

## Moral War: Moral Governance and Tongzhi Activism in China

Lifu GUO

### 1 Introduction

Social organizations, the alternative of Non-Governmental Organizations (NGOs) and a form of social movements, in the People's Republic of China have often been considered weak or ineffective under the Communist Party of China's (CPC) authoritarian rule (Hildebrandt, 2013). This conclusion is not hard to reach given the 1989 Tian'anmen Incident where collective actions calling for democratization ended in bloodshed after the CPC authorities' intervention. The term *Minyun* [民运] refers to grassroots collective actions and movements, including pro-democracy movements (*Minzhu Yundong* [民主运动]) and civil movements (*Minjian Yundong* [民间运动]). The Tian'anmen Incident marked a turning point in the development of social movements in mainland China. The *Minyun* actors have since then been defined by the authorities as potential anti-Communist actors. Thereafter, social organizations were stripped of autonomy through the implementation of a restrictive registration system which requires all social organizations to register under official institutions of the CPC — in other words, to expose themselves under total surveillance.

However, scholars like Li Yanyan (2012) have disputed the depiction of Chinese social organizations being ineffective in affecting the official, claiming that even under the oppressive Chinese government, social organizations can still gain political space and even official support through strategic cooperation with the government.

Chinese social organizations are indeed heading into an era of proliferation after 2011. As mentioned above, Chinese social organizations are required to complete civil registration in the Ministry of Civil Affairs (MCA) for legitimacy and access to resources. According to MCA, the number of registered social organizations doubled in 2011, from approximately 450,000 to 700,000 (The Ministry of Civil Affairs, 2010–2016). This change was promoted and backed by

the proposal of a new governing strategy: Social Governance [社会治理] which proposes to decentralize the government's power. Specifically, "activating social organizations" was defined in the 3rd Plenary Session of the 18th CPC Central Committee—where issues regarding Social Governance reform were discussed—as one of the central targets of the reform (Central Committee of the Chinese Communist Party, 2013a). For Chinese social organizations, this proposal eased the hurdle of legal registration, improving access to official resources, and welcoming them into the political institution led by the CPC.

Nevertheless, not all social organizations benefit from this change. In 2014, a lesbian and gay organization named Hunan With Love [湖南同爱网络协作机制] submitted its application for civil registration to the local MCA office. After 15 days, the organization was replied that "...Social organizations should not violate widely-shared moral ethics. Since homosexuality contradicts traditional culture, socialist culture and the ethics of our country, the application is denied."<sup>1</sup>

The public and official attitude toward non-normative sexualities has changed from the late 1970s (the Economic Reform), especially after 1989.<sup>2</sup> *Tong-xing-lian* [同性恋], meaning homosexuality, has grown to be the most visible among all non-normative sexualities in China after late '70s. Li Yinhe, one of the first batch of mainland Chinese sociologists who devoted in the study of sexuality, conducted a research on discourses regarding sexuality posted on *The People's Daily* [人民日报]—the CPC's official newspaper for ideological propaganda— from 1949 to 2014. She argues that discourses regarding non-normative sexualities—mostly gay and lesbian—have changed from being utilized as instrument for ideological propaganda against the "West" to the indicator of human rights protection (Li, 2014).

Gender and sexuality social movements have also seen proliferation within the same era. The term *Tongzhi* [同志], meaning "comrade", was a term of address used by the Party members to refer to respected individuals, has since been re-appropriated, referring to those who do not identify as heterosexual. Such re-appropriation was firstly seen in a batch of overseas Hong Kong students who

identified themselves as non-heterosexual in the US in the 1970s; they chose the term *Tongzhi* to distance themselves both from the US lesbian and gay movement and from mainstream Hong Kong society where anything from China was considered backward (Qi, 2013). The '89 Hong Kong Lesbian and Gay Film Festival firstly brought this appropriation to mainland China. This term, which referred to lesbian and gays in the 1990s, has been widened to include bisexual, transgender and other non-normative sexualities, with the proliferation of LGBT politics and queer activism on a global scale after the late 2000s (Guo, in press). In this paper, I use the term *Tongzhi* to refer to Chinese LGBTQ identities.

The legitimacy enjoyed by *Tongzhi* organizations lasted only during their co-operation with the government on the AIDs issues (Hildebrandt, 2013). At present, they are continually denied civil registration for being contradictory to widely-shared moral ethics. Susan Mann (2011=2015) traced the history of China from the lens of gender and sexuality, argued that although significant changes of sexual moral values had been seen especially after the May Fourth movement, the oppressive traditional values have been constantly reiterated to exclude non-normative sexualities, as well as limiting women's agency. Communist Party-led China was founded on an ideological basis seeking to liberalize the poor and to challenge the feudalistic capitalistic structure. However, despite the official attitude toward the alleged traditional feudal values and their explicit criticism of such, the same values are appropriated, and cited in the Party's favor to exclude non-normative sexualities in the name of maintaining social stability.

In fact, China has put in place strong management over sexuality since 1949. The "one child policy" is one of the most illustrative. It explicitly opposes reproductive rights and sexual self-determination. Therefore, it is obvious that the Chinese government's exclusion of *Tongzhi* organizations derives from the destructive potential of *Tongzhi* to contest pervasive heteronormativity which sustains the status quo. However, such a conclusion does not provide a sufficient picture on the extent of exclusion faced by *Tongzhi* organizations.

Therefore, how can *Tongzhi* activism be located within China's history of social

movements, where *Minyun* (both pro-democracy and civil) movements have been dealt with cautiously? How are *Tongzhi* organizations excluded from the institution of Social Governance by the discourses of “(traditional) moral ethics?”

### **Methodology**

To answer these questions, I firstly analyze governmental documents—laws, regulations, administrative guidelines and notices—regarding registration of social organizations to shed light on the official attitude towards social organizations. Pro-democracy activists’ personal and organizational blogs were reviewed to clarify the strategies of the (overseas) *Minyun*. The articles are collected from China News Digest, *Hua Xia Wen Zhai* [华夏文摘] and the Independent Review where (overseas) *Minyun* activists have been the most involved.

