

China's Rising Threats to Global Academic Freedom

Spectrum, Impacts, and Response

TENG BIAO AND CATHERINE MALANGA

THE DETERIORATING SITUATION IN CHINA AND ABROAD

Academic freedom is under attack worldwide—from Turkey to Afghanistan, from Russia to Kenya.¹ According to the most recent Academic Freedom Index (AFI), academic freedom is in retreat for over 50 percent of the world's population and is stagnating in 152 out of 179 countries, often at far too low a level.²

In mainland China, all media, schools, universities, publishing, and think tanks are controlled by the Chinese Communist Party (CCP). The Chinese authorities have employed “a range of tactics to intimidate, silence, and punish academics and students. They include limits on internet access, libraries, archives, publishings, and publication imports that impair research and learning; orders to ban discussion and research on topics the party-state deems controversial; surveillance and monitoring of academic activity that

¹ Scholars at Risk, *Free to Think: Report of the Scholars at Risk Academic Freedom Monitoring Project* (New York: Scholars at Risk, 2023).

² Katrin Kinzelbach, Staffan I. Lindberg, Lars Pelke, and Janika Spannagel, *Academic Freedom Index 2023* (Gothenburg: V-Dem Institute, 2023).

result in loss of position and self-censorship; travel restrictions that disrupt the flow of ideas across borders; and the use of detentions, prosecutions, and other coercive tactics to retaliate against and constrain critical inquiry and expression.”³ In 2013, the Briefing on the Current Situation in the Ideological Realm, famously known as Document No. 9, prohibits intellectuals, particularly teachers, from promoting “Western Constitutional Democracy,” “universal values,” “civil society,” “civil rights,” “free press,” “the Party’s historical mistakes,” and so on.⁴ China’s relentless campaign against Uyghur intellectuals and Muslim cultural elites has resulted in nearly 312 Uyghurs held in arbitrary detention.⁵ In schools, Chinese students are encouraged by the authorities to report critical speech by the teachers.⁶ School teacher Li Tiantian was threatened with being held in a psychiatric hospital after making remarks that supported Song Gengyi’s statements regarding the 1937 Nanjing Massacre.⁷

Academic freedom inside China has consistently been undermined. Given China’s one-party system and general human rights record, the situation is getting worse. Yet, this chapter will focus on how the Chinese authorities threaten academic freedom and free speech beyond its borders, with a focus on, but not limited to, the United States.

CASE STUDIES: CHINA’S THREATS TO GLOBAL ACADEMIC FREEDOM

Infringements on academic freedom can take numerous forms. For decades, the CCP’s infringement on academic freedom and free speech has transcended borders, from disinformation, harassment, and spying, to physical attacks and overseas abductions.

3 Scholars at Risk, *Obstacles to Excellence: Academic Freedom & China’s Quest for World-Class Universities* (New York: Scholars at Risk, 2019).

4 “中央秘密文件视宪政与人权为威胁,” *New York Times*, August 20, 2013, <https://cn.nytimes.com/china/20130820/c20document/dual/>.

5 “The Disappearance of Uyghur Intellectual and Cultural Elites: A New Form of Eliticide,” *Uyghur Human Rights Project*, December 8, 2021, <https://uhrp.org/report/the-disappearance-of-uyghur-intellectual-and-cultural-elites-a-new-form-of-eliticide/>.

6 David Bandurski, “Informants in the Chinese Classroom,” *China Media Project*, September 27, 2018, <https://chinamediaproject.org/2018/09/27/informants-in-the-chinese-classroom/>.

7 Qiao Long, “Teacher Sent to Psychiatric Hospital in China’s Hunan after Backing Massacre Comments,” *Radio Free Asia*, December 20, 2021, www.rfa.org/english/news/china/teacher-history-122020211123228.html. Note: Song Gengyi taught at a university in Shanghai and was later fired.

VISA DENIAL

Various visa denial cases illustrate China government's global measures to silence academic discourse. Fears of visas to China being rejected for Chinese colleagues or family still in China also drive academics and students to self-censor. Accomplished professors Perry Link and Andrew Nathan were banned from entering China in 1996 and 2001 because of their long-time support of Chinese prodemocracy activists.⁸ In 2001, Link was detained and questioned upon arriving in Hong Kong because of his involvement in the book *The Tiananmen Papers*. In Xinjiang—China's vast western region home to a majority Muslim population and the eye of the Uyghur genocidal campaigns—international scholars have been barred from travel. Thirteen US scholars and authors of *Xinjiang: China's Muslim Borderland*—an academic book published in 2004 of a collection of essays about the experience of Muslims living in Xinjiang—were banned from entering China.⁹ Professor Edward Friedman had a similar experience.¹⁰ Through China's increasing use of visa denial and denial of entry as a punishment against scholars, journalists, and other individuals who speak or write in ways the Chinese officials deem politically offensive, there is a growing concern that intellectuals might censor themselves to maintain access to China.

DISINFORMATION AND PROPAGANDA

China has all but eliminated the independent Chinese-language media outlets that once served communities in the United States through a mix of co-optation and aggressive expansion of its own competitors.¹¹ As China also seeks to grow its global reach in media, it has severely limited the ability of the United States and other news media outlets to operate in China. The situation of Chinese-language media in other countries is similar or worse.

8 Andy Newman, "Professor Barred from China," *New York Times*, August 14, 1996, www.nytimes.com/1996/08/14/nyregion/professor-barred-from-china.html.

9 Daniel de Vise, "U.S. Scholars Say Their Book on China Led to Travel Ban," *Washington Post*, August 20, 2011, www.washingtonpost.com/local/education/us-scholars-say-their-book-on-china-led-to-travel-ban/2011/08/17/gIQAN3C9SJ_story.html.

10 Anastasya Lloyd-Damjanovic, "A Preliminary Study of PRC Political Influence and Interference Activities in American Higher Education," *Woodrow Wilson International Center for Scholars*, digital file.

