

HIDDEN ADVOCACY: HOW NGOs CAN USE BUREAUCRACY TO PROTECT RIGHTS IN AUTHORITARIAN REGIMES

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Abstract

Nongovernmental organizations (commonly known as NGOs) are often very effective at advocacy in Western nations, where they enjoy the freedom to advance a wide range of policy goals through legislation, litigation, and the regulatory process. However, NGOs in repressive states can have a more immediate and visible impact on quality of life and respect for human dignity than their counterparts in the West might have. Of course, working in authoritarian states necessarily brings with it a different set of challenges. NGOs in repressive states face a variety of external threats, including legal hurdles, harassment, physical violence, forced disappearance, and even assassinations. This study examines the challenges NGOs face in authoritarian states and how those NGOs engage in effective advocacy within foreign bureaucracies to advance their goals. It also examines and compares alternative approaches and strategies employed in different nations, paying significant attention to the case study of public interest law in China, while also considering other issues NGOs face, such as funding, integrated activism, and the risks of advocacy. The study concludes that in more open environments, integrated activism is most effective, while in more repressive states, a focus on advocacy directed at the bureaucracy is likely to strike the ideal balance of safety and effectiveness.

Introduction

Imagine living in a world where government officials can act with near impunity, routinely holding show trials based on manufactured criminal charges, detaining those who find themselves on the bad side of bureaucrats, and disregarding basic human dignity. For a substantial proportion of the world's population, this is no thought experiment—it is their reality. This is the world Chen Guangcheng lived in and fought against.

Chen Guangcheng is a blind, self-taught lawyer in China who brought attention to forced abortions and sterilizations, abuses of persons with disabilities, and environmental pollution. Mr. Chen is one of many so-called “barefoot lawyers” in China who fight against injustice and typically pay dearly for their involvement. Like others in what is sometimes known as the *weiquan* movement, Chen has served time in prison, been confined under house arrest, and been the victim of physical violence. Unlike most other activists in China, his efforts drew the attention and support of the international community, resulting in the United States granting him a visa and U.S. embassy personnel helping him escape his persecution (Daffer, 2006).

Mr. Chen's story is not atypical of activists who seek to improve the lives of their fellow countrymen in totalitarian states. Homegrown activists who rise to prominence are typically stamped out before they can produce lasting change. Thus, larger organizations have the potential to outlast any one activist and provide more effective long-term advocacy. These organizations offer the advantages of long-term interactions with the institutions of government in a state, have greater resources for advocacy, and can mobilize large numbers of supporters to create external and internal political pressure on repressive nations.

This study attempts to discern the most effective strategies for advocacy in authoritarian regimes by examining and comparing different approaches. It draws its foundation from Li, Lo, and Tang's (2016) analysis of non-governmental organization (NGO) advocacy in authoritarian China, and seeks to expand on their research by including additional nations and additional NGO types. Since Li et al., focused on environmental policy advocacy, their focus may not be immediately applicable to advocacy aimed at protecting human rights, so this study departs from their analysis to instead focus primarily on advocacy by NGOs dedicated to protecting human rights and advancing social issues.

Literature Review

One widely accepted definition of advocacy is “any attempt to influence public policy and practice or any other decisions of institutional elite” (Casey & Mehrotra, 2011, p. 1). The study of NGO advocacy has been slowly increasing since the turn

of the century. Current existing literature often focuses on NGO advocacy either in the context of a Western, democratic nation (Guo & Zhang, 2014) or in the context of international organizations like the United Nations or the World Bank (Ahmed, 2011). Unfortunately, this means there is comparatively little literature examining how NGO's impact society in non-western contexts or nations where governments are not democratic.

Most of the literature that examines the role of NGO advocacy in countries with authoritarian governments focuses on topics such as environmental protection, with lesser amounts of scholarship dedicated to topics like the protection of women. Because of the dearth of scholarship in this area, researchers are often unsure whether NGOs in authoritarian environments seek to avoid activities that are likely to cause political trouble (Li et al., 2016). This seemingly basic understanding of NGO operations under authoritarian regimes is largely missing from current scholarship, and this study seeks to fill that void by providing an analysis of these riskier forms of advocacy.

