Im Fokus

Administration, Censorship and Control in the Chinese Media: The State of the Art

Verwaltung, Zensur und Kontrolle in den chinesischen Medien: Auf dem neuesten Stand

Thomas Scharping

Abstract

While China's policies of reform and opening-up have triggered far-reaching economic transformations in the media sector, and the leeway for uncensored reporting has widened, the principles of political supervision remain essentially unchanged. Despite some organizational reshuffling and recurrent jurisdictional adjustments, the basic bureaucratic set-up for enforcing media compliance with Party policies stays in line with the Leninist arrangements of the 1950s. The challenges for effective control posed by the technological revolution in mass communication have been met by new innovations in the monitoring and filtering of sensitive reports. Although rule by law has also spread to the media, it lags behind the standards reached in some other spheres of Chinese public life. Regulations stipulate a host of licensing requirements. They stress media duties and remain largely silent on media rights. The enforcement system is marked by strains between multiple actors and unresolved tensions with the principles of economic reform.

Keywords: China, media, press, censorship, administration, law, dissent, economic reforms

Introduction

China's accession to the WTO has once again accelerated the economic restructuring of the country's old and new media. Recent measures such as the gradual separation of TV production and broadcasting units or the permission for limited private and foreign investments in the media sector all strengthen the sweeping process of commercialization under way since the 1980s. In its course, the media's clearly political mandate of former times has become eroded by market-driven behavior with its attention to publicity, sales and program ratings, cost-effectiveness and income-generating schemes (Zhang 1993; Zhao 1998; Lynch 1999; Fischer 2001, 2003; Lee 2003). The proliferation of new

economic actors, the ramification of bureaucratic agencies and the creation of a host of new non-governmental organizations, the internet and various forms of electronic publishing have also spurred the diversification of the media. Chinese newspapers and journals, movies and TV programs are a world apart from the dull fare meted out to audiences before the reform period.

But while the outward signs of new liberties for Chinese society are all too evident, the less visible means for ensuring media compliance in the political realm endure. Organizational arrangements and the long-established procedures for media control have shown a great power of resistance against all attempts to relax or even abolish censorship. Instead of weakening, some of them have even become buttressed by China's drive to introduce rule by law and by her determination to partake in the technological revolution. Commercialization and marketization as the main challengers of political supremacy in media work have provoked a political backlash. The old and new procedures for censorship and control of the media that are discussed in this article are still formidable. Under conditions of globalization, the political motives for tightened media supervision have also become meshed with economic motives and the desire to prevail in the global competition for markets, investments and ideas (Willmann 2006). Supervision of the Chinese media sector therefore comes in different garbs. While it can drape itself in the outfit of the cyber-age and in money-making smartness, it can also don museum pieces from the socialist fashions of yore.

This article presents a summary of developments in media supervision since the 1990s. This is a sensitive topic with murky details that are only roughly sketched in most of the literature. Besides the books and articles cited in the text and the list of references, the article also relies on a careful screening of Chinese internet materials which prove to be a valuable source of information. All unattributed information in the text was gathered by way of interviewing during repeated research stays in China.

Principles

Since the start of China's reform policy, the ideological guidelines and general principles of press work in China have been repeatedly called into question by advocates of political liberalization. Nevertheless, they stay intact, preserving basic tenets that hark back to Lenin's 1902 and 1905 articles on "What Is to Be Done?" and "Party Organization and Party Literature", plus a long list of later explications by Soviet and Chinese communist leaders, among them speeches by

Mao Zedong in 1948 and 1957 (Talk to the Editorial Staff of the Shanxi-Suiyuan Daily, 2 April 1948; On the Correct Handling of Contradictions Within the People, 27 February 1957), as well as by Liu Shaoqi in 1948 (A Talk to the North China Press Corps, 2 October 1948). These include the definition of the press and other media as "the mouthpiece of the Party", underlining their duty to propagate the Party line and to give guidance to the populace by use of many positive and a few negative examples. Truthful reporting is honored in principle but subordinated to a grasp of basic truths and political needs as judged by the Party leadership. Freedom of the press as practiced in Western countries and the role of the media as an independent power are explicitly renounced; newspapers are conceived as organs of the various Party organizations.

For decades, these principles have been repeated over and over again (Liu 1971; Klaschka 1991). They have served to justify tight Party control of all media and to submit all journalists to periodic ideological instruction. They have never been abandoned, not even by reformist Party leader Hu Yaobang, who, while pleading for a more lively style of press reports, endorsed them in an often-cited speech of 1985 (On the Party's Journalism Work, 8 February 1985). After the Tiananmen movement of 1989, all initiatives for introducing some genuine rights of the press and for enshrining them in new laws on the press, on radio, film and television that had been under way since 1984 ceased. Instead, political retrenchment fostered a drive against "bourgeois liberalization of the press" in the 1990s (Zhang 1993; Dittmer 1994; Polumbaum 1994b; Zhao 1998; Lynch 1999; Hu 2002). It has been buttressed by the constant admonishment to safeguard political and social stability, the catchall argument of the post-Tiananmen period for ruling out political reforms.