11 Hoover Institution, *Chinese Influence and American Interests* (Stanford: Hoover Institution, 2018), 109.

China has bought out or infiltrated non-Chinese media all over the world. Joshua Kurlantzick found that China has “become a global media and disinformation superpower through an arsenal of tactics, including state media, disinformation campaigns and digital infrastructure.”¹²

The CCP instrumentalizes its global media influence through censorship, propaganda, and control over content delivery systems, aiming to “tell a good Chinese story.” China’s toolbox for propaganda includes but is not limited to purchasing foreign media, conducting disinformation campaigns, expanding Chinese state media, and producing pro-Beijing content. Censorship is encouraged in China’s efforts to incentivize self-censorship and deploy physical assaults and verbal abuse. Becoming a leading force in digital television and gaining worldwide mobile market share encourages foreign investment in China and strategic engagement abroad. Still, these measures also marginalize, demonize, or entirely suppress anti-CCP voices and incisive political commentary that present the Chinese government and its leaders in a negative light.

EXPULSION

In addition to visa denial, foreigners who are critical of Beijing can be expelled before their visas expire. China expelled David Missal, a German student who studied in Beijing. The decision was linked to a documentary Missal was making about human rights lawyers for his master’s program.¹³ Elliot Sperling, a US professor on Tibetan history at Indiana University, was dragged by border officials after landing in Beijing from New York for interrogation.¹⁴ After this, he was put back on the plane to leave Beijing, despite carrying a valid one-year tourist visa. Sperling has spent time supporting Ilham Tohti, an ethnic Uyghur economics professor charged with separatism by Chinese authorities. Sperling’s forced removal and interrogation signifies China’s attempts to silence international advocates of individuals or groups that the Chinese government denounces. Banning a scholar from

12. Liam Scott, “How China Became a Global Disinformation Superpower,” *Coda*, December 6, 2022, www.codastory.com/disinformation/kurlantzick-book-china-global-media-offensive/.

13. “China Expels German Journalism Student,” *Deutsche Welle*, August 12, 2018, www.dw.com/en/german-student-david-missal-expelled-from-china-after-making-human-rights-film/a-4505020.

14. Edward Wong, “China Denies Entry to an American Scholar Who Spoke Up for a Uighur Colleague,” *New York Times*, July 7, 2014, www.nytimes.com/2014/07/08/world/asia/us-scholar-who-supported-uighur-colleague-is-denied-entry-to-china.html?r=0.

entering China after many years of studying Chinese and building a network in China causes extreme professional, social, and emotional suffering.

DISINVITATION, CANCELATION, AND CENSORSHIP

The CCP operates Confucius Institutes worldwide¹⁵; however, as of March 2023, there remain only thirteen Confucius Institutes in the United States, with a total of 108 in the process of or are already closed.¹⁶ While marketed as educational programs and centers that fund Chinese language, history, and culture courses, CIs in reality are vehicles of the Chinese government's propaganda schemes.

In August 2022, Confucius Institutes at various universities in the UK began screening staff to ensure those hired have no political views or sentiments that might go against the CCP.¹⁷ Sonia Zhang, a former Confucius Institute teacher at McMaster University, said she had to sign a contract that indicated that Falun Gong practitioners, like herself, were barred from the teaching post.¹⁸ The CCP's primary tool of influence abroad comes with control over curriculum and hiring in overseas institutions, leaving these schools vulnerable to censorship of important and wide-ranging discussion topics. These include not only Confucius Institutes but also, possibly, any institutions or projects that involve funding or cooperation from the PRC or the institutions or companies related to the PRC.

INFORMANTS AND SPYING

A study by the Wilson Center asserts that the PRC's influence and interference in activities in American higher education pose challenges to global academic freedom through overseas spying. Chinese intelligence officers and

15 The global Confucius Institute program was initially launched under China's Ministry of Education in 2004. It consists of campus-based language and culture partnerships.

16 "How Many Confucius Institutes Are in the United States?" *National Association of Scholars*, March 22, 2023, www.nas.org/blogs/article/how_many_confucius_institutes_are_in_the_united_states.

17 Louisa Clarence-Smith, "Chinese Institutes at UK Universities 'Screening out Undesirable Staff,'" *The Telegraph*, August 13, 2022, www.telegraph.co.uk/news/2022/08/13/chinese-institutes-uk-universities-screening-undesirable-staff.

18 Tom Blackwell, "Chinese Government's Confucius Institute Holds Sway on Canadian Campuses, Contracts Indicate," *National Post*, March 11, 2020.

diplomats are monitoring campuses across the United States with online surveillance and an array of informants motivated by money, ambition, fear, or authentic patriotism. A small amount of PRC students in American universities have monitored classmates and activities on campus, probed faculty for information, and engaged in intimidating and abusive conduct toward other members of the university community.¹⁹ A comment in class about the Tiananmen massacre or a speech at a rally about Tibet can result in retaliation against students and their relatives back home.

In 2023 alone, VOA, a US international radio broadcaster, has interviewed at least five Chinese students studying in the United States and Australia whose parents, who are civil servants or employees of state-owned enterprises in China, have received official threats from the Chinese government over remarks or actions by their children studying abroad.²⁰

ECONOMIC COERCION

The CCP's manipulative powers over global free speech have been tied to economic coercion—a threatened or actual imposition of economic costs by a state on a target aiming to extract policy concession.²¹ Many Western universities and think tanks are afraid of criticizing China because they benefit from the Chinese government directly or indirectly. Every year Chinese students bring huge benefits to the United States. The economic impact of Chinese students in the United States was \$15.9 billion in 2019. Chinese students in the UK account for €1.7 billion in tuition fees yearly. The University of Glasgow has a 31 percent share of total tuition fees from Chinese students. After awarding an honorary doctorate to the Dalai Lama, the University of Calgary's accreditation was revoked by the Chinese government.²² Beijing stopped government funding programs at the University of California, San

19 Lloyd-Damjanovic, "A Preliminary Study of PRC Political Influence."

20 Xiao Yu, "The State Security Not Only Monitors the Speeches of Chinese Students Studying Abroad, but Also Coerces Them to 'Take Crimes and Make Meritorious Service' as Undercover Agents," *VOA*, www.voachinese.com/a/china-s-secret-police-tries-to-recruit-chinese-students-in-america-20201030/5640534.html.

21 Matthew Reynolds and Matthew Goodman, *Deny, Deflect, Deter: Countering China's Economic Coercion* (Washington, DC: Center for Strategic and International Studies, 2023), digital file.

