



## The Confucius Institutes

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China's ambition for power reaches far. "Make the foreign serve China" is one of the principles of the Chinese Communist Party's United Front Work Department, the powerful agency that coordinates China's efforts to build power overseas. That aspiration has, alarmingly, too often come true.

It shows in the "One Belt One Road Initiative," by which China offers generous loans and infrastructure funding to other governments, creating dependency and building strategic nodes of power overseas.<sup>1</sup>

Consider Sri Lanka, which China pressured into accepting a massive loan for a port. In 2017, when Sri Lanka couldn't pay, China seized the port, a valuable outpost for China's navy.<sup>2</sup>

Ambition shows too in the South China Sea, where China is building artificial islands with the potential for hosting military defenses and claiming international waters for itself.

And it shows in higher education, where China sees opportunities to seize research and development, cultivate relationships with culturally influential institutions, and give impressionable students a rosy picture of its authoritarian regime. China sends its People's Liberation Army (PLA) military officers, undercover, as students to Western universities, urging them to curry favor with

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<sup>1</sup>According to a CNN report, "Belt" refers to the overland routes for road and rail transportation, called "the Silk Road Economic Belt." "Road" refers to the sea routes, or the twenty-first century Maritime Silk Road. James Griffiths, "Just what is this One Belt, One Road thing anyway?" CNN, May 11, 2017, <https://www.cnn.com/2017/05/11/asia/china-one-belt-one-road-explainer/index.html>

<sup>2</sup>Kai Schultz, "Sri Lanka, Struggling With Debt, Hands a Major Port to China," *New York Times*, December 12, 2017, <https://www.nytimes.com/2017/12/12/world/asia/sri-lanka-china-port.html>

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top engineering professors and take home the latest developments in supersonic missiles or navigation. Since 2007, according to the Australian Strategic Policy Institute, more than 2,500 Chinese scientists with links to the PLA have traveled to work in the United States, Australia and the United Kingdom. U.S. universities have hosted about 500 of these scholars, with Georgia Tech University publishing the highest number of joint papers with them.<sup>3</sup>

The Chinese consulate also funds some 150 U.S. chapters of the Chinese Students and Scholars Association, which reports on Chinese students who stray from the Communist Party line when they are abroad and organizes parades in favor of President Xi Jinping along public streets or on college campuses, particularly when senior Chinese officials, or even Xi himself, visit the United States.

And then there are Confucius Institutes, the Chinese government funded campus centers, which NAS has been tracking for the last several years. Confucius Institutes offer censored courses about Chinese language and culture, using books and teachers chosen and paid for by the Chinese government. They provide China an easy way to monitor American professors, pressure universities to kowtow to China's preferences, and keep an eye out for useful information and technology.

But the last year has brought a series of victories in the fight to expose and push back against the Chinese government's attempted intrusions into American higher education. The year opened in January with a major rebuff of China's efforts, when the University of Texas at Austin turned down a gift from the China United States Exchange Foundation, which is linked to the Chinese Communist Party's overseas influence work. The foundation is the principal funder of UT Austin's Lyndon Baines Johnson School of Public Affairs and its president, Tung Chee-hwa, offered the school funding for a new graduate program. As the media began unearthing Tung's connections to the Chinese Communist Party (he is also vice chairman of the Chinese People's Political Consultative Conference) and his history of investing strategically in assets useful to the Chinese government, UT Austin engaged in a long internal debate about the arrangement.

Then, upon receiving a concerned letter from Texas Senator Ted Cruz, UT Austin President Gregory Fenves made the decision. The university would turn down Tung Chee-hwa's gift. It was a major win for academic freedom and long term U.S. security.

<sup>3</sup>Katherin Hille, "Chinese military researchers exploit western universities," *Financial Times*, October 29, 2018, <https://www.ft.com/content/ebe95b76-d8cc-11e8-a854-33d6f82e62f8>

The year ended with news of four prominent Confucius Institutes closing down—a major blow to the credibility of China’s overseas programs. In December, the University of Michigan, University of South Florida, and the University of Rhode Island all announced they would close their Confucius Institutes.

Those actions came on the heels of North Carolina State University’s decision in November to close its Confucius Institute in 2019. NCSU’s decision is notable both because it was the site of one of the most politically motivated academic intrusions by a Confucius Institute—the university disinvented the Dalai Lama in 2009, under pressure from its Confucius Institute—and also because it had a particularly extensive reach. The University served as an umbrella for four offshoot “Confucius Classrooms” at two high schools and two other colleges in the state, and had seen some 636,000 people come through its programs over the last ten years. It had also—in an ominous sign of how effective China’s targeted soft power programs have been until now—trained some 1,330 teachers in how to teach and talk about China.