China's new Party leader Hu Jintao has been unwilling to strike any new chords so far. His latest pronouncements on the basic principles of press work and information policies date from January 2006 and are noteworthy for their orthodox stand. Typically enough, the Party's current guidelines on reforms in the cultural sector try to separate the commercial and political aspects of media work. While economic reforms in terms of profitability, private investments and nation-wide marketing of the media have breached many former restrictions, Party leadership in all matters of news reporting is upheld (RMRB, 04., 12.01.2006).

Organizations

The bureaucratic edifice for enforcing supervision of the Chinese media reflects

the complicated political set-up of the country with its multitude of vertically structured and horizontally layered organizations. These display the Leninist arrangement of dual rule by both Party and government organs, which has been phased out in many other spheres of Chinese economic life but stays very much alive in the media sector. Absolute leadership of the Party continues to be the paramount principle in media work, even if in practice it can become refracted by the existence of multiple actors and different views within the Party or the government, as well as by the bureaucratic rivalries of daily life.

At the apex of the supervisory apparatus is the Central Leading Group for Propaganda and Ideological Work, an informal caucus of the top Party and government leaders in charge of various bureaucracies in the propaganda sphere. Currently headed by Li Changchun, a member of the Politburo Standing Committee and thus one of the nine highest Party leaders, it hammers out the general line in propaganda work and acts as a coordinating mechanism at the highest level. The Central Leading Group meets irregularly; it has no vertical organization underneath the national level. Its relatively small secretariat handles liaison and courier services which ensure that its decisions are transmitted to all relevant departments (Hsiao & Cheek 1995; Li Changchun 2007).

The duties of the Party's permanent watchdog over media work are shouldered by the Propaganda Department of the CCP Central Committee, whose director usually holds a seat on the Politburo and concurrently acts as deputy head of the Central Leading Group. In contrast to the Central Leading Group, the Propaganda Department is a full-blown organization with more than a dozen sub-departments at central level and a hierarchy of parallel organizations at provincial, city, and county level. It drafts guidelines for all media work and oversees their implementation, makes appointments to leadership positions on its own nomenclatura list and issues orders to the government administrations in charge of operational work in the media sector: the General Administration of Press and Publications; the State Administration of Radio, Film and Television; Xinhua News Agency; the State Council's Information Office; the Ministry of Culture; the Ministry of Information Industry; and editorial offices of newspapers and media under central Party or government leadership (RMRB, 31.10.2003; Zhonggong zhongyang xuanchuanbu 2003; Zhongyang xuanchuanbu 2006).

Via the organizational channels of these organizations or by means of the system of lower-level propaganda departments, the Central Committee's Propaganda Department can extend its reach to all media within China. Local cases

are usually left to the discretion of lower-level departments, which are assigned duties in alignment with territorial and sectoral jurisdictions. However, the Central Propaganda Department can intervene at any time and reach out to the local level directly, should it deem this necessary. Its responsibilities include drafting of theoretical guidelines, supervision of foreign propaganda, control of book and journal publishing, film production, radio and TV braodcasting, direction of literary and art activities, guidance of research work in the social sciences and the humanities, as well as the monitoring of public opinion in the country by the scanning of newspapers, internet sites and internal reports. In former times, it also watched school books and political schooling for teachers, evening schools, translation activities, health propaganda and sports. Senior cadres of the Propaganda Department often also hold leadership positions in other cultural organizations or control organs for the media. One of the present deputy directors of the Propaganda Department, for example, concurrently acts as director of the State Administration of Radio, Film and Television (Liu 1971; Zhonggong zhongyang xuanchuanbu 2002; Jiao 2004; Zhongyang xuanchuanbu 2006).

Supervising the supervisors, the Propaganda Department usually prefers to act as a gray eminence behind the scenes. Even though during recent years it has preferred to translate its proper Leninist-Chinese designation (*xuanchuan bu*) into the innocent English term „Publicity Department", it is notable for shunning publicity and not even publishing an own website (CPGPRC). This is different from the various government agencies implementing the Propaganda Department's guidelines and thus functioning as its extensions, even if their personnel can hold views that can diverge widely from those of their mandators. In order to facilitate their administrative routine work, advertise their income-earning activities and connect with an ever more diversified clientele of economic actors, the various government bureaucracies and their affiliates post sometimes quite elaborate information on the internet.

