Ethnic Minorities and the State in China: Conflict, Assimilation, or a 'Third Way'?

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Introduction

Western academics have been predicting for years that China's economic modernization drive will sharpen rather than diminish the ethnic consciousness of its more than 100 million minorities.[1] The recent eruption of violence throughout China's Tibetan-populated areas appears to undergird that perspective. The ruling Chinese Communist Party (CCP) could not disagree more. While officials have been deeply unnerved by these episodes, they have also dismissed them as minor exceptions to an overall trend of ethnic "harmony" and of minorities forging a closer identification with the Chinese 'nation'.[2]

At the heart of the CCP's assertion is an unwavering faith in the transformative power of economic modernization. Indeed, China's minority policy is heavily premised on the state's ability to mold ethnic identities, via the modernization process, in a way that suits its own interests.[3] For example, the state has been fairly systematic eradicating traditional life patterns and ways of thinking (including religion) that it deems 'backward' and therefore obstructing China's ambitions to be a modern nation.[4] At the same time, the state also provides considerable support for forms of ethnic identity expression that are *non*-political in nature, such as traditional ceremonies, dance, and literature. From the state's perspective, the promotion of these 'folkloric' aspects of ethnicity serves two vital purposes: it creates outlets for ethnic identity expression that do not challenge the state's control over minority affairs, and it bolsters China's self-image as a tolerant and "harmonious", multicultural society.[5] In short, multiculturalism in China is not

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[1] See, for example, June Teufel Dreyer, "China's Vulnerability to Minority Separatism," *Asian Affairs: An American Review* 32, Issue 2 (Summer 2005); Stevan Harrell, "Introduction," in *Cultural Encounters on China's Ethnic Frontiers*, ed. Harrell (Seattle: University of Washington Press, 1995); Colin Mackerras, *China's Minorities: Integration and Modernization in the Twentieth Century* (Oxford: Oxford University Press, 1994); Dru Gladney, "Economy and Ethnicity: The Revitalization of a Muslim Minority in Southeastern China,"in *The Waning of the Communist State: Economic Origins of Political Decline in China and Hungary*, ed. Andrew Walder (Berkeley: University of California Press, 1995), 242-66.

[2] The official Chinese state view is generally echoed widely by Chinese scholars. In a March 2008, the author attended "Great Western Development and Socio-Economic Change in China," a conference organized by the Chinese Academy of Social Science (CASS). Virtually all of the presentations by Chinese scholars reiterated the belief that modernization is the key to China's 'ethnic harmony'.

[3] See Pitman B. Potter, "Governance of China's Periphery: Balancing Local Autonomy and National Unity," *Columbia Journal of Asian Law* 19, No. 1 (Fall 2005), especially 315.

[4] Dee Mack Williams provides an excellent and empirically-grounded account of this type of thinking based on his ethnographic research in Inner Mongolia. See Williams, *Beyond Great Walls: Environment, Identity, and Development on the Chinese Grasslands of Inner Mongolia* (Stanford, CA: Stanford University Press, 2002), especially Chapter 1. See also David S. G. Goodman, "The Politics of the West: Equality, Nation-building, and Colonisation," *Provincial China* 7, No. 2 (October 2002); and Pitman B. Potter, "Belief in Control: Regulation of Religion in China," *China Quarterly* 174 (June 2003), 317-337.

[5] The importance of upholding this self-image should be underscored, as it is what allows the current Chinese government, the Chinese Community Party (CCP), to distinguish itself from the avowedly assimilationist Nationalist government under Sun Yat-sen and Chiang Kai-shek. See Dru C. Gladney,

fundamentally about *permitting* cultural difference as it is about *controlling* it by giving it only "delimited and predictable space."[6]

Neither the Western academic nor the official Chinese perspective gives much consideration to the possibility that economic modernization could give rise to an outcome other than ethnic conflict or assimilation. In this paper, I lay the groundwork for a third possible outcome: the adoption, albeit limited and selective, of international norms and practices that would make China's ethnic minority policy more participatory and accommodating of difference. I posit that the main vehicle for change is the Chinese state's somewhat paradoxical enlistment of international development actors in the task of modernizing its minority areas. These development actors are increasingly adopting international norms that emphasize the importance of "local" consent and participation in approving and devising development projects, in other words, norms that contradict the top-down, one-size-fits-all development approach that the Chinese state has been pursuing.