Regarding *Tongzhi* activism, I conducted fieldwork and 20 semi-structural interviews. As for the fieldwork, I chose the first and one of the biggest *Tongzhi* community centers in China: the Beijing LGBT Center [北京同志中心]. The fieldwork lasted a total of two months in March and September 2016 respectively. Access to the field was provided by the current Center Director who preferred to be addressed by her pseudonym Xiao Tie [小铁]. Data collected during fieldwork included photographs, field notes and recordings of meetings conducted and disclosed under the consent of my informants. Interviews were conducted with all five of the core staff of the Center, four out of five founders of the Center, five volunteers who frequently participated in the events of the Center during my fieldwork out of 300, and six activists who were introduced by Xiao Tie. All interviews were conducted in Mandarin. The citations used in this paper have been translated to English by the author.

In the first section, I analyze the CPC’s regulations on social organizations and the discourse of Social Governance. In the second section, I trace the origin of the CPC’s focus on patriotism by reviewing the relationship between *Minyun* (pro-democracy and civil movement) and CPC power. Section 3 brings *Tongzhi* activism into the binary opposition of *Minyun* versus the State. In section 4, I

dive into local *Tongzhi* activist sites, investigating their activist strategies within the frameworks of “moral ethics” discourse and the binary opposition between *Minyun* and the State, following which I conclude in section 5.

## 2 Patriotism as Moral Ethics

This section attempts to define the institutional ground on which the discourse of “moral ethics” is based. I argue that the moral ethics CPC adopts in social organizations governance may also imply the preservation of the State power.

In the 18th National People’s Congress (NPC) meeting held in 2012, CPC authorities proposed Social Governance which was described by CPC academics as “the most significant policy shift after the launch of the Economic Reform” (Xie, 2016; Wang, 2014). For the implementation of Social Governance, the meeting proposed a combined strategy of *Fazhi* [法治] (Law Governance) and *Dezhi* [徳治] (Moral Governance).<sup>3</sup> *Fazhi* strengthens and promotes a series of judicial system reforms, including a change of regulations to lower the barriers to civil registration faced by social organizations. In the proposal of *Dezhi*, the CPC announced a number of values to which the modern Chinese citizens should conform. These values were named “the Socialist Core Values.” They are:

To be rich and powerful, to be democratic, to be civilized, to stay peaceful with others; to advocate freedom, equality, justice and the rule of law; to be patriotic, to be dedicated to one’s own career, to be honest, and to be friendly. (Central Committee of the Chinese Communist Party, 2013b)

The values can be roughly sorted into two categories: a) values that require people to use economic benefits properly; and b) values that require people to submit to the CPC’s authority and continued rule. Although no reference to traditional culture or family structure is mentioned in these values, the references to “socialist culture” and “ethics of our country” such as “to advocate freedom, equality, justice and the rule of law” and “Patriotism” were emphasized.

In the *Regulations on Registration Administration of Social Organizations* enacted in 1989, the same year when Tian'anmen Incident took place, the State Council clearly stated the standards guiding official registration and refusal thereof:

Article 4. Social organizations shall abide by the Constitution, laws, regulations and policies of the State ... may not endanger the reunification and security of the country or the unity of the nationalities ... and may not breach social ethics and morality. (The State Council, 1989)

“Social ethics and morality” is juxtaposed with patriotism in the above article that hasn't been changed after two amendments in 1998 and 2016 respectively.

According to the CPC, the State refers not only to the nation, but also the leadership of the CPC. Zhao Ziyang [赵紫阳], the CPC Chairman from 1981 to 1989, advocated in the 13th NPC meeting held in 1987 that the whole party and the State should stay firmly with the principles of “One central task and two basic points [一个中心, 两个基本点]” which centers around the principle to firmly pledge allegiance to the leadership of the CPC (Deng, 1979, March 30). In the 15th NPC meeting held in 1997, the principle was elevated as the foundation of the State. Clearly, the CPC intends to blur the boundary between the State and the Party, creating a State-Party ruling continuum. In this sense, the socialist moral ethics which center around the value of Patriotism, both to the State and the Party, were invented in the power's favor to maintain the status quo (Hobsbawm, 1983).<sup>4</sup>

Therefore, it is possible that the denial of registration in the name of moral ethics may indicate not only the social organization's non-conformity with the re-vitalized traditional values, but also because it goes against the State's views on patriotism. In other words, the CPC's fear of replacement is the specter that lurks behind denials of social organizations after 1989. How, then, are social organizations linked to the possibility of demolishing the State/Party?

### 3 The Moral War

This section traces the origin of the tension between the CPC authorities and social organizations, analyzing how the discourse of “moral ethics” was adopted by pro-democracy activists in their criticism against the CPC, and how same discourse has been used by the authorities.

The CPC’s cautious attitude toward social organizations can be traced back to the eruption of *Minyun* in 1989. The chaotic Cultural Revolution was officially ended after the launch of Economic Reform in 1978.<sup>5</sup> It marshaled the combination of the socialist political institution and neoliberal capitalist market economy, leading to the emergence of a new social class of “bureau-preneurs”—a term which refers to bureaucrats who gain economic benefits by controlling local, state-held entrepreneurs (Lü, 2000). The accumulation of economic and political power into a specific social class caused serious problems of corruption and widespread criticism from society. The CPC’s attitude toward such criticism during the earlier stages of Economic Reform was neutral. For example, The *Minyun* in 1979 actually gathered and united various social actors under the flag of Democracy, Freedom and Human Rights, inspiring the establishment of the Democracy Wall—where people can post any criticism of the governors and institution—in Beijing with the CPC’s approval.<sup>6</sup> However, as the corruption within the CPC worsened, criticisms became acute, then developed into street demonstrations, and finally ended with the bloody oppression known as the ‘89 Tian’anmen Incident (Zhao, 2011). The activists and key persons of the ‘79 and ‘89 *Minyun* were either put into prison for “inciting subversion of the State” or expelled from the mainland.<sup>7</sup>

Nevertheless, the government’s wiping out of *Minyun* energy didn’t stop criticism of the CPC’s one-party rule. Those *Minyun* activists who escaped China connected with foreign media and forged a new wave of *Minyun* known amongst activists as overseas *Minyun*.<sup>8</sup> One of the strategies of overseas *Minyun* is founding opposing parties outside of mainland China. For example, the China Democratic Party founded in the US in 1998, and the China Social Democratic

Party founded in the US in 2007.