22 J. Michael Cole, "University off PRC's Approval List after Dalai Lama Honored," *Taipei Times*, February 7, 2010, www.taipeitimes.com/News/front/archives/2010/02/07/2003465412.

Diego (UCSD) after the university invited the Dalai Lama to give a commencement speech in 2017.²³

SANCTIONS

In March 2021, China's Foreign Ministry blacklisted ten European Union individuals and four entities in response to Brussels' sanctions against Chinese officials over the human rights abuses committed in Xinjiang.²⁴ The ministry released a statement stating that among the ten individuals sanctioned by China and prohibited from entering the mainland, Hong Kong, and Macao of China were two scholars: Adrian Zenz of Germany, and Bjorn Jerden of Sweden. In 2022, Beijing decided to sanction Miles Yu Maochun, along with his close family members.²⁵ Yu is a dissident and a professor who served as a key China adviser under the former secretary of state Mike Pompeo. In addition, a US library and a think tank were added to an increasingly long list of sanctions and retaliation because they hosted meetings that angered Beijing.²⁶

LAWFARE

Lawfare is the use of legal systems and institutions to damage or delegitimize an opponent or to deter an individual's expression of opinions. Lawsuits were used to target academics or others whose work illuminates China's human rights abuses. For example, companies from Xinjiang have—no doubt at state direction—filed a lawsuit in a Xinjiang court against researcher Adrian Zenz, one of the most outspoken scholars critical of the Uyghur genocide.²⁷

23 Elizabeth Redden, "Is China Punishing a U.S. University for Hosting the Dalai Lama?" *Inside Higher Ed*, September 20, 2017, www.insidehighered.com/news/2017/09/20/china-punishing-american-university-hosting-dalai-lama.

24 Tom Daly, "China Hits Back at EU with Sanctions on 10 People, Four Entities over Xinjiang," *Reuters*, March 22, 2021, www.reuters.com/business/aerospace-defense/china-hits-back-eu-with-sanctions-10-people-four-entities-over-xinjiang-2021-03-22/.

25 "China Sanctions 2 US Citizens over Raising Tibet Human Rights Issue," *Outlook*, December 24, 2022, www.outlookindia.com/international/china-sanctions-2-us-citizens-over-raising-tibet-human-rights-issue-news-247821.

26 Huizhong Wu, "China Sanctions Reagan Library," *AP News*, April 7, 2023, <https://apnews.com/article/china-sanctions-taiwan-us-dc6e2a198f3777dceca272e1d3395f2b>.

27 Eva Dou, "Academic Faces Chinese Lawsuit for Exposing Human Rights Abuses in Xinjiang," *Washington Post*, March 10, 2021, www.washingtonpost.com/world/asia_pacific/china-sanctions-uyghurs-xinjiang/2021/03/10/dd57f8c8-814a-11eb-be22-32d331d87530_story.html.

Due to his work and findings, Zenz is encouraged to remain outside of China to evade being sued by companies in the Xinjiang region. This lawsuit and its threats directly hinder Zenz's ability to continue his research and academic development of reporting in Xinjiang.

INTERRUPTION, HUMILIATION, AND INTIMIDATION

Cases of interruption by Chinese students and officials have become a slow-growing threat to academic freedom. Uyghurs, Tibetans, Falun Gong practitioners, and other marginalized groups with ties to China face intimidation, state surveillance, and threats to their family members in China when they speak out on international campuses about oppression by the Chinese government. Rukiya Turdush, a Uyghur-Canadian activist, was interrupted by a shouting Chinese student when speaking at McMaster University.²⁸ Turdush reported that a Chinese student in the audience was filming her speech as she displayed satellite photos and academic sources displaying the mass incarceration of Uyghurs in Xinjiang. Shortly after the event, the university's Chinese Students and Scholars Association (CSSA) issued a statement decrying the talk as separatist and promoting ethnic hatred.

Vicky Xu, a researcher and journalist working in Australia, faced immense harassment campaigned by Chinese authorities in the form of death threats and rape threats.²⁹ Xu is the lead author of the Australian Strategic Policy Institute report *Uyghurs for Sale*, and her work researches and condemns China's treatment of Uyghurs and its "reeducation" campaigns that have been known to engage in forced labor practices. After working with and attending conferences hosted by La Trobe University in Australia, Xu was verbally harassed and her work's credibility was publicly questioned by a pro-

28 Holmes Chan, "How Uighur Activist Rukiye Turdush Felt the Long Arm of the Chinese Communist Party, in Canada," *Hong Kong Free Press*, March 3, 2019, <https://hongkongfp.com/2019/03/03/exclusive-uighur-activist-rukiye-turdush-felt-long-arm-chinese-communist-party-canada/>. For other cases, see Bethany Allen-Ebrahimian, "Chinese Students at Cornell 'Taunt' Uyghur Classmate during Event," *Axios*, March 15, 2022; Sui-Lee Wee and Stephanie Nebehay, "At U.N., China Uses Intimidation Tactics to Silence Its Critics," *Reuters*, October 6, 2015, www.reuters.com/investigates/special-report/china-softpower-rights/.

29 Nick Bonyhady, "Outspoken Journalist in Australia and Father in China Harassed Online," *Sydney Morning Herald*, September 6, 2019, www.smh.com.au/politics/federal/outspoken-journalist-in-australia-and-father-in-china-harassed-online-20190905-p52oau.html.

CCP attendant.³⁰ A 2021 report in the *Global Times*, a CCP mouthpiece, called her a “morally low person.”³¹ The level of harassment and intimidation these attendants commit toward prodemocracy activists in China seems to aim to make institutions across the world fear disruption and freedom of anti-CCP expression, making them hesitant to invite professors, journalists, researchers, and analysts like Vicky Xu and Anne-Marie Brady to speak.

Wu Xiaolei, a student at Berklee College of Music, sent a series of threatening messages to another student who posted fliers calling for freedom and democracy on social media. In one message, Wu wrote: “Post more, I will chop your bastard hands off.” Wu threatened the victim and his family with information that Wu had been in contact with law enforcement in China about the fliers and that they would “greet” the victim’s family there.³²

A model statue went viral in early March 2023 on social media of American scholar Miles Yu kneeling in Cultural Revolution style with a sign on his neck stating that he is the modern Qin Hui and a traitor to his Chinese ancestors and his country of birth.³³ The name Qin Hui is synonymous with treason in China and therefore reference to his name encourages beatings and public humiliation of other dissidents. This image signals to Chinese historians worldwide that beating and public humiliation will be anticipated if any reference is made to the Cultural Revolution or opposes the Chinese government.