One of the oldest and best-established government organs in the media sector is Xinhua News Agency. Founded in 1931 in the communist base-areas of Jiangxi province, it has evolved into a giant state institution for the collection, processing and distribution of current news and information. Holding monopoly status in its realm, it maintains branch offices in all the provinces of China and in more than 100 countries worldwide, with approx. 8,400 employees on its rosters. Major subsidiaries include an advertising company, an audio-visual outlet, a publishing

press, a printing shop and others. Apart from regularly feeding the press with its standardized news reports, Xinhua also publishes nearly 40 different journals and newspapers, an extensive internet service, and annually more than 400 books on current affairs. Other activities include the dissemination of internal reports on the political situation in China that are circulated for a restricted readership of political leaders. Xinhua is a state agency under the State Council and enjoys ministerial rank. At the same time it is also listed as one of the five media organs under the direct leadership of the Party's Central Committee, a position shared by the Party's central organ *People's Daily*, the national newspaper *Guangming Daily*, the Party's theoretical journal *Qiushi* and the State Administration of Radio, Film and Television (Chang 1989:61-91; Battistella 2005; Xinhua; Zhongguo gongchandang).

Two organizations act as the direct supervisors of the media: the General Administration of Press and Publication (GAPP) and the State Administration of Radio, Film and Television (SARFT). Both have their own networks of parallel institutions at lower levels. GAPP was established in 1949 and soon became integrated into the Ministry of Culture, where it concentrated on the administration of copyrights and the organization of the publishing industry. Elevated to the status of an independent administration directly under the State Council in 1973, its jurisdiction was broadened in 1987 to include control of all publishers of newspapers, journals and audio-visual materials. These have grown to more than 900 publishing houses in 2003. With a staff of some 145 cadres at central level and many more in the subordinate provincial bureaus, GAPP has been actively involved in recurrent crackdowns on the widely expanded publishing scene of the reform period. It performs regular monitoring of news publishing and internet websites, investigates and prosecutes all illegal publishers, import and export units. With its mandates for drafting regulations on publishing or for planning the number, the composition and the regional distribution of all publishing units, printing houses and book stores it also wields powerful instruments for exerting both political and market control. In recent years, it has used these prerogatives to promote the establishment of large publishing conglomerates (GAPP; Polumbaum 1994a).

Similar to GAPP, its sister organization SARFT exercises control of a distinct media segment that has become even more important than the publishing of print media. It has long been functioning under the dual leadership of both the State Council and the Central Committee. Testifying to the significance of

radio and television, SARFT came under the direct leadership of the Propaganda Department during the Cultural Revolution and well into the early reform period from 1967 to 1981. Afterwards it reverted to the position of an administration under dual government and Party leadership, enjoying elevated status as a ministry during 1982 to 1997. Its special position is also documented by the fact that it is one of the only three media organs that are headed by a member of the Central Committee and thus enjoy ministerial rank (the other two being Xinhua News Agency and the Party organ *People's Daily*). Since 1986 SARFT has also acquired jurisdiction over the Chinese film industry. Two years later it had to cede authority over TV cable networks to the newly created Ministry of Information Industry (MII). Today, it controls all radio and TV broadcasting units from the county to the national level. In the year 2000 there were nearly 2,000 of them nationwide.

Moreover, SARFT exerts direct leadership over an empire comprising China's three national radio and TV stations (the central TV station CCTV, Central People's Broadcasting Station, and Radio China with broadcasts for foreign audiences), nearly 40 other subordinate film studios, companies, or institutions, plus 28 affiliated associations. It has tried to forge a huge industrial and commercial conglomerate with more than 20,000 employees out of these. But because of the divergent interests involved in this embryonic enterprise, the China TV and Film Broadcasting Group, this plan has not really become a running proposition. While new solutions for bundling the commercial interests of SARFT are still being sought, the agency's administrative control functions continue unabated. Similar to GAPP practices, they include the regular monitoring of radio, TV and film content, the formulation of annual plans for the volume, distribution and structure of film production, the drawing up of regulations for the licensing of the relevant media segment, the handling of import and export agreements and international cooperation (Li Xiaoping 1991; SARFT; SARFT d).

While supervision of the traditional media is founded on a division of labor between well-established institutions, control of the internet has become entangled in a haggling over competing jurisdictions. Apart from its control of cable networks, the Ministry of Information Industry (MII) thus regulates and controls all internet access and content providers. However, this still leaves the supervision of internet broadcasts with SARFT. GAPP in turn approves and oversees all publication and information sites on the internet. To make matters

still more complicated, the State Council's Information Office, which mainly coordinates China's foreign propaganda, also claims planning and guidance rights over information and propaganda sites on the internet. Moreover, the Ministry of Public Security is conducting its own activities for scanning or filtering internet content and prosecuting illegal behavior contravening state secrecy laws. Last but not least, the Propaganda Department has also set up its own section for the monitoring of internet reports. And the list carries on. A recent discussion of bureaucratic intricacies in the regulation of the increasingly popular internet blogs brought out the fact that in addition to the organs mentioned above there are still further players in the regulatory thicket: the Ministry of Culture, the Ministry of Health, the Ministry of Education, the Ministry of State Security, the State Administration of Industry and Commerce, the Chinese Academy of Sciences, the State Secrecy Bureau and the State Secret Code Regulatory Commission. Altogether, the record includes 14 different agencies (MII; MPS; *Jingji Cankao Bao* 2007).