Another more widely adopted strategy is to take up the discourse of “moral ethics”—in the purpose of inciting the public—in criticisms against the CPC. After the 2000s, with the deepening of Economic Reform and the accumulation of power, local giant companies—usually backed by local governments—were exposed violating moral ethics and human rights. For example, the tainted milk scandal in 2008; and the school unlawful charges disclosed after the 2010s. Such problems are regarded and defined as “moral depravity” by *Minyun* activists.<sup>9</sup> China News Digest (CND), founded on 8th March 1989 in the US, was a mailing system run by four Chinese overseas science students in the US and Canada which later evolved into a web magazine named Hua Xia Wen Zhai [华夏文摘] (HXWZ) in 1991.<sup>10</sup> On 27th July 2011, HXWZ posted an article named “The Communist Party of China Should be Fully Responsible for the Moral Depravity in Chinese Society.” Mei Li, the author of the article, wrote as following:

The moral depravity should first be attributed to the bureaucrats and their corrupting behaviors. In China, one of the most popular saying is “no bureaucrat is not corrupted.” The trading of job positions in government for money has become almost a tacit rule ... (Mei, 2011, July 27)<sup>11</sup>

Similar arguments can be found in articles posted by opposing parties. Liu Guokai [刘国凯], the founder of the Chinese Social Democratic Party and a veteran *Minyun* activist who was defined as anti-revolutionary in 1977, and was interrogated for joining the 1979 Guangzhou *Minyun*, wrote as follows:

The corruption of CPC bureaucrats has affected the whole Chinese society and resulted in a grim fact of moral depravity. How does the CPC regard such a situation? First, there is a little the CPC can do to change the situation since this is what the CPC itself has created. As the CPC is the root of moral depravity in society, how can the people trust such party to change the situation? Second, some of the CPC figures might even want to stay with the situation, because if the whole society was corrupted, the CPC’s corruption would not stand out. If the whole nation is busy chasing



money and economic benefits, the people would forget about social justice and philanthropy, and thus commit to the political system the CPC has created, which is what the CPC planned for. (Liu, n.d.)<sup>12</sup>

Liu emphasized on “chasing money and economic benefits”. In this sense, he links moral depravity with blindly pursuing economic benefits, especially for bureaucrats. He expressed worry that such behaviors may lower the importance of social justice and philanthropy. In other words, Liu tries to say that as bureaucrats, CPC officials should concentrate on social justice and philanthropy instead of economic gain.

However, both discourses of social justice and philanthropy appear to be aphasiac facing CPC’s launch of Social Governance and the focus on *Dezhi* (Moral Governance). After Xi Jinping [习近平] was elected chairman of the CPC in 2012, a series of anti-corruption campaigns were launched. According to Zhu (2016), these campaigns call on the public to disclose CPC bureaucrats’ corrupt behaviors. By severely punishing the involved bureaucrats, the CPC showcases its legitimacy as the morally correct ruler, and proves to the public that it is the guarantor of social justice and philanthropy.

Although it is hard to prove that the CPC’s launching of *Dezhi* is a response to the overseas *Minyun*’s criticism, the fact that the CPC strengthened its own anti-corruption campaign after 2010s render critiques based on the discourse of “social justice” and “philanthropy” powerless. A structure of “Moral War” where actors involved adopt the discourses of “moral ethics” in disputes over political legitimacy was then set up.

#### **4 Close-but-Far Relation between Minyun and Tongzhi Activism**

In this section, I investigate how *Tongzhi* activism can be posited within the structure of Moral War between *Minyun* and the CPC authorities. In his sociological study of Chinese social organizations, Hildebrandt (2013) proposes that economic opportunities, political opportunities and personal opportunities are the three major factors affecting the relationship between

social organizations and the governments. In his framework, economic opportunities refer to the opportunities in which social organizations and the local governments can cooperate to gain financial resources; political opportunities refer to the opportunities through which the organizations and local governments can enjoy the security of political legitimacy and authority; personal opportunities refer to the opportunities through which personal relationships between organization leaders and local government officials may be crucial in gaining both the economic and political resources. Hildebrandt argues that these three opportunities intersect with each other, making the survival and viability of Chinese social organizations multilateral (ibid.). His focus on personal opportunities is very useful in understanding the situation of Chinese social organizations.

The linkage between *Tongzhi* activism and *Minyun* was forged through the AIDs crisis in the 1990s. On a global scale, the AIDs crisis was crucial in the development of gay activism, as the disease has always been associated with gay communities. The AIDs crisis also contributed to the high visibility of gay and lesbian identity, but unlike the queer solidarity formed during the AIDs crisis in the U.S., the AIDs crisis in China catalyzed the division between gay and lesbian activism. The division can be traced back to the gay organizations' dominant occupation of movement resources.

Instead of contributing to the solidarity between gay and lesbian activism, the AIDs crisis served as the connection between gay activism and *Minyun*. Before the first report of HIV infection in China, the virus was regarded as imported by CPC authorities (Li, 2014). In the 1980s, China depended on imported blood products, but after the discovery of the first domestic AIDs patient, the Chinese government decided to develop its own blood bank by promoting paid blood donation, which soon developed into the Plasma Economy in the 1990s (Shen, Liu, Han and Zhang, 2004).

During that time, the economic gap between inland provinces and coastal regions was significant (Ako, 2009). The trade of plasma became a chance by

which inland provincial officials could showcase their governing capabilities and ability to inspire the local economy. However, given the lack of knowledge and medical support, impoverished provinces like Henan, Guangxi, Guizhou, and Sichuan saw villages of people infected by the virus from non-standard blood collection, known widely as the AIDs villages.

