rarely do (Questionnaires 0A6C, 7ETR). One respondent reports a drop in donations in 2020 but attributes this to the pandemic rather than to the political or civil climate (Questionnaire RANC).

The second part concerned the political climate. It asked participants to provide comments on how presidents' political priorities (including domestic and foreign policies) may have affected their organization's work. The Chinese speaking interviewee noted that his organization rarely engages with U.S. political actors, so he has barely noticed any change. Only with regards to the current Trump administration he experienced a growing support for his organization (Questionnaire 7ETR). Similarly, another respondent reported that there have not been any influences from presidents' political priorities on his organizations' work (Questionnaire 0A6C). In contrast, the remaining three participants did notice some influences.

Regarding the Bush administration (2001-2009), all three mentioned different aspects. One person remembered that President Bush put more emphasis on religious freedom, thus his organization focused more on religious prisoners than before (Questionnaire RANC). Another respondent stated that the relative concern about human rights in China during this period was undercut by "China's manipulation of the U.S. 'war on terror'" (Questionnaire N9TT). The individual actor mentioned the 2001 crisis discussed earlier as having impacted her work (Questionnaire QKA6).

Concerning the Obama administration (2009-2017), two respondents agreed that the U.S. government at that time did not advocate enough for human rights in China (Questionnaires RANC, N9TT). Yet, one of them credited the Obama administration with "lots of progress […] with regards to global human rights credibility" (Questionnaire N9TT).The individual activist remarked that then Secretary of

State, Hillary Clinton, was a major supporter in helping the blind civil rights activist Chen Guangchen flee China (Questionnaire QK6A).

Regarding the Trump administration (since 2017), one respondent reported an increased support as noted earlier (Questionnaire 7ETR). The individual activist agreed by stating that President Trump is very popular among OCDM members as his rhetoric on China seems very hardline, but he has taken no concrete steps to support the democracy movement (Questionnaire QK6A). This has made her work more difficult because it leads to conflicts within the OCDM on whether to support Trump (ibid.). Another respondent noted President Trumps aggressive rhetoric and acknowledged some positive additions to the entities list,[14] however she criticizes him as a "human rights disaster" (Questionnaire N9TT) that prevents collaborations with other governments.

She also notes that the U.S. withdrawal from the UN HRC under Trump "has made it easier for Chinese authorities to try to manipulate that key institution" (ibid.). Another respondent remarks that "[in] line with his 'America first' policy, the Trump administration has put relatively more emphasis on American citizens imprisoned in China" (Questionnaire RANC). He continues by stating that Muslim minorities have also been increasingly treated, which is why his organization currently works more on cases that fall into those two categories (ibid.).

The remaining part of section two on political climate was geared towards potential legal constraints. Participants where asked if they have experienced any new legal restrictions in their work. Overall, all participants reported that they have not witnessed any change in legal regulations with regards to the U.S. government. In contrast, one person noted that China has increased legal barriers, such as its law on the management of foreign NGOs that made his organizations' work more difficult (Questionnaire RANC). Concerning financial barriers, the same participant had experienced new difficulties in establishing banking accounts in Hong Kong (ibid.). These restrictions support the claim of Wang and Hu (2019:4, see chapter 2.2) that Chinese authorities erected legal barriers on U.S.-American NGOs in response to worsened U.S.-

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[14] The entities list contains names of foreign persons that are subject to specific license requirements in trade (Bureau of Industry and Security 2019).