In between UT Austin in January and the University of Michigan in December came Vice President Mike Pence’s October speech at the Hudson Institute, where he catalogued in detail China’s “whole of government approach” to influencing and interfering in American institutions, including colleges and universities. He noted the spying of the Chinese Students and Scholars Association, funded by the Chinese consulate and boasting more than 150 branches at American campuses, which helps to “alert Chinese consulates and embassies when Chinese students, and American schools, stray from the Communist Party line.”

Pence also brought up the University of Maryland, where Yang Shuping, a Chinese student, gave a graduation speech praising the “fresh air of free speech” she had experienced in the United States. *People’s Daily*, a Chinese Communist Party paper, criticized Yang, whose family in China also faced harassment. The university’s exchange program with China, “one of the nation’s most extensive,” Pence said, “suddenly turned from a flood to a trickle.”

And then there was also FBI Director Christopher Wray’s Senate testimony in February of 2018, where he revealed that the FBI is investigating China’s use of “professors, scientists, students” for espionage and called out “the level of naiveté on the part of the academic sector” in failing to take adequate protection.

Early in 2019, both the Government Accountability Office and the Senate Permanent Subcommittee on Investigations released their own studies of Confucius Institutes, largely replicating the methods NAS used to study and

critique Confucius Institutes two years prior. Both the GAO and the Senate Subcommittee found that colleges had outsourced significant functions to the Chinese government, despite the fact that the Chinese government fails to reciprocate by welcoming American Cultural Centers in China.

It was, in other words, a year of awakening for the country as a whole, and higher education in particular, to the threat that the Chinese government poses to free institutions. And although there is much yet to do to shore up defenses against inappropriate foreign incursions from China and elsewhere, it was also a year of many victories.

## Taking Stock

Among the tools at the Chinese government's disposal, FBI Director Wray mentioned Confucius Institutes, the Chinese government sponsored centers that the National Association of Scholars has spent the last two years researching and calling out. The NAS's 2017 report, *Outsourced to China*, documented the way the Chinese government sets up these centers as a way to curtail academic freedom, influence the narrative on China, monitor what scholars of China are saying, intimidate and surveil Chinese students in the United States, and attempt to buy silence from potential critics.

Confucius Institutes offer classes, lecture series, and other programming on Chinese language and culture, generally open to university students and staff, as well as the general public. The Chinese government, through an agency called the Hanban, selects and pays the teachers, sends free textbooks, and offers upwards of \$100,000 a year in annual funding. Universities are supposed to match the Hanban's contributions, but typically do so by volunteering classroom and office space. The result is that colleges can charge tuition for courses that are being funded—and whose content is largely being decided—by the Chinese government.

Confucius Institutes offer a whitewashed view of China, editing out the Tiananmen Square massacre, the one million Uyghurs currently held in concentration camps, the Chinese government's persecution of Christians and Muslims, and China's aggression toward Tibet—or even any mention of Tibet. Taiwan, the self-governing republic that China claims as its province, is either totally sidelined or shown on maps as part of the People's Republic of China.

Professors who specialize in China research but are not connected to Confucius Institutes have also reported feeling pressure in their classes to watch what they say and avoid Confucius Institute taboos. Many are wary that the

wrong statement might land them on a blacklist, forbidden from visiting China for research. They also believe university administrations are tiptoeing around China—and asking their professors to do the same—to make sure nothing interrupts the profitable relationship with the Confucius Institute. “This is my career and livelihood on the line,” said one senior professor to me, explaining why he wished to remain anonymous in my published critique of Confucius Institutes.

NAS was not the first to criticize Confucius Institutes. The American Association of University Professors had previously called for colleges to close their Confucius Institutes in order to protect the academic freedom of professors. The Canadian Association of University Teachers issued a similar call. Before the publication of the NAS report, two universities (the University of Chicago and Pennsylvania State University) had closed down their Confucius Institutes. And a documentary, *In the Name of Confucius*, began circulating around the same time the NAS report was released. (NAS hosted the U.S. premiere of the film.)

But the NAS helped to set in motion a chain of events that led to eleven Confucius Institutes closing, three bills being introduced into Congress, another bill being passed and signed into law, hundreds of articles being written, and a major national focus coming to center on the need to ward off the untoward advances of the Chinese government into American higher education. Here’s what happened.