A theoretically informed investigation of how these norms may get 'translated' into the Chinese context is not well illuminated by the existing norm diffusion literature. For example, much of this literature presupposes that the domestic political opportunity structure allows for local norm advocates to mobilize and pursue various international strategies to pressure their own governments. It also presupposes that elites who may introduce these norms into the domestic discourse are to some degree 'decentralized' in their thinking and therefore cognitively open to new ideas. With respect to China's ethnic minority policy, neither of these assumptions holds. The CCP maintains a fairly strong Leninist impulse to thwart any form of pluralism or organization outside the state's control.[7] This effectively forecloses the possibility of international norms being adopted through societal pressure. Moreover, the central government's approach to policy making vis-à-vis ethnic minorities is highly centralized. The scope for a handful of elites with international exposure to introduce new normative preferences into the national discourse is therefore also very narrow.

However, simply because the existing theoretical literature can not adequately accommodate the Chinese case does not mean that we should assume that China is a 'dead end' for international ethnic governance norms. Instead, our investigation should be guided by an inductive understanding of how some of China's most dramatic grassroots changes have come about. The study of ethnic politics in China is relatively unchartered territory for social scientists; much of what we know is based on very anecdotal evidence and the focus is heavily skewed toward one or two of the country's 55

"Representing Nationality in China: Refiguring Majority/Minority Identities," *Journal of Asian Studies* 53, No. 1 (February 1994), 94, 96.

[6] Peter Wade, "The Guardians of Power: Biodiversity and Multiculturality in Colombia," in *The Anthropology of Power: Empowerment and Disempowerment in Changing Structures*, ed. Angela Cheater (London: Routledge, 1999), 84; June Teufel Dreyer, "China, the Monocultural Paradigm," *Orbis* 43, Issue 4 (Fall 1999), 591.

[7] Tony Saich, "Negotiating the State: The Development of Social Organizations in China," *China Quarterly* 161 (March 2000), 127.

minorities.[8] The argument presented here is therefore quite preliminary. Nonetheless, my purpose is to lay out a framework that can guide our observations toward two possible entry points for the types of international norms considered here. The first is that ethnic governance norms can 'piggyback' on to more politically palatable norms, namely, those related to environmental management. The second is that these norms could be implemented on a limited, ad hoc, localized, and experimental basis. If later judged to be successful new models for managing the modernization of minority areas, they could then spread to other localities within China.

This paper will begin with a brief introduction to China's ethnic minority policy, including the state's logic of involving international actors in its modernization drive. I then provide an overview of the set of international norms these international actors are increasingly employing in foreign development projects. I focus specifically on the norm of securing the 'free, prior and informed consent' (FPIC) of the development-affected community. As I discuss below, while the adoption and implementation of these norms has been inconsistent within and across national contexts, they are undeniably becoming a permanent fixture of international development practices. I will summarize the theoretical framework for how international norms impact the domestic level in order to emphasize that is unlikely that these norms will enter the Chinese polity in the same way they have entered other national contexts. I conclude with a brief discussion of the two alternative entry routes noted earlier.

China's Ethnic Minority Policy and the Great Western Development Campaign
The CCP's full embrace of the modernization paradigm as central to its ethnic minority policy came in early 2000 when it launched the Great Western Development campaign (*xibu da kaifa*). Great Western Development (GWD) is an ambitious state-building and development project aimed at 'modernizing' the interior provinces where China's ethnic minorities are concentrated.[9] Both the rhetoric around GWD and the specific policies it has spawned reveal the intertwining of modernization and assimilation goals. Some of the campaign's most vocal supporters have openly hailed its utility as a force for "social homogenization" within China.[10] These calls for greater "homogenization" are thinly veiled reference to the conviction that ethnic minorities should emulate the country's Han

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[8] In particular, much of this literature is focused on the Tibetans living in the Tibet Autonomous Region (TAR). While the TAR has the highest concentration of Tibetans (approximately 93%), there are many other Tibetans living in Gansu, Qinghai, Sichuan, and Yunnan Provinces. The recent unrest occurred in all of these areas. There is also a growing body of literature about the Uyghurs, one of China's largest ethnic groups concentrated in the far western Xinjiang province.

[9] China has 55 officially recognized ethnic minority groups which together amount to over 100 million people. Nevertheless, these groups account for only 8.4% of the country's total population. The remaining 91.6% is comprised of China's majority group, the Han, The size of these minority groups varies widely. The largest group, the Zhuang, number approximately twenty million. This is followed by the Hui, the Uyghurs, the Tibetans, and the Mongolians. The smallest groups, in contrast, number only a few thousand. Most ethnic minority groups inhabit vast areas along China's southwest, northwest, and northern periphery. Although much of this land stretches over uninhabitable mountainous and desert terrain, other areas sit astride strategically and economically significant natural resources such as timber, oil, natural gas, coal, and minerals.