China relations. The final question in section two asked whether international factors have affected their work. Here, all participants replied differently.
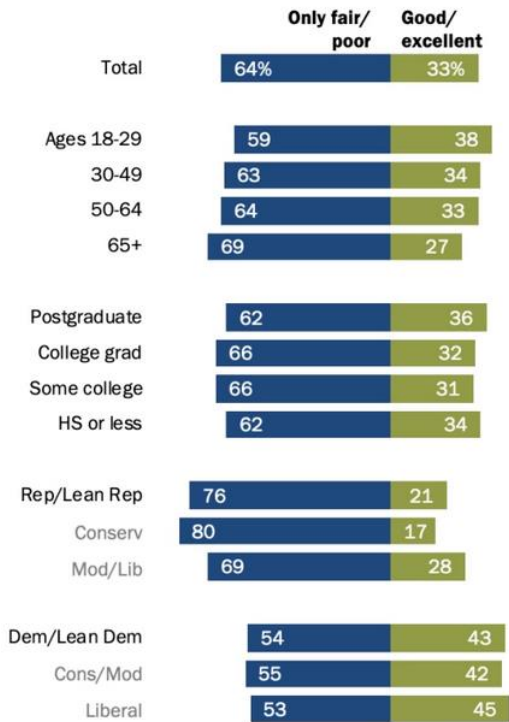
The individual activist mentioned the bilateral crisis in 2001 as a moment of tension (Questionnaire QK6A). The Chinese speaking respondent said that similar democracy movements in Hong Kong and Taiwan have had a significant impact on his work as his organization supported the activists by inviting them to the U.S. or by visiting them (Questionnaire 7ETR). Another respondent remarked that deteriorating bilateral relations "[…] over the last three years have actually been a positive for [their] work […]" since it made his organizations' work on human rights more relevant for both sides (Questionnaire RANC).

The impact of the Coronavirus pandemic has been evaluated differently by two persons. One said that most of the American public has blamed it on China (Questionnaire RANC), while the individual activist said that people's anger has been directed to domestic political actors instead of China (Questionnaire QK6A).[15] Another respondent reported no impact of international factors (0A6C), while another organization representative noted that it became more difficult to do high-quality research in China (Questionnaire N9TT).

With regards to the Corona pandemic in 2020, a Pew Research survey found that there is in fact a broad disapproval of how China has responded to COVID-19 among U.S. citizens. In total, 64% agreed that China has done "only a fair or poor job" in dealing with the virus outbreak, while 33% judge the Chinese response as good or excellent (Pew Research Center 2020). It is important to note here the partisan gap between Republicans (76% "poor job") and Democrats (54% "poor job").

Broad disapproval of China's response to COVID-19

% who say China has done a/an ___ job in dealing with the coronavirus outbreak

	Only fair/ poor	Good/ excellent
Total	64%	33%
Ages 18-29	59	38
30-49	63	34
50-64	64	33
65+	69	27
Postgraduate	62	36
College grad	66	32
Some college	66	31
HS or less	62	34
Rep/Lean Rep	76	21
Conserv	80	17
Mod/Lib	69	28
Dem/Lean Dem	54	43
Cons/Mod	55	42
Liberal	53	45

Note: No answer responses not shown.
Source: Survey of U.S. adults conducted April 29-May 5, 2020.
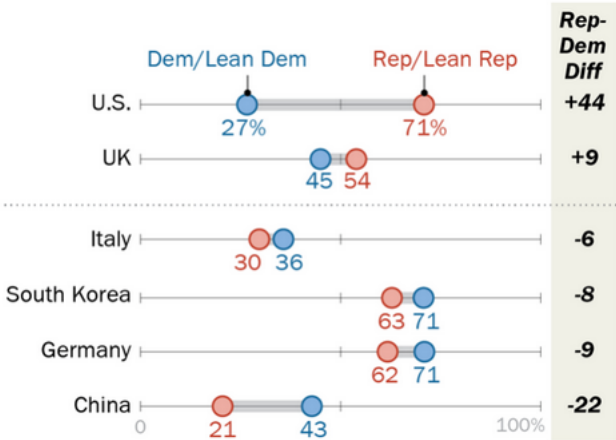"Americans Give Higher Ratings to South Korea and Germany Than U.S. for Dealing With Coronavirus"

Figure 2: Broad disapproval of China's response to COVID-19 (Pew Research Center 2020)

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[15] The different perception might be due to regional differences, different parts of society that have been observed or simply diverging individual perceptions. However, it shows that assessing something as broad as public opinion might be challenging for individuals.

While there has been no research yet on who U.S. citizens blame the Corona pandemic on, survey results show that public opinion is deeply divided on how the U.S. has handled the outbreak. Only 27% of Democrats say that the U.S. did a good or excellent job in responding, whereas 71% of Republicans believe so (ibid.).