*Minyun*, and local AIDs organizations, which later developed into *Tongzhi* organizations, first joined their forces in the exposure of the Plasma Economy to the global society. The violation of people's health and human rights for the CPC's political survival and economic achievement provided the *Minyun* activists a chance to wage a Moral War on the CPC. Furthermore, the tragic stories of people in those villages, alongside their poverty-induced suffering, served as efficient political tools for *Minyun* to incite the public and global society against the CPC.<sup>13</sup>

Some organizations that later supported *Tongzhi* activism disclosed data and information to international media. One of the most influential AIDs organizations the Beijing Aizhixing Institute of Health Education (BAIHE) founded in 1994 is one of those organizations. Its founder Wan Yanhai [万延海] is crucial in the connection between *Minyun* and *Tongzhi* activism. Born in 1963, Wan is a veteran supporter and founder of various LGBTQ events and organizations, including the Beijing Homosexual Film Festival [北京同性恋电影节] in 2001, which was later known as the Beijing Queer Film Festival [北京酷儿影展]; he also supported the founding of Common Language [同语] in 2005, which focuses on lesbian, bisexual and transgender women issues; he is also one of the founders of the Beijing LGBT Center.

On September 4th, 2002, the Chinese-language website of Voice of America reported the arrest of Wan. The report says:

Wan Yanhai, a Chinese AIDs activist who currently went missing, was confirmed alive by his friend, Hu Jia. He admitted that Wan is very likely to be arrested by the Department of National Security of China. He further calls on the global society and media to put more pressure on the Chinese

government for Wan's release.

...

The non-governmental organization the Beijing Aizhixing Institute of Health Education Wan founded in 1994 exposed the list of HIV victims in Henan Province during the chaotic Plasma Economy. His effort in disclosing the information was respected by the United Nations and the global society, but at the same time attracted attention from the Department of National Security of China. Earlier this year, the employees of his organization were arrested, and the organization was investigated. Its official website was also shut down by the Beijing authorities last month.<sup>14</sup>

This report shows that the disclosure of information about the Plasma Economy does not only involve the opposing *Minyun* activists, but also foreign media and international organizations such as the UN, which directly affects the CPC's image on the global political stage. Without the information disclosed by BAIHE and Wan, overseas *Minyun* activists would not have had a chance to join forces with overseas media and the UN on the issue of human rights violations in AIDs villages. It makes Wan widely respected by overseas *Minyun* activists. However, this respect and the linkage built also led to Wan's escape in 2010, after attending the award ceremony for Liu Xiaobo's [刘晓波] Nobel Peace Prize.<sup>15</sup>

Another case further complicates the seemingly close relationship between *Minyun* and *Tongzhi* activism. Another key activist that connects *Minyun* and *Tongzhi* activism is Li Dan [李丹] who was born in 1978. Li has also long focused on the issue of AIDs villages, he established an AIDs orphanage in Shangqiu, Henan province. Like Wan, He has also supported Chinese *Tongzhi* activism from the early 2000s, and held a public space in Beijing where several screenings of the Beijing Queer Film Festival took place. He received the Reebok Human Rights Award in 2006.<sup>16</sup> As a celebration, Xu Zhiyong [许志永] wrote Li Dan a public letter which contains the following expressions:

... You (Li Dan) are devoted to fight against AIDs pandemic HIV/AIDS

prevention, but Wang Dan, as a male homosexual, keeps spreading the virus through his conduct of abnormal sexual behaviors among gay people, turning more people into victims...<sup>17</sup> (Xu, 2006, May 26)

Xu is a Chinese civil rights activist and leading figure of the New Citizens' Movement which serves as a networking system of Chinese civil movements; he was sentenced to four years in prison for "gathering crowds and disrupting public order" in 2014.<sup>18</sup> His letter might just be an anecdote in a sense, but in another, it does manifest how *Tongzhi* issues are regarded by leading *Minyun* figures through the using of the expression such as "abnormal" and "spreading the virus". As I stated, the main strategy of *Minyun* activists in the Moral War is to incite the public by accusing the CPC of violations of moral ethics. To those activists, in an era when *Tongzhi* issues were not widely accepted by the local Chinese public as part of human rights issues, *Tongzhi* discourses served poorly to incite moral accusations against the CPC.

Therefore, the close-but-far relationship with *Minyun* has placed *Tongzhi* activism under the CPC's surveillance that ultimately stems from its cautious attitude toward *Minyun*, despite the lack of active coalition.

## 5 Moral Assimilation of *Tongzhi* Organizations

This section examines how the Moral War affected *Tongzhi* organizations. I will draw on the data I collected from my fieldwork in the Beijing LGBT Center and interviews with local *Tongzhi* activists.

The focus of the *Tongzhi* movement has changed from building connections with global society in the 1990s to promoting institutionalization and legislation after the 2010s (Guo, in press). For example, the leading *Lala* (lesbian, bisexual and transgender women) organization Common Language participated in the legislation of the Anti-Domestic Violence Law (2016), and successfully expanded the law to cover "people who live together".<sup>19</sup> The Beijing LGBT Center has also supported a lawsuit against psychological counseling center that advertised gay conversion therapy. On 19 December 2014, the People's Court of Haidian District

in Beijing gave a judgement. The verdict states that:

... since homosexuality is not considered a mental disorder, the advertisement and promise made by Chengdu Xinyu Piaoixiang Psychological Consultation Center is fraudulent.” (Common Language, 2015, p.15)

It was marked the first direct official response on the issue of homosexuality. After the court session, to show their respect and appreciation, activists gifted the People’s Court a statue of justice.<sup>20</sup> This gift intends to convince local officials that *Tongzhi* organizations and communities appreciated the government’s righteous judgment, and confirms the local People’s Court as the protector of the rule of law.

While the gifting may unintentionally confirm the CPC’s legitimacy as the correct ruler, the strategy must be understood within the local Chinese context where a strong government significantly limits the autonomy and strategies of social organizations. On March 20th, 2016, while working in the Beijing LGBT Center, I received a phone call looking for the Center Director; Xiao Tie, the director, told me it had been an investigator from the Department of National Security who wanted to speak with her while refusing to enter the office.<sup>21</sup> Such intervention is constant, especially when the Center is involved in events backed by the UN or foreign embassies.<sup>22</sup> Therefore, it is necessary to evade all forms of overseas intervention in front of the government for *Tongzhi* organizations to maintain political safety. However, re-confirming the CPC as the only legitimate ruler by adhering to the value of Patriotism may risk placing *Tongzhi* organizations as followers and advocators of the CPC regime, thus strengthening and rationalizing the oppressive structure.