Mechanisms and Procedures

There is a host of formal and informal avenues for enforcing compliance with the wishes of the supervisory bodies. Even if today belief in the Party's ideology has become seriously eroded and Party cohesiveness is much less than it used to be, the all-pervasiveness of Party cells and committees in the media still continues to function as a powerful lever. All government institutions active in media work and all editorial offices are steered by their own Party committees, which ultimately answer to the Propaganda Department. The Party committees meet regularly and decide on matters of major importance. Even a commercial unit such as the China TV and Film Broadcasting Group openly declares on its website to follow the instructions of its Party cell, which decides on business strategy, propaganda duties, matters of personnel, as well as capital transfers (SARFT d).

All media continue to function as units under state ownership, thus ensuring their external supervision by higher leadership organs and their internal control by Party committees. Since the vast majority of media staff carries Party membership cards and is subject to Party discipline, and all personnel bureaus responsible for the hiring, firing, promotion or demotion of employees in state institutions are customarily led by Party cadres, the principles of state ownership and Party leadership carry additional clout. Private media ownership has been repeatedly demanded, but it has been consistenly rejected by the Propaganda Department.

Although private investments have been continuously increasing, these have to assume the form of loans. This unswerving stance in the political realm contrasts with a clear commitment to disentangle Party, state and business interest in the commercial sphere. In a sweeping decision of February 2004, the Propaganda Department ordered the ceasing of all government and Party subsidies for the press, the abandonment of all opposite fee collections and the merger of different publishers into large publishing groups. As a further measure it decreed that all government and Party personnel had to quit concurrent positions in the distribution, advertising and operating sections of the press (Zhao 1998:39-45, 176; Fischer 2001; XNA, 27.05.2003; RMRB, 10.04.2004).

Depending on the status and importance of the individual media, their directors and editors-in-chief are appointed by the central or the regional propaganda departments directly. In the case of newspapers and journals they are responsible for overseeing the pre-censoring of normal reports, which pass through three to six hands before their final release. In case of commissioned guide-line reports and commentaries in the national media, the arrangements may become even more complicated by including several Party and government leaders with relevant jurisdictions in the chain of command. Contrary to historical precedents from other countries with censoring practices, pre-censoring of the Chinese press thus is not vested in a special organ but is carried out by personal fiat of individual politicians or internally within the press itself. While this leaves scope for different implementation and interpretation, it also creates ample room for factional bickering and burdens the persons in charge with all responsibilities, should a superior organ find fault in their decisions later on (Liu 1990:84-87; Wu 1994; Chang 1989:92-111; Wu 2002).

Pre-censoring is unnecessary, if only the full and unaltered text of Xinhua reports is relayed. Xinhua reports are transmitted in two categories: lead stories and commentaries for mandatory reprinting or ordinary reports for optional use. A specific monopoly of Xinhua reports exits in regard to information on Party and government policies, important meetings, leadership activities and talks on both domestic and foreign affairs, appointments, dismissals and deaths of important leaders. These time-honored but still valid rules from 1949 and 1950 were reaffirmed in a directive of the Propaganda Department from 1987 (Wei 2002:199). They are paralleled by the requirement that all local TV stations have to transmit the first channel of CCTV. An additional rule stipulates that foreign news have to come from Xinhua or the three central media (CCTV, Central

People's Broadcasting Station and Radio China) exclusively. These practices make the headlines and first pages of many papers or the news broadcasts of radio and TV stations look and sound alike. They ensure a large degree of uniformity for published opinion throughout China. The variety of information has been further limited by the past ban against marketing media outside their assigned areas of circulation, which correspond with the jurisdiction of the Party or state unit disseminating them. The increasing trend of privatization and commercialization makes this ban crumble for the print media. Although state control of all ordinary transmissions let it largely survive for radio and TV broadcasts, persons or units with satellite receivers are able to watch the domestic TV programs of other provinces (Chan 2003:161-169).

To the chagrin of Chinese journalists, no clearly defined rules exist for circumscribing the privileges of the Propaganda Department. Judging from the bits and pieces of information available on official and dissident websites, it regularly issues guidelines for political study courses and convenes symposia for lecturing responsible cadres in the media. A constant source of irritation is its lists of banned authors or publications. These are augmented by lists of banned or recommended topics for media reporting, which are updated on a weekly basis. The taboos can be excruciatingly vague (no reports detrimental to the minds and health of youth! no false reports! no incorrect viewpoints!) but also as precise as to prohibit specific names or formulations to appear in the press (no use of the expression "blocking"! no report on the corruption case in Hunan! no excessive publicity for the [Tibetan-exile movie] „The Cup"!). Recent instructions have ruled out unauthorized reports on controversial events or figures from history or discussions of judicial corruption (Zhonggong zhongyang xuanchuanbu 2002; SCMP, 16.01., 24.02.2007).