Heurlin (2010) is the notable exception to the rule that little research exists evaluating the role of NGOs in authoritarian nations. Heurlin (2010) approached the issue from a governmental viewpoint and argued that dictatorial governments typically adopt one of two approaches toward NGOs: either a corporatist strategy of co-opting NGOs into serving state functions or an exclusionary strategy of creating state institutions to exclude NGOs from the market for influence. While this research is useful for developing a theoretical foundation for understanding the relationship between dictatorships and NGOs, it is not particularly applicable to NGOs attempting to understand how they can best advocate for their causes in nations ruled by authoritarian regimes.

Some authors argue that effective NGO advocacy begins with collaboration with international organizations. Munger (2008) suggested that international agencies provide the top-down approach that can make national-level impact, while NGOs typically provide support for grassroots efforts. Others take this further by examining the different ways that NGOs could interact with these so-called international organizations (Ahmed, 2011). While collaborating with organizations such as various United Nations bodies may help NGOs promote their agendas, the precise interactions that might yield the best results are beyond the scope of this study, which seeks to evaluate NGO relations with authoritarian governments themselves rather than with international organizations.

Many authors examine the impact of public interest law and the role of legal activism in NGO operations. One set of authors argues that the modern human rights movement increasingly uses international law to bring external challenges to authoritarian regimes (Cummings & Trubek, 2009). This should be distinguished

from the domestic activists who bring challenges to state action in their own nation – though of course the distinction can be eroded as “transnational advocacy” increases (where domestic activists connect with Western funders, media personalities, and lawyers) (Cummings & Trubek, 2009).

Of course, a significant difficulty facing a comparative examination of NGO advocacy in different nations is that the practices being evaluated may not be similar (Munger, Cummings, & Trubek, 2013). This may be even more true when addressing political and legal issues – while the environmental protection issues on which scholars like Li et al. (2016) focus are obviously not uncontroversial, activism aimed at different legal or political systems seems at first glance to be more complex and nuanced. Additionally, the differences in governmental structure between nations may result in intra-state advocacy being different across borders, as the structural components may be quite different.

However, authoritarian governments rarely seem able to counter an NGO’s activism, perhaps because these governments tend to be highly regimented and structured. Ondrusek and Labath (1997) argued that the typical authoritarian response is merely to find out who leads a given NGO and remove him or her. However, such efforts often fail because NGOs are rarely arranged on hierarchical principles, so intimidation of its leaders will have little effect. Much like individual terrorist cells, successful NGOs are motivated by a driving ideology more than a single individual. Li and O’Brien (2008) argued that protest leaders (whether deliberately or accidentally) “shape individual grievances into collective claims” as they frame that grievance into a movement that is actionable and can motivate rural villagers to participate in some collective action (pp. 5-6).

Data and Methods

This paper provides a primarily qualitative evaluation of NGO advocacy in authoritarian nations. Obviously, conducting a primary study of nonprofit activism in closed or otherwise repressive nations is nearly impossible because it would endanger researchers and attract attention and possible persecution towards the staff of the nonprofits being studied (Young, 2005), so this study performs secondary analysis, rather than any primary analysis. This study will also focus on circumstances where NGOs advocate for changes that pose a risk to the NGO and its staff, for if the NGO merely parrots the ideology of the ruling regime, it is not genuinely seeking reform of the state but is instead collaborating with that regime. In such a situation, there is simply no need for activism.

To perform this secondary analysis and glean lessons from the experiences of NGOs in authoritarian regimes, this study will examine the challenges presented by

various types of advocacy under various regimes to look for common threads. It will pay particular attention to the so-called ‘barefoot lawyer’ movement in China, where self-educated attorneys represent clients in human rights cases where most formally-trained Chinese lawyers fear to insert themselves. This study will depart from many other similar studies by focusing on advocacy related to human rights and abuses of human dignity. Therefore, other types of advocacy (such as environmental-protection advocacy) will receive attention only to the extent that they shed light on how NGOs can advocate for human rights. To perform this analysis, this paper will examine the success or failure of various NGOs in agenda-setting on both the domestic and international levels, in policy formulation and in policy implementation. It will also examine their respective methods and the costs associated with their activism (both in economic and human terms).

