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It's Time for a New Policy on Confucius Institutes

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On March 5, the U.S. [Senate voted](#) to deny Department of Education funding to universities that host Confucius Institutes (CIs)—the controversial Chinese language and culture centers partially financed by the People's Republic of China (PRC)—unless they meet [oversight requirements](#). A federal campaign against their alleged “malign influence,” pressure from [politicians](#) and Department of Defense [funding restrictions](#) have prompted and accelerated [closure of more than half the CIs](#) in the United States. Faculty concerns over preserving [academic freedom](#) and [university budget constraints](#) concerning operating funds have all contributed to the trend. But so has a decline of American student interest in China studies and learning Mandarin Chinese. These closings and the attendant inflammatory rhetoric exacerbate a national foreign language deficit at a time when training Mandarin speakers familiar with an ever more consequential China should be a national priority.

To meet this challenge, the U.S. government should increase funding for Mandarin language and China studies courses, but also stop [forcing cash-strapped universities to choose between](#) federal funding and properly managed CI programs. Multiple investigations into U.S.-based CIs, including by the Senate, have produced [no evidence](#) that they [facilitate espionage](#), technology theft or any other illegal activity, [no evidence](#) that federal funds are used for their support, and only a handful of objectionable U.S. incidents. The Biden administration should lift, or provide necessary waivers of, federal funding restrictions on universities that demonstrate appropriate academic freedom and institutional safeguards around their CIs, which are no longer directly funded by the Chinese government. It should also consider authorizing the Confucius Institute U.S. Center (CIUS) to serve as a visa sponsor to assist Chinese teachers and staff of CIs obtain the proper visas, as well as enable CIUS to serve as a clearinghouse for information on such PRC personnel for relevant U.S. government agencies.

What are CIs and what's the threat?

The global CI program was initially launched under China's Ministry of Education (MOE) in 2004, [and more recently has been advanced](#) as part of the PRC's national strategy of Chinese culture “going global.” It consists of campus-based language and culture partnerships formerly funded in part and supported by the MOE. Many CIs also assist Confucius Classrooms teaching Chinese language at K-12 schools. The CI program sent hundreds of teachers to [help meet U.S. government goals](#) for Mandarin instruction under the [Bush](#) and [Obama](#) administrations. An [estimated 51 CIs, 44 of them campus-based](#), continue to operate, down from a [peak of 110](#) throughout the country. This number includes at least seven CIs that are scheduled to close in 2021. In addition, K-12 schools continue to host [about 500 Confucius Classrooms](#).

Prior to a June 2020 reorganization, U.S. universities typically [negotiated five-year CI agreements](#) with the MOE CI headquarters, called “Hanban,” and Chinese partner universities. While a 2019 Senate subcommittee [report](#) described CIs as being “controlled, funded, and mostly staffed” by the Chinese government, they have operated as U.S.-Chinese joint ventures, jointly funded and managed. Sometimes, they have co-directors from China and the United States but many are directed by a U.S. faculty director and a Chinese deputy. Boards of directors composed of university officials and faculty from each side exercise general oversight. Hanban contributed start-up funds to, and shared operating costs with, the U.S. partner institution, which also supplied classrooms and administrative support. Hanban additionally provided language teaching materials, if requested, and paid the salaries and international travel costs for the Mandarin language teachers from the Chinese partner university, as well as grants for research, study tours to China and other matters in some cases. The [exact arrangements vary](#). At larger universities with separate Chinese language departments teaching for-credit courses, CIs typically focus on language teacher training, K-12 language classes and community language and cultural outreach. Some CIs specialized in areas such as [healthcare](#), [business](#), [Chinese food and beverage culture](#), and [Chinese film](#).

CIs [generated legitimate concerns](#) about academic freedom and independence due to their direct support from, and [admitted role as a “soft power” instrument](#) for, China’s party-state. The Chinese Communist Party’s (CCP) [United Front organization](#) oversees propaganda and education and is tasked to promote cultural exchanges, friendship between the Chinese and other peoples and a [good international environment](#) for achieving China’s policy objectives. In a [2014 report on CI partnerships](#), the American Association of University Professors (AAUP) argued that allowing third-party control of academic matters compromises academic freedom and institutional autonomy. AAUP recommended that universities cease involvement with CIs, which it characterized as “as an arm of the Chinese state,” unless their agreements are transparent to the university community, afford them control over all academic matters and grant CI teachers the same rights enjoyed by other faculty. The subsequent closure of CIs at two universities attracted [congressional](#) scrutiny and prompted a series of dueling reports.