[10] David S. G. Goodman, "The Campaign to 'Open Up the West': National, Provincial-level and Local Perspectives," *China Quarterly* 178 (June 2004), 326-27.

ethnic majority, commonly upheld as the standard-bearer of modernization. Evidence for the homogenization thrust can also be found in the central government's policies of building of physical and communication infrastructure to bring minorities into closer and more regularized contact with the Han 'core', the 'Hanification' of education and language practices, and the settlement of significant numbers of Han in minority areas.

Although GWD was initiated by the central government, it has been primarily at the local level that ethnic tensions around these policies have emerged. For example, Tibetan and Mongolian herdsmen complain bitterly that the state forcibly re-settled them off pasture lands and confiscated their livestock without providing adequate compensation. Other smaller minority groups note that their languages are being replaced with Chinese (*putonghua*) as local officials determine that minority languages are of little practical value in modern China. And one of the biggest points of contention is that modernization was supposed to have been a stimulator of employment in ethnic areas. Instead, Han contractors frequently employ other Han, citing their higher education levels and stronger work ethics. None of these objections suggest, however, that ethnic minorities are rejecting or resisting modernization; many minorities consider GWD as a long-awaited opportunity to lift themselves out of poverty. What they have objected to is the coercive and discriminatory way in which GWD, and modernization in general, is being carried out.[11]

As noted above, one of the aspects of the GWD campaign is the enlistment of actors such as the World Bank, the United Nations, and foreign NGOs.[12] By all appearances, the projects that they undertake in China's minority areas are non-political in nature – rural education, health care, environmental protection and tourism promotion. Nevertheless, their initiation and implementation coincides with the emergence of a set of international norms that are unquestionably political in nature in that they solicit and incorporate the input of local communities through the practice of 'free, prior, and informed consent' (FPIC). In other national contexts, these norms have merged with an explicitly 'indigenous rights' focus. But as will be discussed below, this notion of indigenous rights is entirely alien to the Chinese political system.

The Chinese government has undoubtedly had reservations about involving foreign actors who may introduce ideas and practices that are at odds with its own ideas and practices.[13] But the appeal of these international development actors is that they provide much needed funds for China's most impoverished areas. They are also a source of technical expertise, something that is highly valued as one of the central pillars of the GWD campaign is learning how to 'do development' in ecologically friendly ways.[14] In its risk-

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[11] Dreyer, "China's Vulnerability to Minority Separatism,"82.

[12] The World Bank Group (WBG) has actually come under intense scrutiny by coalitions of NGOs and Indigenous Peoples' rights advocates for 1) its argument that it will not implement this process because there is no international consensus on its meaning, and 2) for using a diluted form of free, prior and informed consultation (rather than consent).

[13] Shuping Wang, "The People's Republic of China on Minorities and International Approaches to Ethnic Groups: A Comparative Study," *International Journal on Minority and Group Rights* 11 (2004), 167.

[14] Hongyi Harry Lai, "China's Western Development Program: Its Rationale, Implementation, and Prospects," *Modern China* 28, No. 4 (October 2002).

benefit calculus, the Chinese state has thus bet on its own ability to harness the activities of these international actors toward its desired goals, and to prevent them from posing any challenges to its long-term objective of more effectively integrating its ethnic minority populations into the Han-dominated Chinese nation.

To highlight the discrepancies between China's ethnic minority policy and these emerging international norms, especially FPIC, I will provide an overview of the norm's core principles. I will also highlight the ways in which domestic groups in other countries have successfully pushed to have the norms adopted by national governments.