Furthermore, the widening distance between *Tongzhi* activism and *Minyun* also contributes to the assimilationist strategy. This is manifested through the personal relationships between current and former leaders. For example, the current leader who has started working in the Center since 2013 stated that she only well knew the former director with whom she has actually worked with;

as for other former leaders since the center's establishment in 2008, she barely knew them in person; even about one of the founders Wan Yanhai, she has only heard of the name.<sup>23</sup>

However, "moral assimilation" is indeed confronted by activists. There are severe disputes over *Tongzhi* organizations' moral assimilation, but the disputes remain in the domain of traditional culture and family values. The Parents and Friends of Lesbians And Gays China [中国同性恋亲友会] (PFLAG China) is at the forefront of this dispute. PFLAG China is an organization founded in 2008. It aims at advocating the friends and families of *Tongzhi* to create a friendly environment in society.<sup>24</sup> One of the founders, Wu Youjian [吴幼坚], is the first mother who openly supported her gay son in public, which stirred heated debate and largely raised the visibility of gays and lesbians since 2005. Wei Wei (2015), a sociologist who attempted to map queer cultures from the perspectives of urban spaces, popular culture, and social policies in modern China, argues that:

PFLAG China's strategy accurately grasped the changing trend of modern Chinese family structures. Through recognizing and accepting their children's sexual orientation, parents in PFLAG reacted to the challenge Chinese families face in this changing trend. To some extent, the problems PFLAG China tries to solve are not only about homosexuality, but also general problems faced by Chinese families during rapid changes, which contributes to PFLAG China's widely spread reverberation in the society. (Wei, 2015, p.176)

It is necessary to admit that PFLAG China does contribute and bring up acute issues of family values, but their strategies are still questioned. Guo Yujie [郭玉洁], the legal representative of the Beijing LGBT Center wrote in her review of Fan Popo's film *Rainbow Mama* — a film that documented six mothers with homosexual children with the cooperation of PFLAG China — that:

The simple motivation for mamas to participate in the activism is that "you can't criticize my child, my child is homosexual, so you can't

criticize homosexuality either.” Such maternal love is indeed great, but it helps little in the demolishing of gender/sexuality hegemonies, family structures, and the establishment of free and equal relationships. (Guo, 2013, October 3)

In response to Guo’s criticism, the leader of PFLAG China, A Qiang [阿强] posted an article titled “Why is it Too Bad for Parents to Love their Children?” on his personal blog, accusing Guo being too distant from activist reality.<sup>25</sup>

Numerous factors have contributed to the situation of *Tongzhi* activism after the 2010s. Interpretations of “moral ethics” being merely cultural, and the history of *Minyun* both contribute to the culture of de-politicization of *Tongzhi* activism, which Wei (2015) defined as organizations avoiding direct confrontation with power. Although it is necessary to question traditional culture and values that are discriminatory against *Tongzhi*, to gain political space by adhering to the value of Patriotism underwrites and strengthens the oppressive and exclusive institution.

## 6 Conclusion

This paper focuses on the CPC’s institutional exclusion against *Tongzhi* organizations by utilizing the discourses of “moral ethics”. First, I argue that the discourses of “moral ethics” is twofold—referring to not only traditional culture but also Patriotism—through analyzing official documents. Second, the concentration on Patriotism derives from the tension between the CPC and *Minyun*, with whom *Tongzhi* organizations historically built a complex, close-but-far relationship; this, in turn, provided further basis for the institutional exclusion against *Tongzhi* besides traditional values. Third, I traced the debate over “moral depravity” between the CPC and *Minyun* activists, naming this debate a “Moral War”. Within this Moral War, on the one hand, *Tongzhi* organizations are regarded as the accomplice of *Minyun* by the authorities; on the other, they are regarded as non-helpful issues in waging the Moral War by *Minyun* activists, which led to the *Tongzhi* organizations’ dominant focus on



institutional survival and traditional cultures—a focus which further strengthens the CPC's oppressive institution by adhering to the value of Patriotism.

Therefore, under Chinese authoritarian government, though strategic conformity to the political institution brings activist issues into public discussion, it also contributes to the maintenance of the authoritarian power. He (2016), a Taiwanese scholar and activist who conducted extensive investigative research of Taiwanese *Tongzhi* activism's trend toward legislation, argues that a predominant focus on legislation may extend state surveillance and control. Although during the process of institutionalization, activists and organizations are still in doubt regarding the political institution, the culture of depoliticization (Wei, 2015) conceals such criticism against CPC's oppressive institution.

Unlike the queer solidarity formed during the AIDs crisis during the '80s in the U.S., similar crises in China catalyzed the division between local gay and lesbian activism through the unequal distribution of movement resources (Toyama, 2015; Guo, in press). However, the Chinese AIDs crisis promoted links between local gay activism and *Minyun*, which resulted further in a cautionary attitude by the government toward *Tongzhi* activism. Studies conducted on Chinese *Tongzhi* activism such as Hildebrandt (2013) and Engbresten (2015) take the opposition between *Tongzhi* organizations and the government for granted, depicting the government and its authoritarian rule as the ultimate enemy of *Tongzhi* activism. Such arguments sustain dichotomies of oppressive government and subversive social organizations, which may further rationalize the CPC authorities' oppression on social organizations to remove possible contestation and protests against their legitimacy. Therefore, this paper calls for careful investigations on activism under an authoritarian state.

Furthermore, as mentioned in the introduction of this paper, the launch of Social Governance proposed a twofold governing strategy—the combination of law governance and moral governance. Since there is a lack of independent judicial system in China, to examine law governance and moral governance separately may not be sufficient. However, *Tongzhi* organizations face a

paradoxical situation where law governance grants them social participation in institutions, yet moral governance defines them as potential moral dangers. The ultimate focus of this paper is on the discourse of “moral ethics”. However, how the discourse of moral ethics work in tandem with the discourse of “modernizing the judicial system” which gradually eliminates trans/homophobic articles and expressions in governmental documents still needs further examination.