An influential 2017 study of 12 CIs by the [National Association of Scholars](#) identified a range of concerns including transparency, contractual language, academic freedom and pressure to self-censor. It urged closing all CIs and suggested prudential measures for universities that refused to do so. The study further called for congressional inquiries to evaluate CI national security risks through “spying or collecting sensitive information” and their role in monitoring and harassing Chinese, although it documented no such incidents. In contrast, a 2018 joint Hoover Institute-Asia Society [study](#) of Chinese influence activities in the U.S., which acknowledged concerns that campus-based CIs might “potentially infringe” on academic freedom—and made similar recommendations to reduce potential risks—found no actual interference by CIs in mainstream Chinese studies curricula on U.S. campuses and that most CIs operate [without controversy](#).

A [congressionally-commissioned study](#) by the Government Accountability Office (GAO) published in February 2019 essentially supported that view. Its analysis of governance

and secrecy provisions in 90 CI agreements found that U.S. university personnel generally control curriculum and teaching materials, although this is not always made clear in agreements. With respect to a frequently voiced concern that CI agreements often stipulate applicability of both U.S. and Chinese law, it reproduced a common provision also contained in the Hanban template CI agreement that Chinese personnel working at CIs must comply with U.S. law, while Chinese law would apply to Americans involved in China-based CI activities. It further reported a variety of negotiated provisions making U.S. law, as well as school policies, applicable to all CI activities, as in this [published agreement](#).

The GAO found that, although 42 of the 90 agreements contained [confidentiality clauses](#), many agreements are publicly available, either posted [online](#), as at least 11 universities did, through [state open records laws](#), or upon request. After describing the benefits including increased resources and concerns about potential constraints on campus programming and speech associated with CIs, the GAO reported that school officials denied having such concerns about their CIs, a finding supported by a contemporaneous [2019 Senate report](#).

Early attempts to impose political requirements for CIs to [support the “One China Principle](#) or refrain from [discussing Tibet](#),” for example, were rejected. At least three U.S. universities with CIs have [hosted the Dalai Lama](#), although a CI director warned another university’s provost that re-scheduling a cancelled visit by the Dalai Lama could disrupt relationships with China, leading the provost to observe that a CI does present opportunities for “[subtle pressure and conflict](#).” Most CIs do [limit their scope](#) to language and traditional culture, leaving political and other topics to [other university contexts](#). The CI project is intended to promote a favorable understanding of China, but CIs do not enjoy a monopoly over information available on campuses, and based on [interviews](#) and at least [one study](#), any concerns that American students will be [brainwashed by CCP propaganda](#), delivered through CIs or otherwise, are overblown. Nonetheless, school officials joined others interviewed in the GAO and Senate studies in suggesting CI management improvements, such as clarifying U.S. universities’ authority and making agreements publicly available.

CI partnerships also became embroiled in a Department of Education (DOE) initiative to [enforce a foreign gift reporting requirement](#). After the 2019 [Senate study](#) found nearly 70 percent of universities that received more than \$250,000 from Hanban failed to properly file, the drive [focused on China](#), even though other countries were [larger donors](#) to U.S. higher education. The [DOE report](#) on the initiative’s results referenced CIs in connection with concerns that “foreign money buys influence or control over teaching and research.” Widespread non-compliance with the reporting requirement, more a matter of confusion, rather than secrecy, prompted a new DOE [reporting portal](#) in June 2020.

As tensions between the U.S. and China grew, federal policymakers frequently conflated CI-related academic freedom concerns with a broader set of issues including: Chinese efforts to [steal technology](#), [intellectual property](#) and [research data](#); disruptive activities by some campus-based [Chinese student associations](#) and China’s consulates; Chinese

[talent recruitment plans](#); and other suspect [influence efforts](#). Passed in August 2018, the [2019 National Defense Authorization Act](#) (NDAA) prohibited the Pentagon from financing Chinese language programs at universities that host a CI, absent Department of Defense waivers, which have [not been granted](#). Despite a [bipartisan congressional finding](#) announced in February 2019 of “no evidence that these institutes are a center for Chinese espionage efforts or any other illegal activity,” the [2021 NDAA](#) broadens the restriction to funding for any program at universities that host CIs.