Recent years have seen a gradual relaxation of the former bans of reports on corruption cases, industrial accidents or natural catastrophes. A number of journalists have taken up the pen to pursue critical and investigative reporting, a topic ranking high in surveys on readership preferences (*People's Daily* Online; Brendebach 2005). Yet many taboos stay in force. These include: reports on leadership debates, dissidents, riots and political incidents in China, independent commentary on domestic and foreign affairs, negative results of China's accession to the WTO, unauthorized reports on the Tibet railroad line, reports on topics likely to undermine the relations with national minorities, news on the victims of former campaigns, reports on unpaid wages etc. Other still valid rules prohibit

news on violence and immoral acts. Or they demand a careful selection of reports on negative phenomena which should be geared to inspire confidence in the remedial action of the government or the Party (Schoenhals 1992:53-54).

Another nuisance is the post-censoring of media reports that is practiced by the Critical Reading Group of the Propaganda Department. The group was established in 1994; apart from active office-holders it has also many retired cadres from the propaganda apparatus among its ranks. It produces a frequently issued internal bulletin of reading notes which circulates among higher Party echelons and singles out individual news reports, articles and publications for either praise or blame. This practice puts the persons in charge of pre-censoring in constant jeopardy. In recent years just as in former times, media coverage picked out by the Critical Reading Group for criticism has led to the reorganization, suspension or closure of a number of journals. Comments on stalled political reforms or unwelcome reports on SARS and other social problems triggered these actions (Qing 2006; New Threads 2006).

In other instances, interventions by the Propaganda Department against politically sensitive footage in TV broadcasts provoked the disciplining, firing or jailing of editors. Telephone calls are often sufficient to effect these sanctions. Protection against them is only provided, if even more influential Party circles support the agenda of critical journalists or are interested in the additional income generated by bold reporting. Alternatively, local Party committees are also on the record for harassing and prosecuting muckraking journalists, even if these have stayed within acceptable political limits (He 2004).

While the Party organs still act according to past patterns of rule via personal ad-hoc orders, internal instructions and informal channels, the government administrations have progressed to a greater degree of rule by law. Still, their relevant regulations come mostly as rules decreed at departmental or sub-departmental level, with only few regulations drafted by the State Council and none ratified as laws by the People's Congress. This impairs judicability, compatibility and predictability, as changes are easy to effect and interdepartmental contradictions exist. Nevertheless, there is real progress: standardized procedures are available for public scrutiny – even if these detail many media obligations and offer few clues for media rights. Although rule by law has also spread to the media, it lags behind the standards reached in some other spheres of Chinese public life.

A reading of the literature (Fu & Cullen 1996; Wei 2002) and of regulations posted on the websites of the relevant administrations produces the following

picture: since 1986 an elaborate system of licensing has been introduced. Most presently valid regulations date from the late 1990s or early 2000s. They prescribe business licenses for all publishing houses, printers, distributors, film and TV drama producers, which are enhanced by the requirement that only incorporated units with a minimum amount of registered capital can engage in such activities. On the GAPP side, newly established book and journal publishers must all have a recognized sponsoring state unit, accept supervisory rights of the state and their formal registering as state-owned institutions. New local radio and TV stations can only be established on dual approval by the local government and the vertical line of SARFT departments right up to the central level. The relevant licenses specify name, program character and broadcasting volume. Licensing by SARFT also involves extra procedures for individual program approval. No private or collective unit is entitled to receive approval, and all must accept the right of the supervising agency to carry out investigations, mete out hefty fines and revoke licenses.

All content must stay within the confines of the State Security Law of 1993 whose article 4 "threatens persecution for activities that can be interpreted as plotting the overthrow of the government, splitting the country or overturning the socialist system; [...] stealing, spying out, buying or illegally providing state secrets; [...] or other actions violating state security". These very broad injunctions still have not been deemed sufficient enough, and recent regulations for the media sector enlarge on them. The Administrative Regulations For Radio and TV from 1997 thus add "programs violating national unity, sovereignty and territorial integrity; impairing the security, reputation or interest of the Chinese state; inciting ethnic splits and damaging ethnic solidarity; [...] spreading pornography, superstition and violence to the list of banned content". The Administrative Regulations For Film from 2001 and the Administrative Regulations for Publishing from the same year go still further and augment the list with bans against "propagating false doctrines and superstitions; disturbing public order and damaging social stability; [...] violating public morals or the glorious cultural traditions of the nation" (CPGPRC 1997; GAPP 2001a, 2001b; SARFT 1997, 2001). The common denominator of all these items is their extreme vagueness which turns application into a matter of interpretation and expediency rather than into calculable procedure based on factual findings. This creates a regime in which the obsession with permanent security for the state produces permanent insecurity for media staff.

Regulations for movies and the radio and TV sector are particularly strict. In contrast to the print and internet media, they introduce pre-censoring by external organs. All movie producers must submit a standard copy of their film for SARFT approval before final release. TV drama producers are further graded into larger units with the financial, technical and personnel resources to engage in the simultaneous production of more than one drama and smaller units whose resources suffice for only one production at a time. While the former can apply for long-term operating licenses valid for three years, the latter can only request provisional licenses for the duration of their present project. The granting of licenses is contingent on verification of the stated resources, in the case of provisional licenses it also involves the submission of the screenplay. Special permissions are required, if publications or film productions touch on political issues (SARFT a, b, c, 2001).