The FPIC Norm in Principle and Practice
The FPIC norm has emerged as part of the international community's discourse on Sustainable Development (SD).[15] In addition to an emphasis on sounder and more sustainable environmental practices, SD also reflects a growing recognition that marginalized and vulnerable populations in affected areas have paid a heavy price, both culturally and ecologically, for development. Natural resource extraction and the construction of large infrastructural projects such as dams have been identified as especially harmful. Activist groups have therefore begun to pressure these projects' financial sponsors - the UN, the World Bank, regional development banks, and bilateral donors - to ensure that marginalized groups are able to engage in "meaningful participation" in the entire cycle of the project.[16] Without this participation, say critics, project funders and implementers lack the "social license" needed to operate. The FPIC proceses is seen as the principal determinant of whether this social license exists.[17]

FPIC is characterized as having four main requirements: consent of the affected community must be (1) freely given; (2) fully informed; (3) obtained prior to a project's commencement; and (4) consensual. In essence, the FPIC process is meant to ensure that the community has "all necessary information at [its] disposal in order to negotiate on equal terms with project proponents." Where needed, says Goodland, the community should also have the necessary "advocates, facilitators, and technical assistance" that allow structurally disadvantaged communities to act on equal terms with a project's other stakeholders.[18] FPIC is not meant to be a one-off consultation, but rather an "on-going, give-and-take interactive process that begins first by an explicit and understandable

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[15] Much like FPIC, the Sustainable Development discourse is still very much a work in progress. Cowell et al note that it is likely that de facto, rather than a priori, definitions of SD will emerge in the coming years. See Sarah J. Cowell et al, "Sustainability and the Primary Extraction Industries: Theories and Practice," *Resources Policy* 25 (1999), 277.

[16] Lyla Mehta and Maria Stankovitch, Operationalization of Free Prior Informed Consent," Prepared for Thematic Review 1.s: Dams, Indingneous People and Vulnerable Ethnic Minorities, Institute of Development Studies (UK),
http://www.wii.gov.in/eianew/eia/dams%20and%20development/kbase/contrib/soc209.pdf.

[17] Fergus MacKay, *Indigenous Peoples' Right to Free, Prior and Informed Consent and the World Bank's Extractive Industries Review*, Forest Peoples Programme, 28 June 2004, 6.

[18] Robert Goodland, "Free, Prior and Informed Consent and the World Bank Group," *Sustainable Development Law & Policy* 66 (Summer 2004).

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explanation of the project's activities" and then continues with other issues that arise in relation to the project's implementation.[19]

While FPIC and other norms related to 'local knowledge' and local input in the development process have gained increasing acceptance among some powerful economic and development actors,[20] their implementation within and across different national contexts is still quite uneven. In part, this is because there is still no widespread agreement on the precise meaning of FPIC and the manner in which it should be applied. Project stakeholders can therefore exploit these ambiguities and manipulate, misinterpret, or even ignore altogether the norm's core principles. For example, "freely given" consent is meant to be entirely voluntary, that is, given without coercion or deception. But creating the conditions for truly voluntary consent within an otherwise authoritarian political environment is obviously far easier said than done. In fact, one observer notes that even in relatively open and democratic political environments, certain interested parties can exert excessive influence over the target community's perceptions of the project's costs and benefits.[21]

"Fully informed" consent means that the affected individuals are completely aware of both the project's potential impact and of their own rights vis-à-vis other stakeholders. The ability to be "fully informed" rests on at least two assumptions: that the political environment allows for full disclosure of information, and that community members possess the requisite technical and scientific knowledge to fully comprehend the project's impact. In repressed, isolated and impoverished communities, neither of these assumptions can be taken for granted.

Finally, in practice it has proven to be quite difficult for stakeholders to reach a consensus on who exactly qualifies as a member of the relevant 'community'.[22] One solution has been to simply identify and negotiate with village elites, but experts argue that this method is ultimately unsatisfactory as these elites may be self-appointed and therefore may not fully represent the interests and concerns of other community members.[23]

Despite these shortcomings, the FPIC process is undoubtedly becoming not only an increasingly accepted, but also an *expected* element in international development projects. Its implementation has been especially effective in cases where indigenous groups and ethnic minorities have formed local grassroots organizations and have linked up with networks of like-minded transnational advocacy actors. By using the "architecture of globalization," including the concepts and language of SD and FPIC,

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[19] Brent Berlin and Elois Ann Berlin, "NGOs and the Process of Prior Informed Consent in Bioprospecting Research: the Maya ICBG Project in Chiapas, Mexico," *International Social Science Journal* 55, Issue 178 (December 2003), 629-38.

[20] Parshuram Tamang, "An Overview of the Principle of Free, Prior and Informed Consent and Indigenous Peoples in International and Domestic Law and Practices," Paper Presented at the Workshop on Free, Prior and Informed Consent and Indigenous Peoples, New York, 19 January 2005.

[21] Joshua P. Rosenthal, "Politics, Culture, and Governance in the Development of Prior Informed Consent in Indigenous Communities," *Current Anthropology* 47, No. 1 (February 2006).

[22] Ibid, 121.