## Footnotes

- <sup>1</sup> 拒批同性恋组织注册，湖南民政厅成被告[Local Ministry of Civil Affairs is Sued for Denying Registration of Homosexual Organization]. (2014, February 20). Retrieved August 20, 2017, from BBC Chinese: [http://www.bbc.com/zhongwen/simp/china/2014/02/140220\\_hunan\\_gay\\_lawsuit](http://www.bbc.com/zhongwen/simp/china/2014/02/140220_hunan_gay_lawsuit)
- <sup>2</sup> In 1997, the Hooliganism Law which criminalized male same sex behaviors has been repealed. Self-concordant homosexuality has been removed from the 3rd Edition of Chinese Classification of Mental Disorders (CCMD-3) in 2001.
- <sup>3</sup> In the English version of CPC's official documents, Fazhi is translated in to "rule of law" in English while Dezhi is translated into "rule of virtue". However, the concept of rule of law only makes sense when a democratic political system of tripartite is secured. Given the fact that Chinese political system is pervaded with rule of man, the translation into rule of law may mislead to the imagination of a tripartite political system in China.
- <sup>4</sup> As Hobsbawm (1983) argued, traditions can be invented and coined to serve the aims of those in power and to maintain such a status quo. The condition of sexuality in China reflect a similar situation: on the one hand, discourses of sexualities are produced along the development of modernization and technology, on the other, the traditions are reframed and rationalized in the power's favor to exclude non-normative sexual subjects (Foucault, 1976=2016).
- <sup>5</sup> The Cultural Revolution was a sociopolitical movement in China between 1966 and 1976. It was launched by then chairman of CPC Mao Zedong to preserve Communist ideology and remove all forms of capitalist and feudalistic elements from the society. It was later redefined as "a mistake made on the road to seek true Communist ideology" by Deng Xiaoping after the launch of the Economic Reform in 1979.
- <sup>6</sup> The democracy wall refers to the fence wall of the Xidan Stadium in 1978 and 1979 when people and activists posted "big lettered posters" to protest about the political and social issues in China. Deng Xiaoping regarded the presence of the wall as a "normal phenomenon and the evidence of a stable society" when he received interview with American column writer Robert Novak in 1978. However, the wall and activists who had written posters on the wall were banned and arrested in 1979.
- <sup>7</sup> Nee, W. (2015, June 4). *China: Tiananmen's legacy 26 years on, turning back the clock*. Retrieved August 20, 2017, from Amnesty International, Campaigns:

<https://www.amnesty.org/en/latest/campaigns/2015/06/tiananmens-legacy-26-years-on-turning-back-the-clock/>

- <sup>8</sup> Wei, J. (魏京生). (2013, August 16). 「简评海外民运」 [A brief review on overseas Minyun]. Retrieved August 20, 2017, from Radio Free Asia: <http://www.rfa.org/mandarin/pinglun/weijingsheng/weijingsheng-08162013144239.html>
- <sup>9</sup> The tainted milk scandal refers to the disclosure of giant milk companies using cheap and non-standard material in the production of milk products, and the unlawful charges in high schools mainly refer to the high price the schools charge the students for lunches disclosed by local media and parents.
- <sup>10</sup> Hua Xia Wen Zhai. (华夏文摘). (2005, March 6). 「一个完全在虚拟的电脑空间中诞生、存在的媒体：CND简史」 [A media that born, grows and exists entirely in the virtual space: A brief history of China News Digest]. Retrieved on August 10, 2017, from Hua Xia Wen Zhai: <http://my.cnd.org/modules/wfsection/article.php?articleid=9503>
- <sup>11</sup> The original text is written in Chinese, the citation was translated into English by the author.
- <sup>12</sup> The original text is written in Chinese, the citation was translated into English by the author.
- <sup>13</sup> For example, Gao Yaojie [高耀洁], an activist devoted in the issue of AIDs villages and Plasma Economy, who is widely respected by overseas *Minyun* activists has published a book with Mirror Books—one of the biggest and most influential overseas *Minyun* publisher—disclosing the alleged “moral depravity” of the CPC and the society ruled by the party: Gao Yaojie (高耀洁). (2015). 『高耀洁回忆与随想：高洁的靈魂續集』 [*Memories of Gao Yaojie: the persistence of a noble spirit*]. Taiwan: The Mirror Books.
- <sup>14</sup> 万延海被中国安全部门拘押[Wan Yanhai is Arrested by Chinese Department of National Security]. (2002, September 4). Citation translates by the author. Retrieved August 18, 2017, from Voice of America Chinese: <https://www.voachinese.com/a/a-21-a-2002-09-04-8-1-63383882/993242.html>
- <sup>15</sup> 万延海证实将出席诺贝尔和平奖颁奖典礼 [It has been confirmed that Wan Yanhai will attend the award ceremony of the Nobel Prize for Liu Xiaobo]. Retrieved August 10, 2017, from BBC Chinese: [http://www.bbc.com/zhongwen/simp/china/2010/11/101124\\_nobel\\_liu\\_wanyanhai](http://www.bbc.com/zhongwen/simp/china/2010/11/101124_nobel_liu_wanyanhai)
- <sup>16</sup> The Reebok Human Rights Award is underwritten by the Reebok Foundation in the US,