The internet has posed particularly large problems for implementing government policies. Although GAPP and MII Administrative Regulations For Internet Publishing from 2002 and SARFT Administrative Procedures For Internet Information Sites from 2004 repeat the same standardized catalog of injunctions as the earlier regulations on film and publishing from 2001, websites and internet forums still remain the most open source of news in China. Nevertheless, the state has waged a protracted war against the free flow of information. The techniques for the elimination of unwanted content have become ever more refined and include both the filtering of particular keywords and the blocking of blacklisted sites. They have been described as "the most extensive, technologically sophisticated, and broad-reaching system of internet filtering in the world" (Open Net Initiative; Reporters Without Borders 2003). But even though the thrust of these measures is clear, their implementation regularly runs into the problem of how to handle filtering and blocking when there is constant juggling of sensitive websites and keywords.

The administrative set-up for the licensing and monitoring of websites and internet forums has followed in line. Relevant regulations require all internet information services to display registration numbers and to keep records of the content posted on their bulletin boards, including the time of posting and the source's IP address. In a similar vein, access providers are forced to record each customer's time on the internet, his or her account number, IP address and phone number. Internet cafés have to ask for identification of their clients, and many units expressly forbid the use of pseudonyms in internet forums and chat

rooms. Chat rooms requiring participants to register their name and ID card number are increasingly becoming the norm. All these records must be kept for 60 days. While not each and every one of the regulations is constantly enforced, all operators bear the risks of intermittent check-ups (Giese 2000, 2005; Hughes & Wacker 2003).

Finally, foreign media have been targeted as an object of sustained control efforts. After the craze for Western TV drama productions of the 1980s, still valid decrees from 1990 and 1994 limited the broadcasting of such productions to a maximum of 20% of all broadcasting time and 15% of prime time. In the following years, further decrees required all imported foreign TV productions to display a Chinese approval number. In 2001 the receiving of foreign satellite TV was limited to international hotels and foreign-related institutions. Seven years earlier, special arrangements for some provinces had already been cancelled, and all film imports had been centralized. With the exception of cautious experimentation with tamed, self-censored foreign satellite and cable TV in Guangdong province since 2002, all of these regulations stay in force.

An Instructive Case

The circumstances surrounding the temporary closure of the publication "Freezing Point" in early 2006 offer an instructive look at the practical application of present media policies. They reveal the complicated maneuvering in regard to the sensitive issues of investment and ownership, as well as a protracted conflict between commercial and political goals in media policies. At the same time, they also expose the inroads of critical journalism and the perseverance of the Propaganda Department bent on using the profit incentive for its own purposes.

"Freezing Point" appeared in 1998 as a weekly column on current events in the *China Youth Daily*, the official organ of the Party's Communist Youth League. In 1999 it grew into a one-page addition, to become extended to a four-page supplement on current events, cultural affairs, scientific developments and famous personages five years later. Its steady enlargement reflected a good standing among the readership earned by dedicated reporting. The weekly supplement soon was commended as the most interesting part of *China Youth Daily* and received medals for publishing one of best news columns of the country.

"Freezing Point"'s success was part of larger strategy that aimed at turning the declining *China Youth Daily* into a large, modern and profit-generating enterprise. For this purpose, the paper had formed a joint venture for publishing, advertising

and related activities in 2004. All editors and reporters became employees of the joint venture, whose other partner was the Beida Jade Bird Group, a business group that had grown out of successful, state-funded software projects at Beijing University and that specialized in the marketing of technological products. With ample resources from the university and majority shares from the government, Beida Jade Bird Group had evolved into a large conglomerate with investments in the IT sector, in educational activities, real estate developments and in the civilian use of nuclear technology. At the same time, it became the prime investor in central-level newspapers that were put on a commercial basis. According to the agreement between the two partners, Beida Jade Bird Group injected 250 million CNY in cash into the joint venture, while *China Youth Daily* traded its material assets and operating rights for a 60 percent majority share. But apparently business interests and the political mandate of *China Youth Daily* clashed, or Jade Bird received a discrete hint from its own majority share-holder – for after only 18 months the conglomerate withdrew from the joint venture (Beida Jade Bird Group; Zhengzhi.com).

The reasons for this turn-about have never been officially disclosed, but it is striking that the failure of the joint venture came soon after first clouds marred the success story of bold journalism. In May 2005 "Freezing Point" had published a frank report by Taiwan's woman writer Long Yingtai under the title "Taiwan As You May Not Know It". Long Yingtai used a performance of the revolutionary Peking opera "The Red Lantern" in Taibei to reflect on the democratic way of living on the island, the wide-spread aversion against the former Guomindang one-party rule and the Guomindang army's bloody repression of popular demands in the ill-famed incident of February 1947. The article ignited a lively debate among the journal's readers. But as the analogies to the situation on the Chinese mainland were too obvious, it also provoked a sharp criticism from the Party's Propaganda Department. However, "Freezing Point" continued on its course. In June 2005 it breached another taboo and commemorated the sacrifices of Guomindang troops in one of the important battles of the Sino-Japanese War, enraging the Critical Reading Group of the Propaganda Department once more.