HOSTAGE-TAKING AND COLLECTIVE PUNISHMENT

The CCP’s “hostage diplomacy” can be traced back to the 1960s.³⁴ Similarly, collective punishment—a means to inflict pain on the family, relatives,

30 Tom Canetti, “Harassing, Targeting and Intimidating: Is Australia a Safe Place for Critics of the Chinese Government?” *SBS News*, August 24, 2022, www.sbs.com.au/news/article/deeply-unsettling-why-this-chinese-australian-feels-unsafe-after-speaking-out-about-chinas-treatment-of-uyghurs/717vl71w6.

31 Wee and Nebhay, “At U.N., China Uses Intimidation Tactics to Silence Its Critics.”

32 Ross Cristantiello, “Berklee Student Indicted for Threatening Person over Their Support of Chinese Democracy,” *Boston*, January 10, 2023, www.boston.com/news/crime/2023/01/10/berklee-student-indicted-threatening-support-chinese-democracy/.

33 Lei Shihong, “Burning Effigies: China Threatens American Academic Miles Yu,” *Bitter Winter*, July 3, 2023, <https://bitterwinter.org/burning-effigies-american-academic-miles-yu/>.

34 Helen Davidson and Michael McGowan, “‘Tit-for-Tat’: China’s Detention of Australian Cheng Lei Is Ringing Alarm Bells,” *The Guardian*, September 5, 2020, www.theguardian.com/australia-news/2020/sep/06/tit-for-tat-chinas-detention-of-australian-cheng-lei-is-ringing-alarm-bells.

friends neighbors, etc, of targeted individuals—has a long history in China and has been used by the Chinese authorities to penalize or silence critics domestically and internationally.³⁵

Li Taotao is a pseudonym for this scholar from northern China who was studying in the United States when he published remarks online, using his real name, that criticized Beijing. Shortly after these remarks were published, state security officials in China began harassing his parents, and later China's state police confiscated his parents' passports, barring them from leaving China.³⁶

Dolkun Isa is an activist and scholar who fled China in 1994 and now heads the Munich-based World Uyghur Congress; he has been unable to contact family members inside China for years.³⁷ In 2019 he learned that his 79-year-old mother, Ayhan Memet, died in a "political reeducation" camp. He only learned about the death of his father, Isa Memet, eighty-six, when it was reported on China state media in 2022. In 2023, Isa learned that his brother, Hushtar Isa, who has been arbitrarily detained since 2017, is now serving a life sentence on terrorism-related charges. Family members of six Radio Free Asia Uyghur Service reporters in the United States who reported and documented atrocities in the Uyghur area committed by the CCP have been detained in concentration camps.³⁸

PHYSICAL ATTACKS

A more extreme form of silencing academic discourse is through physical attack.

A recent Cornell graduate student, Kinen Kao, was attacked in June 2022 while putting up prodemocracy posters on campus. His post on social media read: "I was assaulted by a man in the Ithaca Commons, who tore down my Free Hong Kong and Free Uyghurs posters before pushing me to the floor,

35 Teng Biao, "Teng Biao: The CCP's Political Involvement," *Human Rights in China*, November 23, 2015, www.hrichina.org/en/node/15874.

36 Yu, "The State Security."

37 Shohret Hoshur, "Brother of World Uyghur Congress President Sentenced to Life in Prison in China's Xinjiang," *Radio Free Asia*, June 1, 2021, www.rfa.org/english/news/uyghur/hushtar-isa-06012021175745.html.

38 "The Families Left Behind: RFA's Uyghur Reporters Tell the Stories of Their Family Members' Detentions," *Radio Free Asia*, www.rfa.org/english/news/special/uyghurfamilies/.

leaving wounds on my left hand.”³⁹ This case example directly references the danger Chinese students face when attempting to engage in free speech and academic discourse on college campuses. When students are unable to discuss current events and political issues on a college campus, the university violates its pledge to allow its students to freely pursue and engage in academic discourse.

BREAK-IN/THEFT

Professor Anne-Marie Brady at the University of Canterbury in New Zealand, after writing a prominent report on China’s political interference, encountered theft of her computer from her home in February 2018 and her car tires deflated in November later that month.⁴⁰ Her work condemned the presence of Confucius Institutes in New Zealand universities, which have long been known to market the Chinese government’s propaganda schemes. Her colleagues in China were taken in for questioning. Her family car was tampered with; she received a threatening letter (“You are the next”) and answered numerous anonymous phone calls in the middle of the night, despite having an unlisted number. The latest came at 3 o’clock in the morning on the day her family returned home after a Christmas break.⁴¹

ABDUCTION

The kidnapping of Gui Minhai symbolizes China’s determination to smother criticism from abroad and encroach upon the fundamental freedom of academic study and free speech. Minhai was born in China in 1964 and was naturalized as a Swedish citizen in 1989. He is a poet, publisher, and distributor of books specializing in mainland Chinese politics and the lives

39 “Recent Cornell Graduate Allegedly Attacked While Putting Up Pro-democracy Posters,” *Cornell Review*, June 8, 2022, www.thecornellreview.org/breaking-recent-cornell-graduate-attacked-while-putting-up-pro-democracy-posters/.

40 Leith Huffadine, “Professor Anne-Marie Brady, Who Warned about China Interference, Says Car Was Sabotaged,” *Stuff*, November 16, 2018, www.stuff.co.nz/national/108649435/professor-annemarie-brady-who-warned-about-china-interference-says-car-was-sabotaged.

