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## **“Is Academic Freedom Threatened by China’s Influence on American Universities?”**

*Rep. Christopher Smith (NJ-04)*

*Chairman*

*Subcommittee on Africa, Global Health, Global  
Human Rights and International Organizations*

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I want to welcome everyone here today.

This hearing is the first in a series probing the question whether China’s ‘soft power’ educational initiatives are undermining academic freedom at U.S. schools and universities.

We see it manifested primarily in two ways... The first is in the building of satellite campuses in China for American universities, where Chinese “rules of engagement” are said to hold sway – in other words, places where no criticism of the government, or promotion of democracy and freedom, is allowed.

Second, we see it in the myriad outposts of Chinese soft power that have opened on campuses throughout the United States, so-called “Confucius Institutes,” whose curricula integrates Chinese government policy on contentious issues such as Tibet and Taiwan and whose hiring practices explicitly exclude Falun Gong practitioners.

It should be noted that we are seeing emerging faculty opposition to these Institutes, as well as to the all-too cozy and lucrative arrangements which American universities have with institutions affiliated with the Chinese government.

This prompts us, however, to ask the question: Is American higher education for sale? And, if so, are U.S. colleges and universities undermining the principle of academic freedom – and, in the process, their credibility—in exchange for China’s education dollars?

You know, a number of years ago the author James Mann wrote a book called “The China Fantasy,” where he recounts how in the 1990s some American business leaders and

government officials put forward the “fantasy” that free trade with China would be the catalyst for political liberalism.

I was in China in the early 90’s. Despite the ongoing jailing and executions of dissidents, American businessmen in China told me that if we just trade more, the dictatorship will soon matriculate into a democracy.

As we all now know now, China has failed to democratize, despite increases in the standard of living of its citizens. Political repression is an all-too-common occurrence. Yet U.S. policy toward China continues to overlook abuses of fundamental human rights for the sake of business opportunities and economic interest.

But what about US universities, who often tout their adherence to higher ideals, and equate their “non-profit” status of a badge of good citizenship which puts them above reproach. Perhaps they too are engaged in their own version of a “China fantasy,” willing to accept limitations on the very principles and freedoms that are the foundation of the U.S. system of higher education, justifying quiet compromises they would never entertain at home by telling themselves that they are helping bring about change in China.

As Dr. Perry Link brilliantly argues, these compromises often take the form of self-censorship of what universities and faculty teach, who they invite to speak, what fellows they accept in residence. So long as the dragon is not provoked, they think they will be allowed to continue doing their work, slowly changing China from the inside... But are these American universities changing China, or is China changing these American universities?

What is the reason that New York University, for example, terminated the fellowship of the world class human rights advocate and hero, Chen Guangcheng? NYU is one of those prestigious universities for which China built a campus, a satellite of the University in Shanghai. Though the Chinese government laid out the funds, the transaction involved a moral cost: As certain members of the NYU faculty wrote in a letter to the university’s Board of Trustees, the circumstances surrounding the launch of NYU satellite campus in Shanghai and the ending of Chen’s residence created a QUOTE “public perception, accurate or otherwise, that NYU made commitments in order to operate in China.”

I have the NYU faculty letter here and will, without objection, enter it into the record.

We have repeatedly invited NYU’s President and faculty to testify before this committee, without success. On five separate occasions, we gave NYU 15 dates to appear. As this is the first hearing in a series of hearings we intend to hold on this topic, I hope that they will agree to come at another time, so they can fully state their case.

On a personal note, I spent considerable time with Chen Guangcheng when he first came to the United States, having worked his case since 2004 which included four Congressional hearings exclusively dedicated to his freedom. It is my impression that NYU officials and others sought to isolate him from supporters viewed as too conservative or from those they considered Chinese dissidents. We may never know if NYU experienced what Chen himself termed as “persistent and direct pressure from China” to oust him, or if it was simply an act of prudent self-censorship to keep in Beijing’s good graces.