CI Reorganization

China’s MOE reorganized the CI project in June 2020, implementing a [reform plan](#) to develop CIs as a “significant force” for cultural and educational exchange with other countries. MOE replaced Hanban with a [new agency](#) to manage overseas language and culture exchanges, the Center for Language Education and Cooperation (CLEC). CLEC will continue to help provide Mandarin teachers and requested teaching materials. However, the Chinese International Education Foundation ([CIEF](#)), a nominally independent organization registered with the Civil Affairs Ministry, supervised by MOE, and [initiated by 27 Chinese universities, companies and social organizations](#), will manage the CI brand and program. CIEF is now responsible, working together with Chinese partner universities, for contractual and funding arrangements, not Hanban or MOE.

This [rebranding](#) is unlikely to [relieve suspicions](#) about the role of CIs in China’s “soft power” projection. Chinese universities that participate in CIEF and serve as CI partners are mostly state-funded and, like everything in China, under CCP leadership. Moreover, as a recent [study commissioned by China’s MOE](#) observed, in a charged U.S. political atmosphere, the “Confucius Institute” brand is now associated with Chinese political interference. Nonetheless, at least one U.S. university, Georgia’s [Wesleyan College](#), [signed on with CIEF](#) for the duration of its current CI agreement, although others [in the U.S. and Europe](#) are proceeding with announced closures. Elsewhere, CIs continued to open in [Chile](#), [South Africa](#), [Kenya](#) and [Greece](#), with plans to establish them in Dominica, Maldives, Chad and Central Africa.

Confusion over CIUS

In August 2020, the Department of State [designated](#) the Confucius Institute U.S. Center ([CIUS](#)) as a “foreign mission,” [effectively controlled by the Chinese government that funds it](#). Established in Washington, D.C. in 2012 to promote Chinese language teaching and learning in the U.S., CIUS connects school districts interested in developing a Chinese language curriculum to appropriate CI and other resources, and provides [professional development](#) opportunities to Confucius Classroom teachers. While [acknowledging](#) that CIUS does not undertake diplomatic activities and none of its employees are government officials, the department characterized it as the “de facto headquarters of the Confucius Institute network” and “an entity advancing Beijing’s global propaganda and malign influence campaign on U.S. campuses and K through 12 classrooms.” Citing its opacity and state-directed nature as the [“driving reasons behind this designation,”](#) the State Department also directed CIUS to provide details on funding

and curriculum materials it supplied to CIs and K-12 Confucius Classrooms and the names of all PRC citizens CIUS had referred or assigned to them.

In its [response to the department](#), CIUS explained that, although it seeks to foster awareness of CI programs, it does not fund, supply, staff, supervise or serve as a headquarters for CIs in the U.S. As a registered nonprofit corporation, its financials and related organizational details are publicly available through annual [IRS Form 990s](#). Moreover, after the Hanban reorganization in June 2020, CIUS is no longer directly supported by China's MOE, nor has it received any funding from CLEC or CIEF and must look to fundraising from Chinese and U.S. universities and other sources.

Given this reorganization and CIUS's role, the State Department might revisit its foreign mission designation. Regardless, CIUS could usefully serve as a visa sponsor, as do some states and nonprofits like the [Cordell Hull Foundation](#), for U.S.-based CIs. [Visa issues](#) for visiting teachers have prompted suspensions and contributed to cancellation of some CI programs. As a centralized visa sponsor, CIUS could [help ensure compliance with U.S. law](#) and serve as an [information clearinghouse on Chinese CI personnel in the U.S.](#), one of the benefits the department had hoped to obtain from the CIUS foreign mission designation.