Lastly, this study uses the term “authoritarian” as a general descriptor for a regime that has low tolerance for dissent and a low threshold for the use of violence in the political arena. It is not used here to refer to any particular political ideology, as far-left, centrist, and far-right governments could all conceivably be authoritarian, depending on how the regime responds to activism. Further, the mere fact that a regime does not suppress dissent in one area or at one specific time is not proof that the regime is not authoritarian--the term is also used to convey the idea that activists have a reasonable or well-founded fear of persecution for their beliefs or activism.

Research and Analysis

Public Interest Law under Authoritarianism

Lawyers working to advance human rights and transitional justice in developing nations are few and far between, and they face significant obstacles and even personal risks to advance their causes (Munger et al., 2013). What the United States typically calls public interest law can take on different appearances in different nations, in no small part due to the differing legal traditions globally (Cummings & Trubek, 2009). The goal of individual activists can also matter a great deal in determining the approach that they take toward their attempts to combat injustice. For example, an activist must choose whether to work within his or her own domestic legal system, or decide that the legal system is so irreparably broken that only international attention and pressure can provide a solution. Activists attempting to appeal to an international organization (such as a treaty body, regional human rights court, or the United Nations) will necessarily have to adopt different tactics than activists seeking to spur internal reform. (Ahmed, 2011).

Of course, these different approaches mean that NGOs can be more or less effective depending on which approach they take to accomplish their goals. If an NGO seeks solely to influence international organizations, it may be quite successful

in building an international consensus against the behavior they wish to end, since many international organizations are favorable to NGO goals from the outset due to their shared goals of promoting human rights and transnational justice. Further, these international organizations lack the same threatening power of authoritarian states to punish activists, so activism is safer in the international community (Ahmed, 2011). Beyond initial fact-finding, this type of activism requires little to no formal interaction with the ruling regime, so activists are generally protected from harm at the hands of government officials. This relative safety seems to result in NGOs taking more lobbying action toward international organizations than toward governments (Ahmed, 2011).

But the relative safety and ease of this approach also has a significant drawback namely that without the coercive power to do evil, international organizations also lack the coercive power to do good. The same safety that makes international organizations easy to influence also means that their power is largely toothless, as they cannot compel states to comply with their directives. Even the imposition of sanctions by the international community is no guarantee that the state will modify its conduct, particularly considering that some countries that engage in human rights abuses are willing to accept their status as international outcasts without too much internal angst (Haass, 1998). Therefore, to accomplish internal reform, activists must work within their internal governmental systems and turn against the government its own most valuable tool – the bureaucracy.

Li et al. (2016) noted that even though authoritarian regimes may be largely intended to act as extremely structured, centralized, and cohesive units, they are instead more often fragmented, which creates breathing space for NGOs to engage in effective advocacy. Where a bureaucracy becomes so large as to render it unwieldy and difficult for a central authority to effectively control, lower-level officials may be the first step to gaining influence over the organization. Once lower-level officials have been conditioned to operate in a certain fashion, higher-level officials may be brought under the influence of the NGO's advocacy tactics, which will also be aided as lower-level officials are promoted through the bureaucratic ranks.

In addition to attempts to co-opt the bureaucracy, NGOs can also engage in more traditional activism. NGOs in authoritarian states have successfully engaged in direct discussions with relevant government officials, lobbied for policy changes with the appropriate authorities, and mobilized citizens to demonstrate against or in favor of certain state actions (Li et al., 2016). These measures can have varying degrees of success, depending on the aggressiveness of the state in shutting down dissent on the selected political issue, even up to the forced disappearances of reform-minded activists (Cummings & Trubek, 2009). It is in these situations that international organizations or NGOs outside the nation in question can use international pressure

to promote domestic change (Cummings & Trubek, 2009). This can in turn buy ‘breathing space’ for domestic NGOs and convey to the regime that the international community will look down upon suppression of dissent.