### **Closing Confucius Institutes**

“There is mounting concern about the Chinese government’s increasingly aggressive attempts to use ‘Confucius Institutes’ and other means to influence foreign academic institutions,” Florida Senator Marco Rubio wrote in March to five educational institutions in Florida, each one host to a Confucius Institute. His letter continues,

The National Association of Scholars found that “to a large extent, universities have made improper concessions that jeopardize academic freedom and institutional autonomy” . . . I respectfully urge you to consider terminating your Confucius Institute agreement.

Senator Rubio followed up with another letter, this one to the Senate Health, Education, Labor, and Pension Committee chair and ranking member, again citing NAS on the need to address Confucius Institutes via the Higher Education

Act, which was then—and remains at this writing—up for reauthorization. Rubio proposed curbing federal funding to universities with Confucius Institutes and requiring greater transparency in the gifts universities accept from foreign sources.

Responding to Senator Rubio's concerns, the University of West Florida promptly announced that it was closing its Confucius Institute. A few months later the University of North Florida followed suit, followed by the University of South Florida in December.

Then two Texas Representatives, Henry Cuellar (D) and Michael McCaul (R), wrote to all Texas institutions with Confucius Institutes. They warned that "Confucius Institutes and other Chinese government supported academic organizations, such as the China-United States Exchange Foundation, are intended to spread China's political agenda, suppress academic debate, and steal vital academic research."

Their letter was dated in March, but it became public in April. Within hours, the Texas A&M System, which had two Confucius Institutes at Texas A&M and Prairie View A&M, announced it would shutter both. "They have access to classified information we do not have," System Chancellor John Shields commented after receiving Cuellar and McCaul's letter. "We are terminating the contract as they suggested."

Meanwhile, in Massachusetts, Representative Seth Moulton (D) wrote to UMass Boston and Tufts, the two universities with Confucius Institutes in his state—and then wrote to another thirty-eight colleges in the greater Boston area, warning them against ever opening a Confucius Institute. At first, UMass dispatched a professor to defend the integrity of Confucius Institutes at a Chinese government-sponsored press event in DC, but then announced in January 2019 that it would shutter its Confucius Institute. Tufts launched a working group to review its Confucius Institute and consider what should be done about it.

Then came waves of legislation. The Foreign Influence Transparency Act, introduced by Senator Marco Rubio (R-FL), Senator Tom Cotton (R-AR), and Representative Joe Wilson (R-SC), aimed at closing loopholes in the disclosure of foreign gifts to colleges and universities. (The bill draws on text that NAS proposed.) The Higher Education Act already requires colleges and universities to report to the Department of Education when they receive gifts or contracts worth \$250,000 or more from a foreign source, whether in a single gift or cumulatively over the course of a year. But the law has never been enforced, and numerous loopholes permit in-kind gifts—such as the textbooks and teacher salaries that the Chinese government funds directly—go untracked. House

Democrats picked up virtually identical language in the Aim Higher Act, their proposal to reauthorize the Higher Education Act.

Senator Ted Cruz (R-TX), who had played a crucial role in persuading UT Austin to reject Tung Chee-hwa's funding, then introduced the Stop Higher Education Espionage and Theft Act, cosponsored with Representative Francis Rooney (R-FL). The bill asks the FBI to designate a list of "foreign intelligence threats to higher education," such as Confucius Institutes, each of which would be subject to heightened scrutiny.

Cruz also successfully pushed for language in the National Defense Authorization Act, passed and signed by President Trump in August, that reduced Pentagon funding to colleges and universities with Confucius Institutes. The move was perhaps prompted by Arizona State University Vice President Matt Salmon, a former Republican member of Congress, who appeared at a Chinese government-sponsored panel at the National Press Club to defend Confucius Institutes. Salmon boasted that "the Department of Defense has invested in Arizona's Confucius program" and took the occasion to say that he was "incredulous" at the idea that the university's Confucius Institute "somehow poses a security threat." Salmon continued, "I would say it's quite ironic that if it does pose a security threat, then the DOD has made a big mistake by funding our program."

As it turns out, Salmon exaggerated the Department of Defense's role in ASU's Confucius Institute. But Cruz wisely took the occasion to ensure that no Pentagon subsidies prop up any Confucius Institute-related programs. The NDAA language now forbids any Pentagon funding to any program run by or connected to a Confucius Institute or any of the Confucius Institute staff. If universities have both a Confucius Institute and a Pentagon-funded program, they will be required to prove that they are wholly distinct, and seek a waiver from the Pentagon.

