FAU Workshop Report

'Resisting Autocratisation in China and Beyond'

5-7 May 2025

By Alexandra Kaiser

In May 2025, the FAU Centre for Human Rights Erlangen Nuremberg (CHREN) and FAU Chair of Human Rights Law organised a workshop in conjunction with the award of the second FAU Human Rights Award Professor Xu Zhangrun 許章潤, formerly a professor of constitutional law at Tsinghua University in Beijing, in recognition of his extraordinary achievements as a world-renowned scholar as well as a long-term advocate of liberal-democratic constitutionalism and against autocratic injustice in China. Because Professor Xu lives under strict surveillance in Beijing and is deprived of his right to leave the country, he could not attend the award ceremony.[1] Instead, he presented his Acceptance Speech, titled 'So it Begins, With the Written Word,' as a pre-recorded and translated video recording played at the award ceremony held on 5 May at CHREN, Nuremberg.

Our conceptual starting point for the workshop was that concurrent processes of autocratic consolidation in countries like China and democratic erosions elsewhere have both put pressure, not only on liberal institutions and practices, but also on the liberal idea of limiting political power, at domestic and global levels. While the roles of autocratic and would-be autocratic state actors in these autocratisation processes had been intensely studied, our workshop focused on protagonists of liberal ideas and resistance to autocratic repression among Chinese nonstate actors, including the scholars, legal professionals, journalists, and human rights defenders whose roles depend on liberal conceptions of power, society and law at a time of backlash against these ideas.

Participants were drawn from scholarly and civil society circles and allowed us to bring expertise on human rights law and human rights advocacy, political studies, philosophy, international relations, China studies, history, and journalism together for two half-days of presentations and discussions. The workshop was held under the Chatham House Rule. This report reflects some of the themes and arguments covered.

The workshop organisers would like to note their thanks to the Alexander von Humboldt Foundation, whose generous funding for the FAU Chair in Human Rights Law made this workshop possible, and to CHREN for its organisation of the Human Rights Award.

Global erosion of human rights

The advocates of liberal ideas have not only come under fire in China. However, as some participants pointed out, autocratisation typically does not occur rapidly, as a single event in

[1] Press release: Professor Xu Zhangrun receives Human Rights Award | FAU Erlangen-Nürnberg; award ceremony: FAU Human Rights Award.

the manner of the military coups of the last century. Rather, it is an ongoing process that requires sustained efforts to resist.

China has always been autocratic and the current processes should be seen as a further autocratisation of an already autocratic system. Conversely, one could speak of an erosion of democracy in many other countries, including the United States and European countries. Autocratisation processes can complement and reinforce each other, as can be observed in attacks on marginalised groups, such as ethnoreligious groups or gender identities.

The erosion of international human rights and the UN system in the wake of global autocratisation was cited as a further setback for the protagonists of liberal ideas, as the negotiating venue for vulnerable groups has been weakened. Pointing to examples of discrediting of civil society actors alongside funding cuts and suspensions, participants grappled with the impact of democratic erosion on actors on transnational China human rights advocacy and on research on these topics in China and beyond.

Domestic and transnational civil society repression

Reflecting on the rise of civil society actors in China since the early 2000s, with the Sun Zhigang incident in 2003 being an important impetus, some participants suggested that they might have underestimated the impact of the shift in Party ideology and attitudes under Xi Jinping. The closure of the Chinese party-state and the crackdown on civil society have further fragmented and decentralised civil society in China, even though human rights work has not disappeared completely, but was now only taking place on an ad hoc basis and on a smaller scale, mostly dealing with issues at a local level and to the detriment of long-term agenda-setting. Precisely as regular civil society has come under pressure it seems unlikely that the party-state will be able to prevent potential upsurges of discontent in society by reliance on the domestic tools of repression including digital surveillance and censorship techniques. The Blank Paper Protests in November-December 2022 illustrated how suddenly latent discontent with the government could erupt in open protest.

The erosion of support structures in China in the Xi Era was described as hampering access to the field and contact with civil society actors by most participants directly working on China, as far as they had not entirely lost their ability to go back. Especially those workshop participants working in CSOs reported difficulties travelling to China and problems resulting from the closure of offices in China have been closed. These individuals have reported cases where they were invited to persuade their governments to adopt China-friendly policies ‘in exchange’ for a visa. (The invitation was declined.)