The governmental response to NGO activity may depend in part on the precise nature of the regime in power. Heurlin (2010) argued that single-ruling-party regimes typically attempt to co-opt the activities of the NGO by creating some collaboration with various organs of the state. Yet, in regimes centered around one figurehead—what Heurlin (2010) labeled “personalist” regimes—the state typically attempts to exclude NGOs entirely and replace their activities with some state institution (p. 220). This suggests that the greatest danger for NGOs lies in these nations, since the state there has no incentive to treat the NGO with any level of respect. Indeed, in such a state, government agents have an incentive to abuse NGOs and their staff simply to push them out of whatever activities they currently participate in and make space for government programs. In a ruling-party regime, the same motivations may still exist if the NGO is unwilling to allow its services to be co-opted, but the incentive to simply crush dissent is restrained if government agents want to secure the assistance of the NGO.

NGOs should consider the context of their work to better understand the risks they face. An NGO should consider what type of regime they face, the methodology of their activism, as well as their intended audience (whether it be domestic government or international organizations). They should also consider the experience of prior reformers from the same nation and which tactics have been successful in the past as they design a strategy to advance their interests. It also goes without saying that funding is a vitally important factor, to which this study now turns its attention.

Funding Challenges

One of the great dangers for NGOs that could be co-opted by the state is that the independence of their funding may be in jeopardy. As Li et al. (2016) observed, nonprofits that rely on government funding may be ill-prepared or unwilling to criticize government figures or take actions that could damage the relationships with government that a particular NGO already possesses. However, these same authors indicated that government funding could actually increase lobbying activities for nonprofits as those nonprofits seek to protect government funding from budget cuts (Li et al., 2016). The problem, though, is that this advocacy is then diverted away from the NGO’s main mission and toward attempts to procure and secure state funding, which is supported by research that suggests that increased levels of NGO dependence on state funding resulted in lower levels of political activity and advocacy (Schmid, Bar, & Nirel, 2008). Indeed, data suggests that NGOs that focus on providing human services “are reluctant to initiate political activity, because they

are afraid that it will harm their income, which largely derives from the government” (Schmid et al., 2008, p. 586). This observation fits neatly within Heurlin’s framework of analysis when he argues that single-ruling-party regimes typically attempt to co-opt NGO activity (Heurlin, 2010). If government funding can minimize the extent to which NGOs take positions opposed to the regime’s goals, that funding successfully neutralizes the threat the NGO poses.

Government funding can also sow mistrust, so NGOs may wish to avoid it. Li et al. (2016) noted that government funding can lead to a strained relationship between the NGO and the government entity due to mutual suspicion, but this suspicion can also cross-apply to other advocacy groups and citizens. Acceptance of government funding may lead NGOs to be viewed with suspicion by the population and as potentially sellouts to the ruling regime. This may in turn undermine the ability of those NGOs to effectively organize activism that requires the support of the general population, such as any form of organized protest or communication campaign.

Restricting funding by regulation or prohibition is one of the most significant methods authoritarian regimes may use to restrict NGO activism (Munger et al., 2013). Even where private funding is concerned, most closed societies greatly restrict funding for NGOs that engage in legal activism (Munger et al., 2013). In part due to these funding problems, most civic NGOs in China have few staff members and extremely limited resources, so most of their activity is carried out by volunteers or part-time staff members (Li et al., 2016). While large global funding networks can provide access to significant infrastructure, authoritarian governments have closed off these funding avenues periodically to exercise control over NGO activity, such as when Bangladesh in 2011 froze funding for NGOs that opposed the prime minister’s political party (Munger et al., 2013). Additionally, governments can easily restrict international funding by banning transfers of funds. The international community may even view this as legitimate, especially if the government claims it is doing so to avoid interference in its domestic political processes. Thus, an NGO may be unable to accept large-scale international funding because it is expressly prohibited by the government. Likewise, accepting that funding would impose domestic compliance costs so high that the NGO simply cannot afford to devote the time and resources to maintain their legal status. Furthermore, the governing regime may so severely restrict the use of such international funding that it becomes almost useless to the NGO.