Wide partisan gap on how U.S. has dealt with coronavirus; smaller differences in views of other countries' responses

% who say ___ has done a good/excellent job in dealing with the coronavirus outbreak

	Dem/Lean Dem	Rep/Lean Rep	Rep-Dem Diff
U.S.	27%	71%	+44
UK	45	54	+9
Italy	36	30	-6
South Korea	71	63	-8
Germany	71	62	-9
China	43	21	-22

Note: All differences shown are statistically significant.
Source: Survey of U.S. adults conducted April 29-May 5, 2020.
"Americans Give Higher Ratings to South Korea and Germany Than U.S. for Dealing With Coronavirus"

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Figure 3: Partisan gap on how U.S. has dealt with coronavirus (Pew Research Center 2020)

The third part of the questionnaire consisted of four final questions. Only the first two questions are relevant to the research since the other two concerned more practical matters.[16] The first question asked how respondents have coped with the challenges they faced. Three out of five people answered being creative or flexible in their approaches has helped them overcome difficulties (Questionnaires RANC, N9TT, QK6A). The remaining two, an English and the Chinese speaking representative, responded by engaging and encouraging more Chinese to participate in their activities and supporting like-minded groups in China that are at risk (Questionnaires 0A6C, 7ETR). To apply Celermajer and Avnon's categories, these

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[16] The third question asked whether respondents wished to disclose their organizations names, while the fourth question offered participants to receive a soft copy of the final thesis.

coping mechanisms belong to types (3) *tactical reactions to adversaries' actions* for the former, and (5) *rally, mobilize, and expand domestic base of support* for the latter (Celermajer & Avnon 2019:688).

The second question in the final part asked for any additional topics that respondents wanted to talk about. Two people did not share any other issues, while three did. The individual activist emphasized the pandemic as a "wake-up call" (Questionnaire QKA6) to the world on the CCP, while another participant mentioned that other countries support the promotion of the "Chinese democracy" (Questionnaire 0A6C). He criticized that the proclaimed Chinese democracy in fact is not a democratic movement but instead designated special economic zones in China which are not comparable to other developing countries' economies (ibid.). Lastly, the Chinese speaking respondent shared that his organization wants to address and attract young overseas Chinese more than before and calls this a big challenge (Questionnaire 7ETR).

The analysis of the questionnaires revealed that OCDM organizations experienced the past 20 years very differently due to varying degrees of engagement with U.S. politics and differing organization types. Still, some common patterns emerged regarding a potential Closing Space: all participants agreed that neither changes in public opinion, changing presidencies, nor international events have significantly restricted their work. Moreover, there were no new legal constraints erected by the U.S. government since 2001. This indicates that OCDM organizations have not experienced the Closing Space phenomenon, thus falsifying both working hypotheses.

5.2 Content analysis results

The content analysis covers 20 annual reports that were available online, most of them (18) from a major OCDM organization. Two annual reports from a minor OCDM organization were included. The reports from the major OCDM organization cover the period from 2001-2019, while the selected reports from the minor organization cover 2017 and 2018. In total, I created 16 different labels that I translated into seven major categories (see appendix). These major categories were mentioned at least three times in at least one presidency, thus constituting a broader phenomenon.

Out of those six major categories, I created three overarching themes, namely *restraining human rights, domestic politics,* and *foreign politics.* To begin with, the theme of restraining human rights is characterized by

multiple aspects. One of them is the erosion of human rights values that is mentioned repeatedly both during the Bush as well as the Trump administration. The Bush presidency is accused of introducing measures that erode basic human and civil rights such as the rule of law while abusing human rights and infringing humanitarian law in its anti-terrorist strategy (major OCDM organization 2001, 2003). The Trump administration is criticized for implementing regulations that violate human rights (major OCDM organization 2020). Both presidencies are said to have taken major steps backward on human rights (major OCDM organization 2003, minor OCDM organization 2018).