- and has been given to four to five activists each year from 1988. See Reebok Honors Four with Human Rights Award. (2009, October 31). Retrieved August 10, 2017, from The Voice of America: <https://www.voanews.com/a/a-13-2006-05-22-voa47/398580.html>
- <sup>17</sup> Wang Dan [王丹] is one of the leaders of the 89 pro-democracy movement who escaped Taiwan and was rumored being gay. The original text was written in Chinese, the citation was translated by the author.
- <sup>18</sup> See Hai, Y. (2014, January 26). 中国新公民运动创始人许志永被判刑四 [The Leader of the Chinese New Citizen's Movement is Sentenced to Four Years in Prison]. Retrieved August 10, 2017, from The Voice of America: <https://www.voachinese.com/a/xuzhiyong-sentenced-20140125/1837786.html>
- <sup>19</sup> *Lala* [拉拉] is the local Chinese term referring to lesbian, transgender and bisexual women. *Lala* was the name of one of the characters in a Taiwanese lesbian novel. It was then widely used in the lesbian communities to refer to non-normative female sexualities. It is often used as *Lazi* [拉子] or *Lala*.
- <sup>20</sup> 中国首例判决：“治疗同性恋”属于虚假宣传 [First Case in China: Gay Conversion Therapy is Ruled False Advertising]. (2014, December 19). Retrieved August 22, 2017, from Tencent News: <http://news.qq.com/a/20141219/062863.htm>
- <sup>21</sup> Personal communication recorded in field notes in the Center office, Beijing, China, 2016, March 20th.
- <sup>22</sup> Interview with Xiao Tie conducted on September 10, 2016 in the Center's psychological counseling room no.1, Beijing, China.
- <sup>23</sup> Personal communication recorded in field notes in the Center office, Beijing, China, 2016, March 18th.
- <sup>24</sup> 关于我们 [About us]. (n.d.). Retrieved August 20th, 2017, from the official website of the Parents and Friends of Lesbians and Gays China: <http://www.pflag.org.cn/h-col-101.html>
- <sup>25</sup> A, Q. (阿强). (2013, October 7). 「欣赏自己孩子的父母何错之有？」 [Why is it too bad for parents to love their children?]. Retrieved August 20, 2017, from [http://blog.sina.cn/dpool/blog/s/blog\\_482404000102eg31.html](http://blog.sina.cn/dpool/blog/s/blog_482404000102eg31.html)

## References

- Ako, T. (阿古智子). (2009). 『貧者を喰らう国：中国格差社会からの警告』 [*The state engulfing the poor: A warning from the polarized Chinese society*]. 東京：新潮社.
- Central Committee of the Chinese Communist Party. (中国共产党中央委员会). (2013a). 「关于深化若干重大问题改革的决定」 [*Decision on deepening the reform of several main issues*].
- Central Committee of the Chinese Communist Party. (中国共产党中央委员会). (2013b). 「关于培育和践行社会主义核心价值观的意见」 [*Advices on nurturing and implementing socialist core values*].
- Common Language. (同语). (2015). 『同志法律权益倡导』 [*Tongzhi legal rights advocacy*]. 北京：同语.
- Deng, X. (邓小平). (1979, March 30). 「坚持四项基本原则」 [*Staying firmly with the four basic principles*]. Retrieved August 10, 2017, from *The People*: <http://www.people.com.cn/GB/channel1/10/20000529/80791.html>
- Engebresten, E. L. (2015). Of Pride and Visibility: the contingent politics of queer grassroots activism in China. In Engebresten, E. L. and Schroeder, W. F. (Eds.), *Queer/Tongzhi China: new perspectives on research, activism, and media cultures*, 89-110. NIAS Press.
- Foucault, M. (2016). 『性经验史第一卷：认知的意志』 (余碧平, Trans.) = (Original work published in 1976) *Historie de la sexualité Vol.1: La volonté de savoir*. Paris: Éditions Gallimard.
- Fukunaga, G. (福永玄弥). (2017). 「「LGBTフレンドリーな台湾」の誕生」 [The birth of an “LGBT-friendly Taiwan”]. In Sechiyama, K. (瀬地山角). (Ed), 『ジェンダーとセクシュアリティで見る東アジア』 [*Viewing East Asia in Gender and Sexuality*]. 東京：勁草書房.
- Guo, L. (郭立夫). (in press). 「法与德、分与合：中国同志运动联盟的形态及其成因」 [Law and morality, division and solidarity: The form of the Chinese Tongzhi solidarity]. In Huang, Y. (黄盈盈). & Pan, S. (潘绥铭). (Eds.), 『积淀与反思：第六届中国性研究国际研讨会论文集』 [*Accumulations and Revisits: The essay collection of the sixth Chinese international conference on sexuality*]. 香港：香港1908有限公司.
- Guo, Y. (郭玉洁). (2013, October 3). 「以母爱之名？：评<彩虹伴我心>」 [*In the name of*

- maternal love: A review on Rainbow Mama*]. Retrieved August 20, 2017, from <https://tieba.baidu.com/p/2632040281>
- He C. (何春蕤). (2016). 「小心公民社會：當代台灣公民政治及其文明情感」 [Be aware of civil society: Civil politics and its emotion in modern Taiwan]. In He, C. (何春蕤). & Ning, Y. (甯應斌). (Eds.), 『性/別20』 [Gender/Sexuality: The first twenty years], p. 1-20. 台北：台灣中央大學性/別研究室.
- Hildebrandt, T. (2013). *Social organizations and the authoritarian state in China*. New York: Cambridge University Press.
- Hobsbawm, E. (1983). Inventing traditions. In Hobsbawm, E. & Ranger, T. (Eds.) *The invention of tradition*, p. 4-5. Cambridge: Cambridge University Press.
- Li, Y. (李焱妍). (2012). 『中国の市民社会：動き出す草の根NGO』 [Civil society in China: Grassroots NGOs getting started]. 東京：岩波書店.
- Li, Y. (李银河). (2014). 『新中国性话语研究』 [A study on sexuality discourse of new China]. 上海：上海社会科学院出版社.
- Liu, G. (刘国凯). (n.d.). 「从高价学生午餐看民族道德的整体沦落和民主事业的艰难」 [On the difficulties of pro-democracy movements and the national moral depravity through the case of expensive lunch sets in high schools]. Retrieved August 22, 2017, from The Independent Chinese Pen Center: [http://blog.boxun.com/hero/liugk/29\\_1.shtml](http://blog.boxun.com/hero/liugk/29_1.shtml)
- Lü, X. (2000). Booty socialism, bureau-preneurs, and the state in transition: Organizational corruption in China. *Comparative politics*, 32 (3), p. 273-294.
- Mann, S. (2015). 『性からよむ中国史』 (秋山洋子, 板橋暁子&大橋史恵, Trans.) 東京:平凡社. = (Original work published in 2011) *Gender and sexuality in modern Chinese history*. Cambridge: Cambridge University Press.
- Mei, L. (梅李). (2011, July 27). 「梅李：共产党要对中国社会的道德沦丧负全部责任」 [Me Li: The Communist Party of Chia should be responsible for the moral depravity of Chinese society]. Retrieved August 20, 2017, from Hua Xia Wen Zhai: <http://hx.cnd.org/2011/07/27/%E6%A2%85%E6%9D%8E%E6%BC%9A%E5%85%B1%E4%BA%A7%E5%85%9A%E8%A6%81%E5%AF%B9%E4%B8%AD%E5%9B%BD%E7%A4%BE%E4%BC%9A%E7%9A%84%E9%81%93%E5%BE%B7%E6%B2%A6%E4%B8%A7%E8%B4%9F%E5%85%A8%E9%83%A8%E8%B4%A3%E4%BB%BB/>
- Qi, Y. (2013). *Identity Terms and Organizing for Women in Same-sex Relations in Mainland*