NGOs may also be wary of accepting outside funding because it may pose a risk of losing control over their own organization and mission. Several authors point out that small, grassroots NGOs with more control over their organizations are more connected with the ground-level problems that exist in their societies, whereas large-

scale advocacy organizations may not be as targeted. Kelley (2011) pointed out that many African NGOs are criticized as being “out of touch with grassroots concerns,” in part because they tailor their activities to Western donors rather than to the needs of their communities (p. 1001). Another element may be that larger NGOs are often run by elites, who are typically more Western-oriented in their thinking (Kelley, 2011). This Western orientation of some NGO leaders may also make the general public more opposed to their activities if they see their advocacy as “an unwanted American export, a tool of social control” (Cummings & Trubek, 2009, p. 4). The focus on acquiring funding may also cause NGOs to become “accountable ‘upward’ to donors rather than ‘downward’ to beneficiaries” (Banks, Hulme, & Edwards, 2015, p. 709). The diverse motivations of larger organizations dependent on Western funding and grassroots NGOs may create conflicting priorities among cooperating NGOs, which may also lead to advocacy being more fragmented and ineffective. Therefore, it would not be unprecedented for smaller, more activism-minded NGOs to refuse funding and assistance from larger NGOs, foundations, or international organizations as part of a deliberate attempt to maintain greater autonomy.

Obviously, no NGO can operate without funding. But for NGOs concerned with human rights advocacy, it seems clear that accepting government funding is likely to do nothing to advance an NGO’s mission, and can do much to undermine it. Government funding will be a substantial incentive not to push too hard against the ruling regime. Moreover, repressive governments can easily exploit this reliance to compel an end to an NGO’s activism without resorting to force and facing domestic or international blowback.

The question of whether an NGO should accept international funding or funding from a larger NGO in the same country is a more difficult question. If the NGO can avoid dependence on international funding, it is likely to be able to retain its grassroots focus without having excessive exposure to the risk of the termination of this funding by state action. In a non-western context, it may be more beneficial for NGOs to rely on domestic funding sources in order to avoid being seen as pawns to impose Western values on the nation. However, these sources might also be restricted by the ruling regime or be unable to supply enough funds, and respect for human rights should not merely be confined to Western nations. Likewise, NGOs should choose funding sources that don’t compromise their mission or prevent them from promoting the cause of international justice.

Making the Most of Available Human Resources

In addition to organizational differences created by funding inequalities, larger and more organized NGOs are likely to engage in different kinds of advocacy than small groups of activists because of the differing human resources available to advance their respective causes. Individuals with specialized training in a particular

field often work for larger NGOs, while independent activists are more likely to be self-trained. Additionally, it seems to follow that larger NGOs will be more protective of their substantial investment in highly-trained professional activists, while small NGOs will likely be willing to accept greater risks to activists. The available literature tends to support both of these assumptions, which are particularly visible in the context of public interest law in China.

The Chinese legal system has become increasingly professionalized since market-based reforms in the early 1990s (Lo & Snape, 2005). This professional training begins with law school and requires the prospective lawyer to pass a qualifying examination similar to the bar examinations administered in the United States (Alford, 1995; Lo & Snape, 2005). In contrast to the typical Chinese lawyer, many public interest (or *weiquan*) lawyers are not actually licensed to practice law, as they instead simply take advantage of procedural rules permitting laymen to represent others in court (Fu & Cullen, 2008). Cheung conducted an interview-based study of *weiquan* lawyers in China and observed a broad range of education, from just one year of middle school to a completed university degree. He also noted that they possessed significantly varying degrees of legal education, ranging from basic knowledge of one field of law, to comprehension of the equivalent of a diverse law school curriculum (Cheung, 2013).

While some academics are often able to leverage their social status, relative political safety, and financial stability to support *weiquan* lawyers (Fu & Cullen, 2008), individual public interest lawyers still face many challenges. Local courts have significant entanglement with local Communist Party chapters, since the Party provides funding for the operations and salaries of the court (Daffer, 2006). A strong spirit of protectionism for local entities also makes it more likely that courts will rule against NGOs in lower-level court cases (Daffer, 2006). Further, as *weiquan* lawyers advance in their careers, they are likely to become increasingly radicalized against the Chinese authoritarian system, leading them to take increasingly confrontational stances on cases (Fu & Cullen, 2011). This path to radicalization may make them more inviting targets for state action.