41 Eleanor Ainge Roy, “I’m Being Watched’: Anne-Marie Brady, the China Critic Living in Fear of Beijing,” *The Guardian*, January 22, 2019, www.theguardian.com/world/2019/jan/23/im-being-watched-anne-marie-brady-the-china-critic-living-in-fear-of-beijing.

of Chinese politicians. On October 17, 2015, Gui was kidnapped from his own apartment in Pattaya, Thailand, by Chinese secret agents. The Chinese government had been silent about holding him in custody for three months, at which point a controversial video confession was broadcast on mainland media.⁴²

On February 25, 2020, Gui was sentenced to ten years imprisonment and five years' deprivation of "political rights" by Ningbo Intermediate People's Court in Zhejiang Province.⁴³ It is reasonable to assume that Mighty Current Media was targeted as a warning to the entire Hong Kong publishing industry to stop selling books that Chinese authorities deemed "forbidden" in China. Sadly, Gui is not the only bookseller taken away by China. What is publicly known is that four other booksellers disappeared in 2015 in what is known as the "Causeway Bay Books Disappearances": Lui Por, Cheung Chi-ping, Lam Wing-kee, and Lee Bo.⁴⁴ China's abductions of the Causeway Bay booksellers demonstrate a blatant disregard for international law and human rights principles. Information about the circumstances of the booksellers' disappearances and their treatment while in detention is still incomplete and will be until the Chinese government provides an explanation. These disappearances highlight the far-reaching legal and political repercussions of China's decision to carry out extrajudicial and extraterritorial operations.

TORTURE

As described throughout the chapter thus far, the Chinese government has utilized various forms of torture. Within China, torture is rampant among various groups given the country's lack of judicial independence, party competition, and free press.⁴⁵ Torture is institutionalized, and torturers usually get impunity, especially in political cases. The abovementioned detained

42 Tom Phillips, "Missing Hong Kong Bookseller 'Confesses' on Chinese State TV," *The Guardian*, January 17, 2016, www.theguardian.com/world/2016/jan/17/missing-hong-kong-bookseller-gui-minhai-reappears-on-chinese-tv.

43 PEN America, *Writing on the Wall: Disappeared Booksellers and Free Expression in Hong Kong* (New York: PEN International, 2016).

44 PEN America, *Writing on the Wall*.

45 Margaret Lewis, "Freedom from Torture," in *Handbook on Human Rights in China*, ed. Sarah Biddulph and Joshua Rosenzweig (Cheltenham: Edward Elgar, 2019).

intellectuals all experienced torture to a different extent. Gui Minhai's torture was so brutal that he "refused" international support and "gave up" his Swedish citizenship.

CRIMINAL DETENTION

In 1999, Song Yongyi, a librarian and researcher at University of California, Los Angeles (UCLA), went back to China to collect documents related to the Cultural Revolution, but when he arrived, he was detained for more than a hundred days by the Chinese government for "stealing state secrets" when in reality his goal was to pursue academic research.⁴⁶

In July 2019, Luo Daiqing, a Chinese student at the University of Minnesota, was arrested in China and sentenced to six months in prison for tweets he posted while in the United States.⁴⁷ Luo tweeted an image of Lawrence Limburger, a cartoon villain superimposed with Chinese government slogans. The case not only represents a dramatic escalation of the Chinese government's attempts to shut down free speech abroad, but the arrest, by hindering Luo's ability to pursue his education and return to university, directly threatens his ability to engage in academic discourse and learning. The arrest further sends a message to Chinese students to remain silent in discussing or distributing images of Chinese government officials that may be deemed critical of the regime. Due to China's extreme and far-reaching surveillance measures, students are often even reluctant to attend prodemocracy campus events for fear of the Chinese government finding out.

ASSASSINATION AND MURDER

It is not rare that Chinese intellectuals, especially dissidents and activists, died in custody or soon after being released. The names of some intellectuals include Nobel laureate Liu Xiaobo, Cao Shunli, Peng Ming, Yang Tianshui, Tenzin Delek Rinpoche, prominent Uyghur religious scholars Muhammad

46 Doug Guthrie, "Detention and Release in Beijing: The Case of Yongyi Song," *Chronicle of Higher Education*, February 18, 2000, www.chronicle.com/article/detention-and-release-in-beijing-the-case-of-yongyi-song/.

47 Bethany Allen-Ebrahimian, "University of Minnesota Student Jailed in China over Tweets," *Axios*, January 22, 2020, www.axios.com/2020/01/23/china-arrests-university-minnesota-twitter.

Salih Hajim⁴⁸ and Abdulheh Mehsum,⁴⁹ among others. In a January 2019 update on interned, imprisoned, and disappeared intellectuals, Uyghur Human Rights Project (UHRP) reported that since 2017 five individuals are known to have died in custody or soon after their release. These individuals include religious scholars Muhammad Salih Hajim and Abdulheh Mehsum and students Abdusalam Mamat, Yasinjan, and Mutellip Nurmehmet. A sixth intellectual, Erkinjan Abdukerim, a teacher from Awat Township near Kashgar, died on September 30, 2018, shortly after his release from an internment camp.⁵⁰ In addition, Mihriay Erkin died in 2021 while arbitrarily held in Kashgar Yanbulak prison. Mihriay was a Uyghur intellectual lured back to China during China's ongoing campaign to target prominent Uyghur scholars and activists in the diaspora who challenged their genocide.⁵¹

THE SPECTRUM AND CHINESE INSTITUTIONS THAT THREATEN ACADEMIC FREEDOM

The spectrum⁵² of the CCP's threat to global academic freedom and free speech falls into categories that include but are not limited to infiltration of media and disinformation, visa denial, protest against academic events or free speech, economic coercion, governmental sanctions, lawfare, frivolous lawsuits, collective punishment, defamation, harassment and intimidation, physical assault, criminal detention and conviction, and abductions. These activities are primarily performed by the Chinese government, but can also be threatened by Chinese media platforms, Confucius Institutes, CSSA, United Front Work Department (UFW), and secret agents. The harm these activities pose to academic freedom can be measured on a 1–5 scale: 1 being a minimal threat and 5 being extreme. The most threatening activities to academic freedom and expression are harassment, physical assault, crimi-

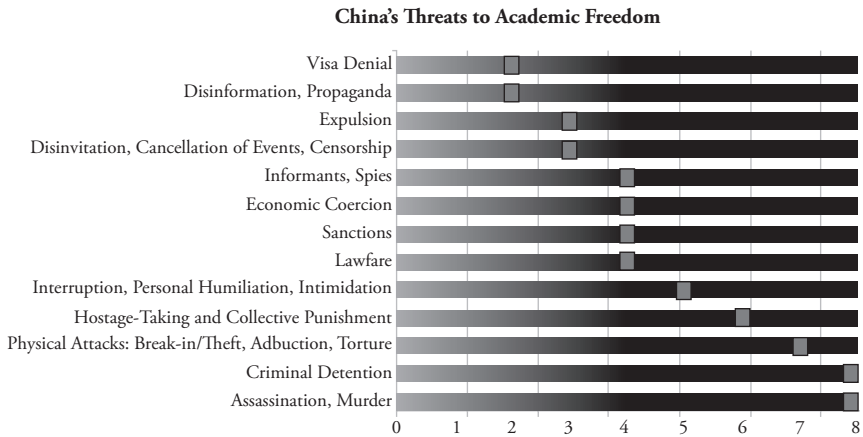
48 Jilil Kashgari, "Xinjiang Authorities Detain Almost Every Family Member of Late Uyghur Muslim Scholar," *Radio Free Asia*, September 25, 2018, www.rfa.org/english/news/uyghur/scholar-09252018145144.html.