Two months later the large-scale pull-out of capital by Beida Jade Bird Group and the liquidation of the joint venture was announced. All editors of *China Youth Daily* and its supplement "Freezing Point" returned to their original employment conditions. As a boon they received new draft regulations for the

regular evaluation of the paper's journalists. These devised an elaborate system of financial rewards and punishments for either desirable or undesirable reporting. At the same time, they revealed the true power relationships behind the façade of lively reporting, the hierarchical nature of the propaganda system and the disregard for readership preferences. While in the evaluation system the three best articles in the monthly survey of readers earned only 30 bonus points each, commendations by leaders of the Communist Youth League's Central Secretariat drew 80 points, rising to 100, 120 and 300 points for praise by leading cadres of ministries and provinces, the Propaganda Department's leadership or Politburo members, respectively. An inverse rank scale governed the distribution of penalty points to be distributed for criticism by different leadership echelons. Directors, vice-directors, editors-in-chief and vice-editors earned 170%, 150%, 140% and 130% of the average credit points of all their junior staff (*Zhongguo qingnian bao* 2005a).

There was an immediate outcry among many Chinese journalists, who learned about these measures by carefully placed leaks in Chinese internet publications. The editor-in-chief of "Freezing Point" published an Open Letter against the new measures and their claim to embody the principle of "unison between the appraisal of superior departments and the appraisal of the readership". This in turn provoked an angry public rebuttal by the editor-in-chief of *China Youth Daily*. Interesting enough, the Party cell of the newspaper resolved to revise the controversial regulations once again and to recognize the legitimacy of the Open Letter (Li Datong 2005; Li Erliang 2005; Zhongguo qingnian bao 2005b).

The conflict between different concepts of press policy, however, continued to simmer. In January 2006 it erupted once again. At that time "Freezing Point" published the article of a professor from Sun Yatsen-University who questioned the official school book version on China's stand in the Second Opium War and the Boxer Uprising. According to him, the war activities of the Western powers were not the result of aggressive designs but rather a consequence of the anti-foreign policies of the last Chinese dynasty. On top of this unorthodox interpretation, the author voiced the provocative opinion that the historical misrepresentations of Chinese school books resembled those of their counterparts in Japan.

This time the Central Propaganda Department hesitated no longer. Within two weeks of the publication "Freezing Point" was closed and reorganized. All Chinese media were ordered to remain silent on the affair. Still, the combative editor-in-chief of the journal continued his struggle and posted another protest

on the internet. In addition, he also challenged the Propaganda Department, based his case on the Party statutes and wanted to plead it before the Central Committee's Disciplinary Commission. This provoked long debates in the newspaper's Party cell (Gongqingtuan zhongyang xuanchuanbu 2006; Li Datong 2006). Finally, a decision to table the conflict and not to forward it to the Disciplinary Commission was adopted. It was with a delay of some weeks that the editor-in-chief was finally dismissed from his position in the reopened journal. As of today, he remains unmolested in private life.

The Central Propaganda Department, however, has prevailed and introduced a new penalty point system in 2007, with graded point deductions for non-compliant media. It threatens immediate closure of media once an allocated number of points is exhausted. A similar system of point deductions has been proposed for the handling of offensive internet blogs (*Jingji Cankao Bao* 2007; SCMP, 09.02.2007). Party chief Hu Jintao in turn is on the record as counselling refined methods of control and the future abstention from media closures, as these would only arouse the immediate attention of outside observers.

Conclusion

While China's policies of reform and opening-up have triggered far-reaching economic transformations in the media sector, and the leeway for uncensored reporting has widened, the principles of political supervision thus remain essentially unchanged. Despite some organizational reshuffling, recurrent jurisdictional adjustments and a penchant for new technocratic ways of control, the basic bureaucratic set-up for enforcing media compliance with Party policies stays in line with the Leninist arrangements of the 1950s. Within this framework, the economic and technological revolution and the arrival of the information society in China have created new opportunities for the Chinese media. But even though technological progress and commercial interest have driven their surge forward, the tight policies of control are a drag on their further development. In theory a clear separation of political and commercial matters should solve all problems. However, as the principles of self-interest and economic competition rebel against the selling of undesired content, in practice conflicts abound.

Negotiating compromises, dodging the intervening powers and seeking safe ground by concentrating on glossy entertainment and avoiding political topics has become the daily task of many players. Alternatively, they can boost media income by breaching taboos and pursuing critical journalism. This requires

good connections, argumentative skills and financial assets to back up one's own position. Punishment for offenders of existing policies or crippling economic losses due to either non-approved and banned, approved but unprofitable or heavily subsidized productions are the wages of those who do not perform well in the game. Past instances like half of the movie production shot in vain due to censoring practices or two thirds of a journal's income lost after the removal of critical content offer glimpses of the situation.