Besides issues which may impact case outcomes, there are also personal risks for public interest lawyers in the Chinese system. One study suggested that as many as 94% of Chinese lawyers had experienced some form of interference in their cases from a government entity or from the Communist Party (Young, 2005). This interference could come in many different forms, such as the arrest of Zhang Enchong, one of the country's most prominent defense attorneys (Young, 2005) or the physical violence Chen Guangcheng experienced (Cheung, 2013). Regardless of the exact methodology, authorities reign in lawyers who threaten to disrupt the existing social order (Young, 2005).

When comparing the risks activist lawyers face against the cost and time invested in formally-trained lawyers, it seems self-explanatory why most of those who spearhead the *weiquan* movement are self-taught. NGOs seeking to protect their investments in human capital could thus understandably see the risks of employing formally-trained lawyers as too great, especially when compared against the limited pool of individuals willing to participate in the fight for human rights through domestic legal processes. As a result, most of the high-risk legal work is left to be performed by those without significant investments in legal training. However, this may not actually be a bad thing in certain cases--because the legal system is so prone to interference by the government and Party organs, legal questions may not factor into the final outcome very much in politically-oriented cases. Indeed, the Communist Party often awards judicial positions based on political support rather than on legal skill or expertise (because judges are not required to meet the same standards as lawyers) (Daffer, 2006).

Lessons in Effective Activist Methods

Even in authoritarian regimes with little respect for the rule of law, effective advocacy is possible. One of the most important lessons is that a multifaceted approach to advocacy is the most likely to be effective. In the context of public interest law and the *weiquan* movement, legal advocacy combined with purposeful interaction with the bureaucracy can produce results. In 2005, one of Chen Guangcheng's most prominent cases arose after some 7,000 female Chinese peasants were the victims of forced abortions and sterilizations in the Shandong province. Mr. Chen filed suit on behalf of the victims, and surprisingly, the national-level bureaucracy allied with him and the National Family Planning Commission criticized the actions of local officials and promised an investigation (Daffer, 2006.). Indeed, this seems to be Mr. Chen's most significant victory because of the international media attention the case obtained and because of the bureaucracy's involvement and condemnation of the behavior of local officials.

In other nations, the involvement of the bureaucracy is also significant. Thailand, classified by most as a semi-authoritarian state due to its history of military coups overthrowing civilian governments, has a strong bureaucracy that has been able to withstand changes in government and "holds many trump cards when it comes to the authority of law" (Munger, 2015, p. 6). This bureaucratic system can produce capable reformers in its own right, such as Dr. Saisuree Chukikul, who used her rise to the Thai cabinet to promote reforms to combat human trafficking and child abuse (Munger, 2015). Thai NGOs, such as the prominent Center for the Protection of Child Rights (CPCR), work to integrate their operations with multiple levels of the bureaucracy, from national-level policy advocacy to policy implementation through collaboration with low-level bureaucrats and local law enforcement

agencies (Munger, 2015). This integrated approach is difficult, especially since the Thai bureaucracy is extremely insular, but it also produces more effective results at all levels of the policy process.

This multi-level approach is necessary due to the frequent disconnect between the policy makers and the low-level officials tasked with implementing the policy shifts. Munger notes that despite the success Thai NGOs have achieved through the political process and convincing agency heads to adopt new initiatives to crack down on human trafficking, collaboration with local officials is vital because many local law enforcement officers are still unaware of recent changes to the law (Munger, 2015). Despite an overall favorable government, challenges still exist, which requires an integrated organization to overcome.

Unfortunately, the Thai example of coordinated, multi-level advocacy seems impossible for the time being in China on most human rights policy issues, as the national-level government's hostility toward public interest lawyers makes any such large, coordinated effort risky. However, Chinese NGOs have nonetheless adapted to meet the particular risks of advocacy in their country. By adopting a decentralized approach, risks are confined to individual activists rather than concentrated in an organization that could be broken up and defeated. Contrary to the assumptions of highly-centralized authoritarian regimes, most decentralized NGOs can survive the arrest or killing of an individual activist, but regimes rarely seem to be able to adjust to the flexible and dynamic nature of these NGOs (Ondrusek & Labath, 1997).