Another aspect of the restraining human rights theme are anti-terrorism policies and torture. These have been criticized especially during the Bush administration as the U.S. government expanded its executive power at the expense of the legislation and jurisdiction in its attempt to counter terrorism (major OCDM organization 2005). Obama was also questioned as some abusive counterterrorism practices have continued during his term (major OCDM organization 2013). However, one of the annual reports credited his ban on torture and the controversial CIA detention centers (major OCDM organization 2014). The third aspect of human rights being restrained is the tendency to constrain freedom of expression. This has been mentioned during the Bush and Trump administration (major OCDM organization 2007, 2018). For instance, one of the reports included a comment that the Bush government was more hostile to release information to the press (major OCDM organization 2007).

Another report noted that President Trump publicly disapproved of independent media outlets and federal courts that opposed some of his regulations (major OCDM organization 2018). The last aspect within the theme of restraining human rights is the one of surveillance. During President Obama's term, former CIA employee Edward J. Snowden revealed highly classified material concerning international surveillance programs. Following this, an annual report criticized the U.S. government for its mass surveillance programs which erode freedoms of the press, association, and expression (major OCDM organization 2014). Yet, it is acknowledged that Obama initiated a reform panel that suggested 46 policy amendments (ibid.). The criticism on mass surveillance extends to President Trump's term as he is accused of a lacking willingness to limit surveillance measures (major OCDM organization 2017).

The second overarching theme of domestic politics consists of two different aspects, low priority of human rights and slow and insufficient progress. Several annual reports have accused President Bush and

President Trump of deprioritizing human rights in their domestic agenda. Again, the Bush administration is criticized for protecting national security at the expense of human rights (major OCDM organization 2007). Multiple reports critically remark that President Trump and his staff disregarded human rights as Trump preferred to focus on issues such as trade and the nuclear crisis in North Korea (minor OCDM organization 2017). Also, key state positions that deal with human rights remained vacant under Trump (ibid.). The second aspect concerns slow, insufficient progress. Again, two administrations are criticized, the Obama and Trump administration. One report mentions that President Obama has, despite his public announcements, only made slow steps to address human rights concerns (major OCDM organization 2010). In a similar fashion, the Trump administration did only seldom sanction actors and governments for human rights abuses (major OCDM organization 2020).

The third overarching theme is U.S. foreign policy. It encompasses the promotion of human rights and democracy and the embrace of autocrats. For the promotion of human rights and democracy, several reports state that the Bush administration's inhumane counterterrorism measures undermined the U.S.' ability to promote human rights. Instead of promoting human rights, it has therefore turned to promote democracy as it is seen as a softer and fuzzier alternative (major OCDM organization 2007, 2008). Regarding the embrace of autocrats, multiple reports have repeatedly addressed President Trumps close relation to and support of autocratic leaders and abusive governments (major OCDM organization 2017, 2018).

The content analysis found that annual reports written by OCDM organizations have dealt mainly with the political climate in the U.S. regarding human rights and democracy. It showed that OCDM organizations have observed a series of rights deteriorations in the U.S. that went back to governmental policies. To compare the three presidents, it becomes clear that the Obama administration has brought up less rights complaints than the Bush and Trump presidencies. With regards to the literature on Closing Space, the reports do not mention any increase in legal constraints that hinder organization activity, or specific rhetorical attacks on OCDM or similar rights organizations. They also do not report any change in civil climate or public opinion on Chinese democracy or human rights. In this regard, the content analysis confirms the findings of chapter 5.1.

Hence, the findings provide no evidence for a Closing Space in the political realm as the observed rights deteriorations are of a more general nature than directed at rights organizations specifically. This puts

into perspective both the findings from Civicus (n.d.) and Celermajer and Avnon (2019), which assumed a Closing Space in the U.S. However, the general devaluation of human rights in political climate has been more prevalent during Republican presidents, namely Bush and Trump, than during Democratic presidents, namely Obama. To reformulate the second working hypothesis, which postulates that Republican presidents tend to contribute to a Closing Space targeting rights organizations, it is possible to hypothesize that instead, Republican administrations favor the deterioration of rights aimed at the general public.