[23] See, for example, Goodland, "Free, Prior and Informed Consent and the World Bank Group.".

these groups that were heretofore politically marginalized and disenfranchised have managed to "scale up" their demands and use the international arena to exert pressure on their own national governments.[24]

Under what types of structural and ideational contexts is such a strategy effective? Below I review the theoretical framework for understanding how international norms diffuse to and impact domestic contexts. I then apply these theoretical understandings to the case of China.

The Impact of International Norms at the Domestic Level
Norm "diffusion" is the process whereby ideas percolating at the international level get transmitted and translated into domestic contexts.[25] Cortell and Davis identify two intervening variables that condition their domestic impact: the domestic political structure, and the "salience" of international norms with domestic audiences.[26]

Bottom-up Diffusion
Checkel distinguishes between bottom-up diffusion mechanisms, which result from societal pressure, and top-down norm diffusion mechanisms, which result from elite learning. Bottom-up processes occur when non-state actors – local grassroots organizations and domestic NGOs - unite with international policy networks to pressure national governments to alter state policy in some domain of interest. In many cases, the policy relates to a particular international human rights practice.[27] Keck and Sikkink's "boomerang effect" is one of the most well articulated and frequently cited examples of this type of strategy.[28]

But bottom-up diffusion requires a political opportunity structure that permits the formation of grassroots organizations and activist NGOs. In China, this political opportunity structure is virtually non-existent, at least for ethnically-oriented groups. A brief look at the legal framework through which the CCP governs ethnic affairs illustrates the point. Article 4 of the Minority Autonomy Law of the 1982 Constitution guarantees **"**the equality of all nationalities, preferential treatment of minorities to accelerate their economic and cultural development, a minority's freedom to the use and development of its language and the preservation or reform of its 'folkways and customs', and regional

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[24] The most well articulated argument in this regard is of course Keck and Sikkink's "boomerang strategy". See Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca, NY: Cornell University Press, 1998). See also Stuart Kirsch, "Indigenous Movements and the Risks of Counterglobalization: Tracking the Campaign against Papua New Guinea's Ok Tedi Mine," *American Ethnologist* 34, No. 2 (2007), 303-321; and Harvad Haarstad and Arnt Floysand, "Globalization and the Power of Rescaled Narratives: A Case of Opposition to Mining in Tambogrande, Peru," *Political Geography* 26, No. 3 (March 2007), 289-308.

[25] Jeffrey T. Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," *International Studies Quarterly* 43 (1999), 85.

[26] Andrew P. Cortell and James W. Davis, Jr., "Understanding the Domestic Impact of International Norms: A Research Agenda," *International Studies Review*, Vol. 2, No. 1 (Spring 2000), 65-87.

[27] Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," 88.

[28] Keck and Sikkink, *Activists Beyond Borders*, 1998.

autonomy where minorities live in 'concentrated communities.'"[29] However, observers note that Article 4 makes no reference whatsoever to the principle of self-determination. They also stress that China's autonomy law is in fact extremely limited in its application. The concept of autonomy, as it is generally defined, implies "very significant powers of independent decision making, at the legislative and executive levels, and independent resources, in particular finance and public service, to exercise them." But as Ghai points out,

> " [China's ethnic minorities'] policies and activities must be conducted within the general framework of national laws (and there is no indication that 'autonomy regulations' may contravene state laws). Fundamentally, the broad framework within which the system operates denies true autonomy of choice of policy, for the organs of self-government are bound by the key principles of the Chinese state system: socialism, democratic dictatorship and centralism, subordination to institutions at the next higher level, within the overarching domination of the Chinese Communist Party (CCP). Most regulations or policies require the consent of higher state organs… They have to work ultimately under the unified leadership of the State Council (art. 15 of the Law). Their financial and other resources depend on grants from the centre. There is no mechanism to resist the encroachments on their powers by the centre. Any 'autonomy' given by the law can be negated through the directives or influence of the CCP – for example, key positions in autonomous areas are covered by the nomenklatura (and there is no requirement in the CCP constitution that party secretaries in these areas be members of their nationalities: in fact, most of them are Han)."[30]

Potter echoes this statement, saying that the CCP appoints itself the sole guardian and protector of minority rights and interests, a practice that contradicts the entire notion of genuine autonomy. Given the Party's monopoly over decision making, including the uncontested power to interpret and re-write the Constitution, it can therefore deprive minority autonomy of its substantive or procedural dimensions.[31] Furthermore, China's weak legal system makes it nearly impossible for the subjects of autonomy - ethnic minorities - to guarantee the policy's full implementation.[32]