Even in extremely dangerous environments for NGOs (such as China), advocacy through the bureaucracy can be particularly effective. While in theory the unitary structure of the Chinese government would suggest local governments have limited powers, in practice local governments have considerable autonomy because it is simply impossible for the national government to exercise effective control over the entire nation (Daffer, 2006). Thus, activists may have greater breathing room if they focus on their issue of choice in local government. Additionally, the Linyi abortion and sterilization case suggests that another factor may be present in successful advocacy under authoritarian regimes: providing the bureaucracy a way to save face. Mr. Chen's advocacy in this case was focused on the actions of local officials, leading national-level bureaucrats to condemn the actions in question – and these national officials had an easy opportunity to do so, because they were simply able to portray the actions of local officials as violative of the national bureaucracy's policy aims. Where advocacy can allow decision makers to easily deflect responsibility, perhaps a greater likelihood of success exists.

Conclusion

Once a group of activists decides to pursue change through domestic legal and political channels, they must decide what precise methods to utilize. The research suggests that attempts to co-opt the bureaucracy can be particularly important to pursuing policy change in authoritarian regimes where traditional political channels may be unavailable or restricted. If the regime is more open, the integrated approach seen in Thai NGOs like the CPRC would be ideal.

In addition to the organizational questions, NGOs must determine how they will receive funding. While many of the *weiquan* lawyers of China rely on their own personal funds (Fu & Cullen, 2008), outside sources of funding will be needed for any larger-scale operation. International funding may be restricted by the NGO's home country, but even if it is not, international funding may be undesirable if the NGO thinks it may lead to conflicting goals or the potential that the NGO may be viewed negatively by the target population.

Efficient human resources management will almost certainly continue to be an issue, especially since there are unacceptably high risks for most formally-trained lawyers to engage in advocacy in the most closed societies. In less repressive nations, formal training can equip activists to be more effective, but self-trained activists are likely to continue to be the norm for the most politically sensitive issues in nations like China.

NGOs can apply three key principles to advocacy in authoritarian regimes. First, where possible, coordinated and multifaceted advocacy is the ideal system of advocacy. This allows NGOs to promote policy changes at the agenda setting and policy formulation stages while simultaneously overseeing the implementation of the desired changes. Second, because this multi-level advocacy may not always be possible, in those circumstances, NGOs should supplement their primary focus of advocacy with an emphasis on activism directed at the bureaucracy. Finally, advocacy that allows senior government officials to pass blame for undesirable actions on to lower-level officials provides those officials an easy way to save face, which is likely to lead to more favorable results.

As activists like Chen Guangcheng demonstrate, even in authoritarian regimes, significant change is still possible with activists who are brave enough to risk personal danger to protect the rights of others. By learning from the successes of other NGOs, activists can take more effective actions to make the most of their opportunities to seek change. Through the continuous work of human rights activists, even those who live under authoritarian regimes can benefit.

Reference List

- Ahmed, S. (2011). The impact of NGOs on international organizations: Complexities and considerations. *Brooklyn Journal of International Law*, 36(3), 817-840. Retrieved from <https://brooklynworks.brooklaw.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1115&context=bjil>
- Alford, W. P. (1995). Tasselled loafers for barefoot lawyers: Transformation and tension in the world of Chinese legal workers. *China Quarterly*, 141, 22-38.
- Banks, N., Hulme, D., & Edwards, M. (2015). NGOs, states, and donors revisited: Still too close for comfort? *World Development*, 66, 707-718. Retrieved from https://ac.els-cdn.com/S0305750X14002939/1-s2.0-S0305750X14002939-main.pdf?_tid=fbfa6f72-04cd-41d7-ae0e-5a56eff26a85&acdnat=1519936311_39dd450db53650fc2bd4d72122c47b58
- Casey, J., & Mehrotra, A. (2011). Understanding nonprofit advocacy. *Baruch College School of Public Affairs: Center for Nonprofit Strategy and Management*. Retrieved from http://www.baruch.cuny.edu/mspia/centers-and-institutes/center-for-nonprofit-strategy-and-management/documents/BackgroundPaper_FINAL.pdf
- Cheung, T. M. D. (2013). Going barefoot in the Middle Kingdom: A preliminary study of the strategic choices of non-licensed *Weiquan* lawyers in modern China. *Pacific Basin Law Journal*, 31(1), 1-22. Retrieved from <https://escholarship.org/uc/item/9289078g>
- Cummings, S. L., & Trubek, L. G. (2009). Globalizing public interest law. *UCLA Journal of International Laws and Foreign Affairs*, 13(1), 1-53. Retrieved from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1338354
- Daffer, T. (2006). "I am fighting for the right to eat, and I will keep fighting. The truth is on our side": Class action litigation as a means of enacting social change in China. *UMKC Law Review*, 75, 227-243.
- Fu, H., & Cullen, R. (2008). *Weiquan* (rights protection) lawyering in an authoritarian state: Building a culture of public-interest lawyering. *The China Journal*, 59, 111-127. Retrieved from <https://www.jstor.org/stable/20066382>