When put into relation to the historical context of human rights in U.S. foreign policy and U.S.-China relations over time, one can find only few parallels. The annual reports mention Bush's War on Terror and associated torture practices as well as a generally poor human rights record. Moreover, Trump's disrespect for equal and human rights, democracy, and freedom has been reflected in OCDM organizations' reports. However, more specific developments in U.S.-China relations have not been mentioned. This might indicate that bilateral relations have not influenced OCDM organizations as much as expected – with the exception of a 2018 annual report that claimed 2018 to be the worst year for U.S.-China relations in decades (minor OCDM organization 2018). It continues to state that the worsened bilateral relations were reflected in their work on human rights in China as it increased human rights abuses against American citizens in China (ibid.).

After having evaluated both questionnaires and content analysis results, the paper will now turn to its final chapter. It concludes by summarizing findings and answering the research question, as well as by suggesting further areas for future studies.

6 CONCLUSION

This thesis set out to investigate whether a Closing Space phenomenon as part of OCDM organizations' POS has occurred in the U.S., covering a time span of 20 years and three presidential administrations. Applying original research by conducting a survey and interviews with organizations' representatives as well as using content analysis to examine organizations' annual reports, this research has created valuable insight on the Closing Space in the U.S. It has also viewed the OCDM from a new angle as it approached the movement from a social movement and civil society perspective. By doing so, the following results emerged:

OCDM organizations have experienced changes in political and cultural climate as well as rights deterioration in the U.S., and these deteriorations have influenced their activities in different ways. However, the developments did not restrict their work. In fact, restrictions on rights occurred on a general basis but not specifically targeted at rights organizations. With regards to their work, there have not been any newly erected legal constraints or changes in civil or political climate, which are typical indicators for Closing Space, according to literature. This means that in line with these findings, there has not been a Closing Space with regards to OCDM organizations' experience.

Thus, H^1 and H^2 are falsified and rejected, while $H^{1.0}$ and $H^{2.0}$ are supported. Yet, regarding general rights restrictions that have increased over the past two decades, it becomes clear that these occurred primarily during Republican presidencies. Relating H^2 to general rights deteriorations instead of those specifically aimed at OCDM organizations, this can be seen as supporting evidence that rights constraints are more likely during Republican terms.

Future research on Closing Space in the U.S. could investigate in how far the general rights deteriorations have restricted other rights organizations that focus on human rights in the U.S. These organizations might be more directly confronted with changes than OCDM organizations. Concerning the OCDM, future research could examine if and how Closing Space occurred in China, for some respondents have indicated this, and how this restricted OCDM organizations.

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8 APPENDIX

8.1. Labels, Categories and Themes in Content Analysis

Labels

1.   Low priority of human rights: Bush (3), Trump (6)

2.   Erosion of human rights values: Bush (3), Trump (4)

3.   Broad range of civil liberties: Bush (1), Obama (1), Trump (1)

4.   Anti-terrorism: Bush (3), Obama (1)

5.   Executive power above law: Bush (2), Trump (1)

6.   Torture: Bush (1), Obama (2), Trump (1)

7.   Promotion of human rights and democracy: Bush (3)

8.   Hypocrisy: Bush (1)

9.   Constraining freedom of expression: Bush (3), Trump (1)

10.   Human rights problems in the U.S.: Bush (2), Obama (1)

11.   Slow and/or insufficient progress: Obama (3), Trump (1)

12.   Surveillance: Obama (3), Trump (1)

13.   Intolerance: Trump (2)

14.   Reaffirmation of Human rights: Trump (1)

15.   Embracing autocrats: Trump (3)

16.   U.S.-China relations: Trump (1)

Categories

1.   Low priority/erosion of human rights

2.   Anti-terrorism and torture

3.   Promotion of human rights and democracy

4.   Constraining freedom of expression

5.   Slow and/or insufficient progress

6.   Surveillance

7.   Embracing autocrats

Themes

1.   Restraining human rights: erosion of human rights, anti-terrorism and torture, constraining freedom of expression, surveillance

2.   Domestic politics: low priority of human rights and slow and/or insufficient progress

3.   Foreign politics: promotion of human rights and democracy and the embrace of autocrats