I don't know the answer, but it is my conviction that self-censorship and the chilling effect this has is an even more pernicious threat to fundamental freedoms and the principle of academic freedom. One of our witnesses, the respected academic Dr. Perry Link, has made this case repeatedly over the years, drawing on his own personal experiences, and I thank him for being here today.

We are not here to re-litigate the sad divorce of Chen Guangcheng and NYU. It is only a small, disheartening part of the larger issue: whether American universities will compromise academic freedom to get a piece of the lucrative Chinese education market. (Roughly 27 billion dollars a year.)

Today's hearing, then, will mark the beginning of a long hard look at the costs and benefits of the growing number of Chinese educational partnerships started by U.S. universities and colleges, including exchange programs and satellite campuses in China and Confucius Institutes in the U.S.

While foreign educational partnerships are important endeavors—for students, collaborative research, cultural understanding, and even for the host country—I think we all can agree that U.S. colleges and universities should not be outsourcing academic control, faculty and student oversight, or curriculum to a foreign government. Unfortunately, there is now some evidence emerging that gives rise to the need for this hearing.

The American Association of University Professors, or AAUP, along with its sister organization in Canada, published a report in July, blasting the Confucius Institute model as a partnership “that sacrificed the integrity of the [host] university and its academic staff” by requiring “unacceptable concessions” that allow “the Confucius Institutes to advance a state agenda in the recruitment and control of academic staff, in the choice of curriculum, and in the restriction of debate.”

The AAUP concluded by saying that “Confucius Institutes function as an arm of the Chinese state and are allowed to ignore academic freedom” and recommended shutting down U.S. Confucius Institutes unless they could meet certain standards of academic freedom and transparency.

The Confucius Institutes are China's major soft power push, an attempt to increase the number of young people studying (and ideally coming to admire) Chinese culture and language. This is not harmful in itself, for Chinese culture and language – as distinct from its political culture – is, indeed, admirable.

But while some U.S. university administrators say the influence of Confucius Institutes is benign, University of Chicago professor Marshal Salhins, has called Confucius Institutes “Academic Malware” inimical to the U.S. model of academic freedom.

What we should do is welcome U.S.-China educational partnerships that promote cultural understanding and critical language skills and protect academic freedom, that allow the teaching of sensitive topics, and are not subject to any of the same rules that govern Chinese academic institutions—where professors are fired or jailed for exercising the universal right to free speech.

Indeed, there is a U.S. national security interest in having U.S. students learn Chinese, but such language skills should be taught on our terms and without the baggage brought by Confucius Institute ties.

And, if those freedoms are violated or compromised, we need to find some recourse, whether through withholding Department of Education funds or State Department exchange program funds from schools that willingly compromise the principles of academic freedom and human rights to gain a small share of the Chinese educational market.

That is why I am announcing today that I will be asking for a GAO study to review the agreements of both satellite campuses in China and of Confucius Institutes in the U.S. I would like to know if those agreements are public, whether they compromise academic or other freedoms of faculty, students, and workers and whether Chinese teachers are allowed the freedom to worship as they please and teach about Tiananmen, Tibet, and Taiwan.

I will also ask the GAO to study whether U.S. satellite campuses in China operate differently from Chinese universities and whether there is a two-tier system in place, where Chinese students and faculty have more restrictions placed their activities and research than U.S. students and faculty. I will also ask whether Communist Party committees operate on campus, whether fundamental freedoms are protected for both Chinese and U.S. students and faculty—religious freedom, internet freedom, freedom of speech, freedom of association, and whether the Universities are required to enforce China's draconian population control policies.

These are important questions. We need to look at whether these issues can be handled by the universities, their faculties, and trustees themselves or if there is something the U.S. Congress must do to ensure academic freedom is protected.

U.S. universities and colleges should reflect and protect the highest principles of freedom and transparency. They should be islands of freedom where foreign students and faculty can enjoy the fundamental freedoms denied them in their own country.

I look forward to hearing from our distinguished witnesses today.