Filling the Chinese language deficit

A State Department report on the [China challenge](#) calls for the U.S. to train a new generation of public servants and policy thinkers to attain fluency in Chinese and acquire extensive knowledge of China's culture and history. Yet, [interest among U.S. students has been declining](#) since [peaking around 2011](#), as [American views of China more generally have plunged](#) to the lowest level since polling began. Multiple factors, including [dimmer China-related job prospects](#), as well as pollution and academic and lifestyle [concerns relating to study within the PRC](#), explain this trend. Nonetheless, official U.S. [pressure to close CIs](#) and their K-12 programs, including by withholding federal funds for universities that host CIs, is further exacerbating a national "language deficit" precipitated in part by [decreased U.S. government higher education](#) and [foreign language funding](#) over the years. In addition, some universities still have [difficulty finding qualified Mandarin teachers](#), especially at the [K-12 level](#), to satisfy remaining demand.

Meanwhile, Chinese students are required [to learn English from elementary school](#) and as a requirement to [gain admission](#) to, and in many cases [graduate from](#), college, with an estimated [400 million Chinese](#)—including [front-line military troops](#)—now learning English.

To be sure, some [private U.S. NGOs](#) offer Mandarin learning, including an [Asia Society program](#) with 35,000 students studying Chinese in 100 K-12 schools around the country that are linked with sister schools in China. U.S.-based China and [Taiwan](#)-oriented groups also offer various Chinese education, culture and teacher training courses, as well as teaching of Chinese dialects and traditional Chinese characters still used in Taiwan and Hong Kong.

Nonetheless, federal funding is needed to adequately meet the Mandarin language challenge and lessen cash-strapped universities' [dependence on Chinese funding](#) and other teaching support. The U.S. government launched an [initiative with Taiwan](#) in December 2020 to expand existing Mandarin language opportunities in the U.S. and help [fill a gap created by CI closings](#). It should also increase Mandarin language and China studies funding under other critical language programs, and re-authorize the [Fulbright program](#) with China, including [language awards](#), that were [terminated in July 2020](#).

Due diligence, not dissolution

Budget cuts impacting universities' ability to finance their share of operating costs, coronavirus obstacles and [low Mandarin class enrollment](#), compounded by federal government funding restrictions, may mean the end of CIs after a 15-year, generally controversy-free record in the United States. Yet the U.S. is facing a critical shortage of Mandarin-speaking China experts. Even [critics concede](#) the CI program has provided valuable learning experiences otherwise unavailable due to budget constraints and the lack of Mandarin teachers at universities and public schools across the nation.

The Biden administration has the opportunity to [reassess the concerns, evidence and U.S. actions taken](#) with respect to the remaining Confucius Institutes and Classrooms. It should disaggregate legitimate national security concerns, including Chinese espionage and technology theft, from academic freedom issues that are best left to our universities. The federal government and Congress should work to protect our national security in a manner that [does not impinge on the academic freedom or institutional autonomy](#) they also seek to protect. Over 30 of the universities, as well as the [College Board](#), that ended CI partnerships since 2017 did so under political [pressure](#) that threatened loss of federal funding—not over concerns of Chinese interference or declining interest. Marshall Sahlins, an early and eloquent CI critic who was instrumental in closing the University of Chicago CI in 2014, [observed ironically](#) in mid-2018 that “the American government now mimics the totalitarian regime of the PRC by dictating what can and cannot be taught in our own educational institutions.”

Universities should, of course, continue to be vigilant against the potential for unwelcome influence including implicit pressure on faculty to self-censor, as well as to ensure compliance with the Department of Education's foreign gift and other reporting requirements, and [visa rules](#) for CI exchange visitors. Given the allegations surrounding CIs, which [continue to be pressed by bipartisan Congressional coalitions](#), CI host universities should all publish their CI agreements online. The CIUS, no longer directly funded by China's MOE, is well positioned to serve as both a visa agent to help ensure appropriate visas are obtained and a [clearinghouse for information](#) on Chinese teachers and administrators working in CIs.

More broadly, the U.S. government also has an urgent interest in stabilizing the U.S.-China relationship so that the two countries can work together constructively to meet common challenges. That formidable task requires the U.S. to foster more [realistic and actionable expectations](#), criticisms and commitments, rather than policies and actions

based on [an alarmist](#) China caricature that does not reflect the more complex reality of that country, its people and its behavior abroad. In an era of tight funding for and decline of interest in Chinese language and culture programs, and a clear need for cultivating Mandarin speakers and China expertise across multiple disciplines, the modest financial contribution and native Mandarin language professionals provided through an appropriately managed CI network should be welcomed, not castigated.

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