The rise of transnational repression (China's long arm) has further aggravated these trends. Some participants reported on members of the diaspora withdrawing from activism out of concern for their safety, or retreating to within their group with little organised activism and solidarity beyond their own group. As a result of the loss of US funding, new resources need to be sought and a more diverse funding structure may indeed be needed. Some participants expressed concern about whether the US and EU will provide funding to promote human rights and democracy if they prioritise their own regions and national security.

The weakening of relevant civil society and of media organisations in the wake of the second Trump administration was discussed with particular concern, even though its impact is only

beginning to be understood. If limitations of resources to support civil society on the ground have long been a major obstacle to building a solid and organised transnational civil society, transnational civil society work and China human rights advocacy from outside the mainland have also become more difficult with increasing hostility and the withdrawal of support even in eroding democracies or would-be autocracies. In particular, Trump's policies and executive orders have affected civil society actors and academics of all disciplines, although it was pointed out that measures taken to exert undue control over civil society and academia were increasing the momentum for protest and resistance from within US society. It remains to be seen whether funding for human rights and NGO programmes can be restored, but it was pointed out that considerable damage had already been done, as many support structures for civil society actors have been suspended or dismantled, including the shutdown of Voice of America, media control and restrictions.

Academia under pressure

As Professor Xu's current situation and absence from his award ceremony sadly illustrated, academia in China has also come under increased pressure during the Xi era. The Chinese party-state has tightened its control over higher education, which has been accompanied by harsher ideological and political rhetoric and greater pressure on university leaders to show loyalty to the Party. There is no question that the 'seven taboos' (*qi bu jiang*) and other political and legal directives have significantly reduced the space for academics, especially in the humanities and social sciences. International academics who have allegedly crossed the red line have been forced to leave China, while Chinese academics often face harsher consequences for their perceived wrong behaviour. Xu Zhangrun became a prominent example after publication of his essay in 2018.

There are other known cases where Chinese academics have been warned for overstepping the boundaries. Apart from that, the participants mentioned the constant latent pressure on academics working in China and in certain disciplines. According to some participants, researchers should rely on personal contact, especially in the social sciences. But there needs to be more transparency, not an information vacuum.

Academic exchange and collaboration with Chinese colleagues have become difficult, at least in the humanities and social sciences. Participants reflected on strategies to defend their principles and to undertake research if they could not go to China. It was noted that the party-state had tried to coopt academics, and that academics have on occasion been accused of 'selling out to the party.' Threats to academic freedom could therefore be enhanced in systems such as the UK due to its high degree of academic commercialisation. National security and safeguarding research can pose further challenges to academic collaboration in certain areas involving sensitive technologies, potential dual use, etc. Whilst it would be possible to set up internal processes such as risk assessments, organisations are reportedly overwhelmed by the responsibility placed on them. Particularly in STEM fields, risks would be calculated differently than in the humanities and social sciences. Participants also expressed concerns about the anecdotal evidence of experience in/with China as this is insufficient to draw more reliable conclusions, for example in the context of a risk assessment involving overseas studies or research collaborations. Some participants felt that the ethical challenges arising in this context were ultimately down to each individual's personal professional or political ethics.

Resistance and resilience

Despite the marginalisation and suppression of civil society actors in China and elsewhere, continued solidarity and moral support for these actors remains important. However, we may be confronted with dilemmas also when trying to show support. The workshop devoted one session to a discussion of these dilemmas, starting from the decision to give the FAU Human Rights Award to Professor Xu to honour his own capacity for resistance born of an inner conviction to do what one believes is right and a felt need to speak up even when one is no longer able to speak: 'I had lost my voice, but words were still my province.'

The very decision to make the award required complex steps to ensure, not only that it would be welcome and that it would not lead to unacceptable adverse consequences in China, Germany, or elsewhere. Institutional and individual responsibility was not ignored, and Xu's potential vulnerability played a major role in weighing the pros and cons. Whether this decision *was* the right one, however, could be subject to continued discussion: for whatever steps might be taken to minimise risks, the challenges of dealing with a repressive autocracy remained, leading to significant uncertainty. In conditions of such deep uncertainty, which might perhaps not even be adequately conceptualised as a question of risk, it seemed impossible to manage all the risks, even though this was not an argument against trying to assess and manage them.

The organisers would like to note in conclusion that Professor Xu's situation remains unchanged as of this writing, and to wish him all the best.

Erlangen, 30 June 2025