In total, seventeen universities have closed or started the process of closing their Confucius Institutes, thirteen of them in the last fourteen months. The University of Chicago and Penn State closed their Confucius Institutes in 2014, and Pfeiffer University in North Carolina quietly closed its in 2016—by transferring it to the University of North Carolina at Charlotte. Tulane University, too, closed its Confucius Institute quietly in 2017, with no public announcements. Then came University of Illinois-Urbana Champaign, which hastily announced in March 2018, during the height of congressional interest in Confucius Institutes, that it had apparently closed its Confucius Institute the previous fall. With the start of 2019, two additional schools announced Confucius Institute closings: the University of Tennessee-Knoxville (January) and the University of Minnesota (February).

University of West Florida, Texas A&M, Prairie View A&M, the University of North Florida, the University of South Florida, and U Mass Boston closed

their institutes in response to congressional letters, as recounted here, and then the University of Iowa quietly put its Confucius Institute in a longer list of seven campus centers it would close, supposedly due to budget cuts. North Carolina State University announced its Confucius Institute would close as part of an effort to “restructure” the university’s programs related to China. The University of Michigan and the University of Rhode Island make the fourteenth and fifteenth American universities to close a Confucius Institute.

## Next Steps

There is much to celebrate in the effort to protect American colleges from undue foreign influence. But the battle is not over. More should be done to address Confucius Institutes—and other forms of interference by the Chinese government.

For one, the media and watchdog organizations like NAS must continue to scrutinize colleges and universities—even those that close Confucius Institutes. The University of Michigan, in announcing its decision, noted that it would open new negotiations with the Hanban, the Chinese government agency that runs Confucius Institutes, “exploring alternative ways to support the greater U-M community to continuously engage with Chinese artistic culture.” UMass Boston is pursuing a new relationship with Renmin University in Beijing, its partner in setting up its Confucius Institute. We must ensure universities do not set up new Confucius Institutes in all but name.<sup>4</sup>

The federal government must also play a role. First, the federal government should make colleges choose between China’s gifts and federal funding. The federal government already awards grants for Chinese language programs, through the Pentagon, and through Title VI of the Higher Education Act. Although the NDAA now limits Pentagon funding to Confucius Institutes, similar limits need to be placed on other sources of federal funding. When a college receives Confucius Institute funding, its eligibility for federal Chinese-language grants should decrease proportionately.

Second, more transparency is needed regarding the money that foreign sources give to colleges and universities. The Foreign Influence Transparency Act and the Stop Higher Education Espionage and Theft Act are excellent starts,

<sup>4</sup>Debing Su, “U-M to end agreement with Confucius Institute next year,” *University Record*, December 10, 2018,

<https://record.umich.edu/articles/u-m-end-agreement-confucius-institute-next-year>; Colman M. Herman, “UMass Boston severs ties with Confucius Institute,” *CommonWealth*, Jan 16, 2019, <https://commonwealthmagazine.org/education/umass-boston-severs-ties-with-confucius-institute/>



and Congress should pass them at once. Existing transparency laws need to be enforced as well. Of the 107 Confucius Institutes in the United States, we found that only sixteen host universities reported Confucius Institute-related gifts to the Department of Education since 2010.

Third, Congress must require China to be upfront about its goals. The Foreign Agents Registration Act (FARA) requires agents of foreign governments or foreign political parties to identify themselves and disclose certain information to the Justice Department, which maintains a public database of such agents. Confucius Institutes and their Chinese government sponsor, the Hanban, have been assumed to be exempt from FARA under a provision that excludes persons or groups that “engage only in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits.”

Confucius Institutes are propaganda machines masked as educational endeavors. The Justice Department should investigate Confucius Institutes for potential violation of FARA. Congress should amend FARA to specify what “bona fide” academic pursuits means, making it clear that foreign propaganda shrouded in an educational institute is not exempt.

Fourth, the Justice Department must enforce antidiscrimination law. Confucius Institutes regularly engage in discriminatory hiring practices. The American university typically agrees to hire Confucius Institute staff from a pool of candidates vetted and selected by the Chinese government, which routinely discriminates by politics and religion. The Confucius Institute hiring process is also non-competitive. China requires that Confucius Institute teachers must “have Chinese nationality.” Qualified Americans are not eligible to apply. The Justice Department should investigate and, if proper, pursue legal action against American colleges complicit in discrimination.

Fifth, the State Department should review the visas of all current Confucius Institute teachers. In 2012, the State Department conducted such a review and determined that many failed to meet the criteria for the visas they were currently on. The State Department should conduct another such review and enforce all visa requirements to the fullest extent of the law.

With these steps, American higher education will be much better positioned to deal with the threat of interference from abroad. And while the Chinese government is strategic, interested in the long term, and deeply invested in protecting its tools of soft power, the opposition’s victories to date indicate that additional counteraction is well within the realm of possibility. American colleges are finally waking up to the threat posed by the Chinese government.