Any possibility of the Chinese government relaxing its restrictions on autonomy was severely curtailed by two trends that emerged in the late 1980s and early 1990s. The first was a proliferation of ethnic separatist movements, many of them ultimately successful in gaining political independence, in the former Soviet Union and Eastern Europe. The conflict in Kosovo in 1999 is widely believed to have had an especially chilling effect on the CCP leadership. The second and more directly concerning trend was the increase in ethnic tension within China itself. Starting in the late 1980s, Tibet, Xinjiang, and Inner Mongolia have been sites of underground pro-autonomy and separatist movements. As a response to this dissident activity, the "Strike Hard" campaign was enacted in the mid-

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[29] Yash Ghai, "Autonomy Regimes in China: Coping with Ethnic and Economic Diversity," in *Autonomy and Ethnicity: Negotiating Competing Claims in Multi-ethnic States*, ed. Ghai (Cambridge: Cambridge University Press, 2000), 83.

[30] Ghai, "Autonomy Regimes in China: Coping with Ethnic and Economic Diversity," 84.

[31] Potter, "Governance of China's Periphery: Balancing Local Autonomy and National Unity," 303.

[32] Wang, "The People's Republic of China on Minorities and International Approaches to Ethnic Groups: A Comparative Study."

1990s to eradicate, with violence if necessary, *any* ethnic-based activity that was not explicitly sanctioned and controlled by the state.[33]

The possibility of China's ethnic minority groups partnering with transnational advocacy actors to challenge the state's ethnic governance is similarly unlikely. Even though the central government has permitted some development-oriented international NGOs and funding agencies to operate in its minority areas, it still highly apprehensive of allowing foreign ideas to 'infect' Chinese values.[34] It should be noted, however, that there has been a dramatic increase (albeit from a starting point of nothing) in the number domestic NGOs, particularly those focused on environmental concerns.[35] There have also been some instances of these domestic NGOs openly forging partnerships with and seeking financial support from foreign NGOs. Nevertheless, it remains the case that the Chinese government has yet to recognize such groups' freedom and autonomy as an institutionalized facet of the political order.[36] Instead, it still views these organizations them as a "bridge" or "transmission belt" for the state's policies, "rather than as autonomous social actors that can monitor the government and ensure that disadvantaged groups are not ignored."[37]

Top-Down Diffusion
In "state-above-society" regimes like China, international norms are more likely to enter the domestic arena through a top-down diffusion mechanism of elite social learning. In essence, elites are exposed to new norms and ideas in the international arena. They then become the "lead agents" in adopting these norms and ideas within their own national discourses and practices.[38] Checkel shows, for example, how European regional organizations such as the Council of Europe and the Organization for Security and Cooperation in Europe provided the settings within which elites gained exposure to other members' norms of citizenship requirements.[39]

In theory, top-down diffusion is a possible means through which international norms can influence China's ethnic minority policy. In fact, many of the original theoretical assumptions and institutional features of the CCP's minority policy were borrowed directly from their Soviet counterparts. But at present, two obstacles make this kind of

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[33] Dreyer, "China's Vulnerability to Minority Separatism," 76.

[34] Renee Yuen-Jan Hsia and Lynne T. White III, "Working Amid Corporatism and Confusion," *Nonprofit and Voluntary Sector Quarterly* 31, No. 3 (September 2002).

[35] For an argument on China's "revolution in associationalism," see Katherine Morton, "The Emergence of NGOs in China and Their Transnational Linkages: Implications for Domestic Reform," *Australian Journal of International Affairs* 59, No. 4 (December 2005), 521; For an excellent summary of China's environment NGOs, see Elizabeth C. Economy, *The River Runs Black: The Environmental Challenge to China's Future* (Ithaca, NY: Cornell University Press, 2004).

[36] Gordon White, Jude Howell, and Hsiao-yuen Shang, *In Search of Civil Society: Market Reform and Social Change in Contemporary China*, Oxford: Clarendon Press, 1996, 25.

[37] Human Rights in China, "China: Social Groups Seek Independence in Regulatory Cage," New York, September 1997, cited in Hsia and White, "Working Amid Corporatism and Confusion: Foreign NGOs in China," 331-32.

[38] Ibid 88.