49 "WUC Confirms Death in Custody of Yet Another Uyghur Religious Scholar Abdulheh Mehsum," news release, May 29, 2018, www.uyghurcongress.org/en/press-release-wuc-confirms-death-in-custody-of-yet-another-uyghur-religious-scholar-abdulahed-mehsum/.

50 UHRP, "Detained and Disappeared: Intellectuals under Assault in the Uyghur Homeland," digital file.

51 "Campaign for Uyghurs Condemns the Death of Mihriay Erkin," news release, May 25, 2021, <https://campaignforuyghurs.org/campaign-for-uyghurs-condemns-the-death-of-mihriay-erkin/>.

52 Spectrum image created by Catherine Malanga.



nal conviction, and forced abductions, but all actions performed by the CCP against free speech threaten global academic freedom.

Academic freedom is at risk from dubious party-state funding. The CCP operates Confucius Institutes, which are backed by “Hanban” or “Confucius Institutes Headquarters,” funded by the Chinese government’s Ministry of Education. Notably, these institutions are also funded by the CCP’s Propaganda Department, an extension of the CCP’s UFD, which is a government agency dedicated to influence operations and propaganda campaigns both domestically and abroad.⁵³ The methods seek to influence overseas Chinese communities, foreign governments, and other actors to take action in support of CCP politics. Confucius Institutes have harmed academic freedom globally by selecting and training teachers, course materials, brainwashing lectures, and preventing sensitive speakers from being invited and sensitive topics from being discussed.⁵⁴ As of July 2, 2021, there are still more than a dozen Confucius Institutes operating in host schools and uni-

53 Government Accountability Office, “Agreements Establishing Confucius Institutes at U.S. Universities Are Similar, but Institute Operations Vary,” GAO-19-278, February 27, 2019. www.uscc.gov/sites/default/files/Research/China's%20Overseas%20United%20Front%20Work%20-%20Backgr%20ound%20and%20Implications%20for%20US_final_o.pdf.

54 Government Accountability Office, “Agreements Establishing Confucius Institutes at U.S. Universities Are Similar, but Institute Operations Vary.”

versities across the United States.⁵⁵ Many Confucius Institutes have closed, but they maintain operations under new covers.

Rising self-censorship is also related to fears of nationalistic Chinese students recording and reporting on class discussions.⁵⁶ China's "Great Firewall" and The Golden Shield Project aim to monitor and censor what can and cannot be seen through an online network in China.⁵⁷ CSSA, which claim to be "student-run organizations," have formal links with the Chinese embassy and consulates, including funding support and organizing pro-Communist Party political gatherings on university campuses. UFWO, one of the major CCP departments, has been dedicated to influence operations and propaganda campaigns around the globe since the time of Mao Zedong. China has employed the UFWO and various organizations under its umbrella work to advance China's global propaganda schemes and smother criticism from abroad. The Chinese government has grown bolder in trying to shape global perceptions of the country on foreign university campuses, influence academic discussions, monitor students from China, censor scholarly inquiry, or otherwise interfere with academic freedom. Chaoyin International School in Richmond, BC, teachers were told to "tread lightly" on issues related to the CCP, Tiananmen Square, and the Dalai Lama. The school strictly follows the Chinese curriculum, which means the Chinese government funds and provides "culture and language training" using textbooks and other educational materials vetted by the CCP.⁵⁸ The website clearly states and encourages students "to develop an independent and confident attitude towards learning, as well as a positive and responsible attitude towards life"; learning in an environment that censors facts and spoon-feeds propaganda by the Chinese government leaves no room for a healthy learning environment nor fostering of

55 "Unraveling China's Attempts to Hinder Academic Freedom: Confucius Institutes," unsigned review by Zoe Gladstone, Joyce Ho, and Jenny Wang, *Human Rights Foundation*, August 4, 2021, <https://hrf.org/unraveling-chinas-attempts-to-hinder-academic-freedom-confucius-institutes/>.

56 "They Don't Understand the Fear We Have: How China's Long Reach of Repression Undermines Academic Freedom at Australia's Universities," *Human Rights Watch*, June 30, 2021, www.hrw.org/report/2021/06/30/they-dont-understand-fear-we-have/how-chinas-long-reach-repression-undermines.

57 Stanford University, "Free speech vs Maintaining Social Cohesion: A Closer Look at Different Policies," https://cs.stanford.edu/people/eroberts/cs181/projects/2010-11/FreeExpressionVsSocialCohesion/china_policy.html

58 Maria Rantanen, "Teachers at New Richmond Private School Told to 'Tread Lightly,'" *Richmond News*, April 14, 2021, www.richmond-news.com/local-news/teachers-at-new-richmond-private-school-told-to-tread-lightly-3633608.

free discourse.⁵⁹ The CSSA prompted the UCSD to refrain from referring to the Dalai Lama as a “spiritual leader” or “in exile.” After the Dalai Lama was told to deliver a commencement address to the university in 2017, Chinese students and members of UCSD’s CSSA staged a demonstration to protest his attendance. The protesters’ disapproval of the Dalai Lama, however, should have had no impact on his presence considering his widely influential role as a global leader in Buddhist teachings. The UCSD case illuminates the far-reaching measures Chinese government-funded organizations have on the international community’s ability to engage in free speech and intellectual understanding. In short, their measures hinder global academic freedom.