- Fu, H., & Cullen, R. (2011). Climbing the “Weiquan” ladder: A radicalizing process for rights-protection lawyers. *China Quarterly*, 205, 40-59. Retrieved from <https://www.law.upenn.edu/live/files/2311-climbing-the-weiquan-ladder>
- Guo, C., & Zhang, Z. (2014). Understanding nonprofit advocacy in non-western settings: A framework and empirical evidence from Singapore. *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, 25(5), 1151-1174. Retrieved from <https://www.jstor.org/stable/43654336>
- Haass, R. (1998). Economic sanctions: Too much of a bad thing. *Brookings Institution*. Retrieved from <https://www.brookings.edu/research/economic-sanctions-too-much-of-a-bad-thing/>
- Heurlin, C. (2010). Governing civil society: The political logic of NGO-state relations under dictatorship. *Voluntas: International Journal of Voluntary and Nonprofit Organizations*, 21(2), 220-239. Retrieved from <https://www.jstor.org/stable/27928213>
- Kelley, T. A., III. (2011). Wait! That’s not what we meant by civil society!: Questioning the NGO orthodoxy in West Africa. *Brooklyn Journal of International Law*, 36(3), 993-1010. Retrieved from http://scholarship.law.unc.edu/cgi/viewcontent.cgi?article=1157&context=faculty_publications
- Li, H., Lo, C. W. H., & Tang, S. Y. (2016). Nonprofit policy advocacy under authoritarianism. *Public Administration Review*, 77(1), 103-117. Retrieved from <http://onlinelibrary.wiley.com/wol1/doi/10.1111/puar.12585/full>
- Li, L., & O’Brien, K. J. (2008). Protest leadership in rural China. *China Quarterly*, 193, 1-23. Retrieved from <https://www.jstor.org/stable/20192161>
- Lo, C. W. H., & Snape, E. (2005). Lawyers in the People’s Republic of China: A study of commitment and professionalism. *American Journal of Comparative Law*, 53(2), 433-455.
- Munger, F. (2008). Globalization, investing in law, and the careers of lawyers for social causes: Taking on rights in Thailand. *New York Law School Law Review*, 53(4), 745-802. Retrieved from https://digitalcommons.nyls.edu/cgi/viewcontent.cgi?article=1841&context=fac_articles_chapters

- Munger, F. W., Cummings, S. L., & Trubek, L. G. (2013). Mobilizing law for justice in Asia: A comparative approach. *Wisconsin International Law Journal*, 31(3), 353-420. Retrieved from https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2456833
- Ondrusek, D., & Labath, V. (1997). Conflicts in transforming society and the nongovernmental sector: The Slovak example. In R. Shonholtz & I. Shapiro (Eds.), *Strengthening transitional democracies through conflict resolution*. Thousand Oaks, CA: SAGE Publishing.
- Schmid, H., Bar, M., & Nirel, R. (2008). Advocacy activities in nonprofit human service organizations: Implications for policy. *Nonprofit and Voluntary Sector Quarterly*, 37(4), 581-602. Retrieved from <http://www.thecyberhood.net/documents/papers/nvsqarticle08.pdf>
- Young, A. (2005). Current development 2004-2005: The continuing lack of independence of Chinese lawyers. *Georgetown Journal of Legal Ethics*, 18(3), 1133-1149.