[39] Jeffrey T. Checkel, "Why Comply? Social Learning and European Identity Change," *International Organization* 55, No. 3 (Summer 2001).

elite social learning unlikely. The first is an unfavorable political environment for international norms that are seen as derived from and propagated by Western governments. Checkel suggests that the imposition of these norms may be seen as a form of Western cultural imperialism. And because there is no Asian equivalent to regional organizations like those in Europe, elites in charge of ethnic minority policy tend to be 'unsocialized' in this area and remain fairly isolated from their counterparts in other countries. Indeed, if there is any Asian regional norm related to ethnic relations it is that this is strictly a domestic matter that is of no concern to outside actors.

The second obstacle to elite social learning in China is what Cortell and Davis refer to as the domestic "salience" of international norms. [40] In other words, international norms are more likely to be seen as applicable and legitimate if there is a high degree of congruence between the ideas and beliefs underpinning the international norm, on the one hand, and pre-existing ideas and beliefs within the domestic discourse, on the other.

Domestic Salience
Since the dissolution of the Soviet Union, China has increasingly viewed its ethnic minority situation as *sui generis*. In part, this is to avoid engaging with international human rights discourse, but it is also because China genuinely sees its current situation as having fundamentally different historical origins than other states. For example, the Chinese government agrees *in principle* with the concepts of "indigenous rights" and "self-determination," but it insists that they only apply to cases of occupation and colonization (primarily by European powers). In this respect, China's self-determination is already a fait accompli, as the CCP already 'liberated' *all* of China's ethnic groups from foreign aggressors in 1949.[41] Moreover, in official and academic articulations of the Chinese 'nation', all ethnic groups are seen as historically co-existing within the territorial contours of the contemporary Chinese state. Therefore, no one group is recognized as "indigenous" or having special rights or historically-based territorial claims.

This self-disqualification from the application of self-determination and indigenous rights notions is of course challenged by ethnic minority dissidents within China who accuse the Han of being 'occupiers' and 'colonizers' of their historic territories. GWD policies such as language 'rationalization' and Han settlement in minority areas have further fueled these arguments. Because the CCP sees itself as the 'liberator' of all oppressed people within China, its sensitivity to such accusations can not be overstated. There is certainly an obvious contradiction between the CCP's claim to have liberated ethnic minorities, and its practice of forcing upon them development models that are unaccommodating of ethnic difference. The primary justificatory rationale that bridges these two contradictions is the state's assumption that 'liberating' these minorities

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[40] Cortell and Davis, "Understanding the Domestic Impact of International Norms: A Research Agenda," 69. Checkel also points out that norm salience or congruence is not an either/or matter, but rather one that exists on a continuum.

[41] Wang, "The People's Republic of China on Minorities and International Approaches to Ethnic Groups: A Comparative Study," 175-79.

requires 'civilizing' them through modernization. Harrell refers to this as China's "civilizing mission". This civilizing mission

> "is a kind of interaction between peoples, in which one group, the civilizing center, interacts with other groups (the peripheral peoples) in terms of a particular kind of inequality. In this interaction, the inequality between the civilizing center and the peripheral peoples has its ideological basis in the center's claim to a superior degree of civilization to the level of the center, along with a commitment to raise the peripheral peoples' civilization to the level of the center, or at least closer to that level... the *civilizing center draws its ideological rationale from the belief that the process of domination is one of helping the dominated to attain or at least approach the superior cultural, religious, and moral qualities characteristic of the center itself.*"[42]

Surprisingly frank statements from high-ranking members of China's State Ethnic Affairs Commission suggest strongly that GWD is the Chinese state's contemporary version of the Han-centric civilizing mission. For example, one of these officials publicly "emphasized the backwardness of minority nationalities and their need to learn from the more advanced culture of the Han Chinese."[43] In actual practice, the line that separates cultural imposition and the apparent well-meaning attempts by the state to lift ethnic minorities out of their cultural and technological backwardness has become very blurry.

There is another more indirect way in which China's refusal to recognize indigenous rights and self-determination principles may be challenged. For example, ethnic minorities in the Philippines, Indonesia, and India, have begun to appropriate the language and concepts of indigeneity as a way to frame their special rights and claims vis-à-vis the state. In all of these cases, the only type of 'colonial' situation is one that is internal. As I indicated above, the possibility that ideas and norms could get transferred from elites in these countries to Chinese elites is unlikely, as the Chinese government goes to great lengths to protect its minority policies from outside influences. But norms related to indigenous rights, particularly FPIC and related norms, can get transferred through more indirect and localized channels. Specifically, as international actors such as the UN, the World Bank, and international NGOs increasingly incorporate these norms into their development practices in other contexts, the more likely it is that these norms will become so institutionalized that it will be difficult for the Chinese government to prevent them from entering its own context so long as it continues to allow them to operate in its minority areas.