Safeguard Defenders released an investigative report monitoring China’s growing global transnational repression schemes. As of 2022, China has established fifty-four illegal policing stations across five continents.⁶⁰ Roughly 230,000 Chinese fugitives have been persuaded to return to China to face potential criminal charges for actions that go against the regime. Tools of persuasion include denying the target’s children in China the fundamental right to education. These policing operations often use local “Chinese Overseas Home Associations” linked to the CCP’s UFWD: “Abandoning any pretext of due process or the consideration of suspects’ innocence until proven guilty, targeting suspects’ children and relatives in China as ‘guilty by association’ or ‘collateral damage,’ and using threats and intimidation to target suspects abroad, is now becoming an endemic problem.”

Countless scholars, authors, students, and family members have begun to practice self-censorship as a means to avoid potential troubles with the Chinese government. China Index found instances of self-censorship among German institutes and forms of pushback from the PRC side against research organizations and scholars whose work does not align with Beijing’s efforts.⁶¹ Even in Western countries that enjoy the freedoms of information and expression, individuals misunderstand China’s influence operations and politics, and some do not realize the extent to which China has infiltrated not only their academic lives but in their every day.

59 Chaoyin International School, <http://chaoyinschool.ca/>.

60 “230,000 Chinese ‘Persuaded to Return’ from Abroad, China to Establish Extraterritoriality,” *Safeguard Defenders*, September 12, 2022, <https://safeguarddefenders.com/en/blog/230000-policing-expands>.

61 “China’s Influence in Germany: Academia and Media Are the Achilles Heel,” *Friedrich Naumann Foundation*, July 7, 2022, www.freiheit.org/chinas-influence-germany-academia-and-media-are-achilles-heel.

Number	Activities	Actors	Threat level (0–8)	Frequency
1	Visa denial	Chinese government, Chinese embassy/ consulates	2	Sometimes
2	Disinformation, propaganda	Chinese companies, Chinese media, UFWF, Confucius Institute, CSSA	2	Always
3	Expulsion	Chinese government, Chinese embassy/ consulates	3	Sometimes
4	Disinvitation, cancelation of events, censorship	Confucius Institute, CSSA, Chinese embassy/consulates, UFWF	3	Often
5	Informants, spies	CCP, secret agents, pro-CCP students, UFWF, Confucius Institute, CSSA	4	Always
6	Economic coercion	Chinese government/ CCP	4	Often
7	Sanctions	Chinese government/ CCP	4	Sometimes
8	Lawfare	Chinese legislators, Chinese government	4	Sometimes
9	Interruption, personal humiliation, intimidation	Chinese media, UFWF, secret agents, pro-CCP students, Confucius Institute, CSSA	5	Often
10	Hostage-taking, collective punishment	CCP, secret agents, law enforcement officers	6	Sometimes

Continued

Number	Activities	Actors	Threat level (0–8)	Frequency
11	Physical attacks: –Break-in/Theft –Abduction –Torture	UFWD, secret agents, CCP-hired thugs, CCP, secret agents, law enforcement officers, CCP, secret agents, Chinese government, law enforcement officers, secret police	7	Sometimes–Often
12	Criminal detention	Chinese government, law enforcement officers	8	Sometimes
13	Assassination, murder	CCP, Chinese government, secret agents	8	Rarely

In terms of academic freedom, students studying in China and abroad have chosen to self-censor their voices in fear of the Chinese government. When college campuses invite speakers like the Dalai Lama or activists to speak of China's human rights violations, Chinese students are often reluctant to attend because of consternation that the Chinese government will revoke their visas. As articulated in the previous pages, scholars have become increasingly cautious about voice opposition, and undertaking research, and in some cases, Western scholars have become apologetic toward China and have been coerced into endorsing the party.

The classroom has become the most dangerous space for Chinese students: if professors discuss sensitive issues pertaining to China, the CCP, and Chinese politics, Chinese students retreat from the conversation due to a valid worry that a fellow Chinese student, university administration, or recent graduate will expose their stance on China. Western universities in China cannot guarantee academic freedom as claimed and as promised by the Chinese government. It is self-deceptive to believe that students, especially Chinese students, can join conversations freely when sensitive topics are discussed. In fact, two recent graduates from Duke Kunshan University and NYU Shanghai said not a single teacher mentioned sensitive topics for

the whole four years of their time there.⁶² In sum, China's push for self-censorship has harmed the education system in free countries across the globe.

US law enforcement agencies have struggled to respond because much of the censorship and harassment occurs in a legal gray area. Victims are often frightened or do not believe anyone can assist them. University administrators are not always eager to intercede because this would involve risking a lucrative financial stream. According to the Department of Education, since 2013 US universities have received more than \$1 billion from mainland China from various individuals, companies, and government organizations. This number does not reflect the tuition Chinese students pay to attend US universities, of which roughly 370,000 Chinese students have come to attend their universities in 2019.⁶³ Moreover, the complexities of free speech and identity politics make administrators even more reluctant to confront Chinese state influence.

Beijing's manifold methods have created other harms in addition to self-censorship: personal reputation, career interruption, professional shift, financial loss, mental and physical pain, personal freedom, the suffering of family or relatives, deprivation of citizenship, and, in extreme cases, the loss of lives of the targets and/or their loved ones.

A PERSONAL MESSAGE FROM TENG BIAO

I taught in China between 2003 and 2013 and have been teaching Chinese law, human rights, and politics in the United States since 2018. In China, I was banned from teaching by the university for political reasons, and in the United States, I have witnessed and experienced how Beijing became an increasing threat to academic freedom.

In 2014, I was invited to be a visiting scholar at Harvard Law School, but my wife and daughter were blocked from leaving China. When asked why, the answer of the secret police was, "You know it yourselves." After several unsuccessful attempts to negotiate, my family reunion seemed to be a long

62 Interviews with anonymous students. See also Salvatore Babones, "It's Time for Western Universities to Cut Their Ties to China," *Foreign Policy*, August 19, 2020, <https://foreignpolicy.com/2020/08/19/universities-confucius-institutes-china/>.

63 Kaitlin Mulhere, "China and Academic Freedom," *Inside Higher Ed*, December 4, 2014, www.inside-highered.com/news/2014/12/05/lawmakers-look-chinese-influence-american-universities.

way off. I had no choice but to take the risk of smuggling my children across the border.