- China. Master's Thesis, Department of Gender Studies, Central European University.
- Shen, J.; Liu, K.; Han, M. & Zhang, F. (2004). The China HIV/AIDS epidemic and current response. In Narain, P. J. (Ed.), *AIDS in Asia: The challenge ahead*, 171-190. New Delhi/Thousand Oaks/London: Sage Publications.
- The Ministry of Civil Affairs. (民政局). (2010-2016). 『民政局年度工作报告』 [*The annual report of the Ministry of Civil Affairs*]. Retrieved March 22, 2017, from The Ministry of Civil Affairs: <http://www.mca.gov.cn/article/gk/mzgzbg/>
- The State Council. (国务院). (1989). 『社会团体登记管理条例』 [*Regulations on registration administration of social organizations*].
- Toyama, H. (遠山日出也) (2015). 「近年の中国におけるLGBT運動とフェミニスト行動派」 [LGBT Activism and Feminist Activists in Recent China]. 『現代思想 特集 LGBT—日本と世界のリアル( vol. 43-46)』 [*Review of Today's Thinking: the reality of Japan and the World (vol.43-46)*], p.168-175.
- Wang, S. (王思斌). (2014). 「社会工作在创新社会治理体系中地位和作用: “种基础”服务型社会治理」 [The position and function of social work in the structure of social governance: A base--service-type social governance]. 『社会工作』 [*Social work*], p.3.
- Wei, W. (魏伟). (2015). 『酷读中国社会: 城市空间、流行文化和社会政策』 [*Queering Chinese society: Urban space, popular culture and social policy*]. 北京: 广西师范大学出版社.
- Xie, Z. (谢志强). (2016). 「创新社会治理: 治什么、谁来治、怎么治」 [Innovating social governance: How, what and who]. Retrieved March 20, 2017, from “中国共产党新闻网” [The CPC News Online]: <http://theory.people.com.cn/n1/2016/0713/c49154-28549310.html>
- Xu, Z. (许志永). (2006, May 26). 「警惕台湾间谍王丹以及某“华人组织”背后的黑手! : 致大陆民间维权人士李丹先生的公开信」 [Be aware of Taiwan spy Wang Dan and certain “Chinese organization”! A public letter to Chinese civil rights activist Li Dan]. Retrieved August 10, 2017, from <https://www.xgc2000.net/s/xgc/06/6/49736.html>
- Zhao, D. (2011). State legitimacy and dynamics of the 1989 pro-democracy movement in Beijing. In J. Broadbent and V. Brockman (Eds.), *East Asian social movements:*



*Power, protest and change in a dynamic region*, 385-411. New York: Springer.

Zhu, X. (朱雪琴). (2016). 「治理中の性與性別：從近年中國大陸性與性別重要事件談起」  
[Sex and sexuality under governance: From significant gender/sexuality events  
in recent Mainland China]. In He, C. (何春蕙). & Ning, Y. (甯應斌). (Eds.), 『性/別  
20』 [*Gender/Sexuality: The first twenty years*], p. 109-136. 台北：台灣中央大學  
性/別研究室.

## 道徳をめぐる抗争—中国における「道徳ガバナンス」と同志運動

郭立夫

2012年、中国政府はソーシャル・ガバナンスを打ち出した。中国の市民団体は法令に基づき民政局への登録が求められるが、ソーシャル・ガバナンス体制下で、市民団体の登録基準は緩和され、民政局に認可を受けた市民団体の数は急増している。だが、こうした規制緩和の流れに反するように、同志（LGBT）団体は「道徳規準に適さない」ことを理由に民政登録を拒否される事例が相次いでいる。

同志団体をソーシャル・ガバナンスから排除する際に政府機関が用いてきた「道徳」とは、いったい何を指すのか。そして同志団体は「道徳」言説に対していかなる生存戦略を採用してきたのか。本稿では「同志」との関連で用いられる「道徳」をめぐる公的言説に着目し、その背景に隠されたイデオロギーや同志団体の対抗戦略を分析し、次の点を明らかにした。

まず、中国政府は「中国社会の伝統」である「道徳」がモノガミーな異性婚制度に依拠している点を強調して「同性愛」と矛盾する点を述べてきたが、そのような「道徳」言説は実は新中国の成立（1949）後に構築されたものにすぎなかった。また、2012年以降、「愛国／愛（共産）党」が市民の遵守すべき基本「道徳」のひとつとみなされるようになり、その結果、89年以来の民主運動と人的な繋がりを持った同志運動は民政部への登録から排除されてきたのではないかと指摘した。民主運動は1990年代以降も海外へ拠点を移して共産党政権との間で「道徳」をめぐる抗争を続けており、同志運動はその狭間で困難な政治状況に置かれたのである。そのような厳しい政治状況の中、同志運動は生存戦略としてみずから「道徳的」であることをしばしば強調するような同化戦略を用いており、その結果、共産党の覇権体制や排外的なソーシャル・ガバナンスをはからずも強化していると論じた。

### Keywords:

中国、社会運動、同志・LGBT、道徳、ソーシャル・ガバナンス