But given the structural and ideational constraints outlined in the preceding section, how might these normative practices take hold in China?

Conclusion: Two Possibilities for Norm Diffusion in China's Ethnic Minority Areas
According to the theoretical frameworks elaborated by Checkel and Cortell and Davis, the FPIC norm has few chances of surviving in China. In comparison with other types of

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[42] Harrell, "Introduction," 4 (emphasis added).

[43] David S. G. Goodman, "The Campaign to 'Open Up the West': National, Provincial-level and Local Perspectives," *China Quarterly* 2004, 326-27. See also Li Dezhu, "Large-scale development of western China and China's nationality problems," *Qiushi* (*Seeking Truth*), 1 June 2000, in FBIS, 15 June 2000; Goodman, "The Politics of the West: Equality, Nation-building, and Colonisation," 137.

political regimes, China's ethnic minority policy exists within a system that is both structurally and ideationally inhospitable to the absorption of new ideas, *particularly* those that contravene existing practices and ideas. But if we situate the question within an inductively-based understanding of how change has happened - sometimes unexpectedly - in reform-era China, two additional possibilities emerge.

The first is that new ethnic governance norms can 'sneak in' under the cover of environmental protection norms. One of the reasons that FPIC has merged with an indigenous rights focus in other national contexts is that more and more development and investment projects are taking place in heretofore remote areas inhabited by marginalized indigenous communities. This is not only the case in the developing world, but also in developed countries such as Canada and Australia whose indigenous populations inhabit territories that contain highly coveted mineral resources. In other developing countries, such as Brazil and Peru, natural resource extraction of timber and copper, respectively, is also occurring in indigenous areas. This is also the case in China, which has experienced an upsurge of multinational mining activity in Tibet, oil production in Xinjiang, and the construction of large hydroelectric dams in Yunnan. Because the nature of these projects is that they are almost inevitably damaging to local indigenous environments, FPIC has assumed a strong focus on environmental protection. Therefore, these two sets of norms – environmental protection and indigenous rights – tend to be invoked simultaneously.

Although the Chinese government vigorously denies that "indigenous rights" applies in the case of China, it has been considerably more eager to implement international norms related environmental protection and conservation. Perhaps the most effective enforcers of environmental standards are NGOs whose raison d'être is to monitor large-scale projects. In China, domestic NGOs focused on the environment have been in a "vanguard" role among other social organizations.[44] Many of these NGOs have also been successful in linking up with foreign NGOs such as Greenpeace, The Nature Conservancy, and the World Wildlife Fund for Nature. These international partners are not only a critical source of funding for their domestic counterparts, but they are also a provider of new normative practices. Because these foreign NGOs operate on an international scale, we can expect that they have already incorporated FPIC and minority rights into their general operating principles.

The second, and in my view more likely, way in which these international norms could make their way into the Chinese polity is that they could be adopted by local-level elites, on a highly selective and experimental basis, as a condition of receiving international development funds. Even if these local-level elites are initially cynical of these norms' purposes, they could come to embrace them more fully if the associated practices prove to be successful in maximizing some desired good. In the case of China, this 'good' is an increase in social stability. Indeed, some of China's boldest reform-era initiatives began as very ad hoc experiments by local leaders who were searching for ways to minimize social tensions arising from the reforms. The marketization of rural agriculture and the institution of village-level elections both began in this way. As the success of these

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[44] Morton, "The Emergence of NGOs in China and Their Transnational Linkages: Implications for Domestic Reform," 522.

experiments became apparent over time, higher-level officials took notice and implemented these practices in other localities. Although the Chinese state at both the central and local level is no doubt very conflicted about inviting in international actors to 'do development' in its minority areas, it may be willing to permit some degree of international normative practice such as FPIC if it is convinced that this is an effective way to absorb ethnic minorities' social grievances.[45] After the spate of violent protests in China's Tibetan areas, there may be some resulting willingness to try new ethnic governance approaches to modernization.

This is not to suggest that international development actors will be catalysts for a dramatic change in China's ethnic minority policy. Based on the other cases of 'change from below' in China, new ideas and practices must still contend with a very top-heavy political structure that tends to stifle their growth beyond a certain point. What I do suggest is that ethnic minority policy is not necessarily the immovable object that the theoretical literature might suggest.

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[45] Ibid, 527.