In December 2014, the American Bar Association (ABA) commissioned me to write a book entitled *Darkness before Dawn*, which aimed to convey Chinese politics and society through the raw and horrific stories of various human rights lawyers, including my personal experience of enforced disappearance and torture. On January 28, 2015, I received an email from ABA rescinding its offer due to a “risk of upsetting the Chinese government.”⁶⁴ A scheduled talk between me and Chinese civil rights activist Chen Guangcheng was canceled at Harvard in 2015.⁶⁵ In 2019, I tried to organize a panel discussion at Columbia University titled “Panopticism with Chinese Characteristics: Human Rights Violations by the Chinese Communist Party and How They Affect the World,” but the discussion was canceled after receiving threats from the CSSA to protest against the event.⁶⁶

I co-led a seminar entitled *Human Rights in China* at the University of Chicago between 2021 and 2023 where students learned and engaged with material that revealed China’s countless human rights violations. I was met with great concern from Chinese students in Chicago who informed me of their fear that their transcript with the course name would taint their reputation in China. As a result, students felt the urge to change their names for the sake of course discussion, and some even entirely transformed their research plans and dissertations after realizing the potential harm that writing on China’s unjust politics would cause to their career and personal safety.⁶⁷ Some students told me they are supportive of my human rights work and research, but they dare not to take my course or ask questions in my public talks: many fear their job opportunities in China, their personal safety, or other potential trouble for themselves or their families.

64 Isaac Stone Fish, “Leaked Email: ABA Cancels Book for Fear of ‘Upsetting the Chinese Government,’” *Foreign Policy*, April 15, 2016, <https://foreignpolicy.com/2016/04/15/leaked-email-aba-cancels-book-for-fear-of-upsetting-the-chinese-government-american-bar-association-teng-biao/>.

65 Matteo Wong, “The End of the Harvard Century,” *Harvard Crimson*, April 23, 2020, www.thecrimson.com/article/2020/4/23/harvard-china-scrutiny/.

66 Jeremiah Poff, “Columbia U. Cancels Panel on Communist China’s Human Rights Violations,” *College Fix*, November 20, 2019, www.thecollegefix.com/columbia-u-cancels-panel-on-communist-chinas-human-rights-violations/.

67 Lloyd-Damjanovic, “A Preliminary Study of PRC Political Influence.”

RECOMMENDATIONS

It is imperative that international institutions are made aware of China's international human rights violations and prevent further complicity in China's overseas suppression. When human rights atrocities occur, the world must speak out publicly on behalf of the victims. All relevant stakeholders, including public and private donors, should redouble their efforts to protect and defend civil society and independent media from attempts by China and others to stifle and repress their important human rights monitoring work. In coordination with the UFD, journalists and activists have routinely coordinated with the Chinese government to suppress free speech and harass, intimidate, and surveil Chinese student activists on university campuses (p. 10).⁶⁸ To effectively counter CCP influence operations on education, continued research and investigation is needed to further bring to light the activities of the UFD, its role in the CCP, how it operates, and its links to other important CCP organs.

On March 21, 2019, Human Rights Watch published its Twelve-Point Code of Conduct for colleges and universities worldwide to adopt to respond to Chinese government's threats to the academic freedom of students, scholars, and educational institutions:

All institutions of higher education should:

1. Speak out for academic freedom
2. Strengthen academic freedom on campus
3. Counter threats to academic freedom
4. Record incidents of Chinese government infringement of academic freedom
5. Join with other academic institutions to promote research
6. Offer flexibility for scholars and students working in China
7. Reject Confucius Institutes
8. Monitor Chinese government-linked organizations
9. Promote academic freedom of students and scholars from China

68 Alexander Bowe, "China's Overseas United Front Work Background and Implications for the United States," August 24, 2018, www.uscc.gov/sites/default/files/Research/China%27s%20Overseas%20United%20Front%20Work%20-%20Background%20and%20Implications%20for%20US_final_o.pdf.

10. Disclose all Chinese government funding
11. Ensure academic freedom in exchange programs and on satellite campuses
12. Monitor the impact of Chinese government interference in academic freedom.⁶⁹

According to *Education under Attack 2022*, there have been over 320 attacks on higher education students, professors, and personnel.⁷⁰ The study found that at least one case of child recruitment at, or on the way to or from, the school was documented in four countries in 2020 and 2021. China was left out of the study.

According to Freedom House's *Beijing Media Influence in 2022*, Chinese state media have leveraged social media platforms by creating accounts that distribute content in national or regional languages.⁷¹ The world has witnessed a rise in coercive tactics such as targeted intimidation of individual reporters, cyberbullying, and cyberattacks against new outlets that release content the Chinese government finds unfavorable.

The CCP's desire to interfere with global academic freedom is motivated by attempts to silence critics, cover up truths that harm the regime, shape a new international narrative, produce an environment that fosters safety for the regime, and avoid challenges to China's political legitimacy. China operates its sprawling system of transnational repression by working through the legal and political systems of foreign countries—including detentions, extraditions, and joint border patrols—and often using diplomatic staff at embassies and consulates run through China's Ministry of Foreign Affairs. Transnational repression exists as part of a wider trend of global authoritarianism that threatens to erode democratic norms worldwide. China's global campaign of repression and harassment—both physical and mental—of individuals living abroad has shifted from Central Asia to Southeast Asia, the Middle East, and the rest of the map. The numerous cases of forced

69 "China: Government Threats to Academic Freedom Abroad," *Human Rights Watch*, March 21, 2019, www.hrw.org/news/2019/03/21/china-government-threats-academic-freedom-abroad.

70 "Education under Attack 2022," <https://eua2022.protectingeducation.org/#finding-one>.

71 "Beijing's Global Media Influence," September 2022, https://freedomhouse.org/report/beijing-global-media-influence/2022/authoritarian-expansion-power-democratic-resilience?utm_source=HRIC+Updates&utm_campaign=aa0ef924ba-HRIC_DAILY_BRIEF_COPY_01&utm_medium=email&utm_term=0_b537d30fde-aa0ef924ba-259223237.

detention and threats to freedom of expression and safety breach fundamental rights and basic personal freedoms. Yet, China remains one of the world's most influential countries, and because of this, few on the international stage are willing to speak out about the PRC's repression and internment of individuals and communities around the world.