The Chinese media thus walk a tightrope, with high risks incurred for either economic or political failure. In comparison to the former state of affairs, their freedom of movement has certainly increased. State and Party agents at the grass-roots level exercise the power of interpreting guidelines that are rigid and vague at the same time, bending them in the process. The frequent brokering of disputes and a permanent renegotiation of fuzzy rules on ill-defined areas lurk under the surface of the new Chinese passion for rule by law, here as in many other areas. As of today, the final outcome of the struggle for media control remains undecided. The impatience of journalists with the tight propaganda regime is growing. But both the power and the will to control and intervene from on high still seem to be larger than elsewhere in Chinese economic and social life.

References

Battistella, Gautier (2005), "Xinhua: La plus grande agence de propagande du monde", in: *Reporters Sans Frontières*, Paris. Online: http://www.rsf.org/IMG/pdf/Rapport_Xinhua_Fr.pdf (accessed 21 July 2007)

Beida Jade Bird Group, *Qingniao shinian lizan* (Congratulations for One Decade of Jade Bird). Online: http://www.jadebird.com.cn/group/index (accessed 19 January 2007)

Brendebach, Martin (2005), "Public Opinion – A New Factor Influencing the PRC Press", in: *ASIEN*, No.96, pp.29-45

Central People's Government of the People's Republic of China, *The Central Organizations of the CPC*. Online: http://english.gov.cn/2005-09/02/content_28610.htm (accessed 30 July 2007)

— (1997), *Guojia anquan fa* (State Security Law), 22 February 1993. Online: http://www.gov.cn/ziliao/flfg/2005-08/05/content_20927.htm (accessed 30 July 2007)

Chan, Joseph Man (2003), "Administrative Boundaries and Media Marketization,

A Comparative Analysis of the Newspaper, TV and Internet Markets in China", in: Chin-chuan Lee (ed.), *Chinese Media, Global Contexts*, London: RoutledgeCurzon, pp.159-176

Chang, Won Ho (1989), *Mass Media in China, The History and the Future*, Ames

CPGPRC see Central People's Government of the People's Republic of China

Dittmer, Lowell (1994), "The Politics of Publicity in Reform China", in: Chin-chuan Lee (ed.), *China's Media, Media's China*, Boulder, pp.89-112

Fischer, Doris (2003), *Understanding Marketisation Within the Chinese Information Sector – Taking Television as an Example*, Cologne University: Institute of Broadcasting Economics, Working Paper No.175

— (2001), "Rückzug des Staates aus dem chinesischen Mediensektor? Neue institutionelle Arrangements am Beispiel des Zeitungsmarktes", in: *Asien*, No.80, pp.5-21

Fu, H.L. & Richard Cullen (1996), *Media Law in the PRC*, Hongkong

GAPP see General Administration of Press and Publication

General Administration of Press and Publication. Online: http://www.gapp.gov.cn

— (2001a), *Chuban guanli tiaoli* (Regulations on the Administration of Publishing), 25 December 2001. Online: http://www.gapp.gov.cn/GalaxyPortal/inner/zsww/zongsu3.jsp?articleid=5455&boardpid=103&boardid1=11501010111507 (accessed 30 July 2007)

— (2001b) *Yinshuaye guanli tiaoli* (Regulations on the Administration of Printing Enterprises), 2 August 2001. Online: http://www.gapp.gov.cn/GalaxyPortal/inner/zsww/zongsu3.jsp?articleid=5453&boardpid=103&boardid1=1150101011507 (accessed 30 July 2007)

Giese, Karsten (2005), "Freier Diskurs oder perfekter Überwachungsstaat? Identity Work im chinesischen Internet", in: *China aktuell*, No.1, pp.35-51

— (2000), "Das gesetzliche Korsett für das Internet ist eng geschnürt", in: *China aktuell*, No.10, pp.1173-1181

Gongqingtuan zhongyang xuanchuanbu (2006), *Guanyu dui Zhongguo qingnian bao Bingdian zhoukan cuowu kan fa 'Xiandaihua yu lishi jiaoke shu' de chuli jueding* (Decision on Handling the Erroneous Publication of 'Modernization and History Textbooks' by China Youth Daily's Freezing Point Weekly). Online: http://voyage.typepad.com/china/2006/02/post_7.html (accessed 19 January 2007)

He, Qinglian (2004), *Zhongguo zhengfu ruhe kongzhi meiti* (Media Control

in China), New York. Online: http://ir2008.org/PDF/initiatives/Internet/Media-Control_Chinese.pdf

Hsiao, Ching-chang & Timothy Cheek (1995), "Open and Closed Media: External and Internal Newspapers in the Propaganda System", in: Carol Lee Hamrin & Suisheng Zhao (eds.), *Decision Making in Deng's China, Perspectives From Insiders*, Armonk, pp.76-87

Hu, Jiwei (2002), *Zhiding Zhongguo diyi bu xinwenfa de jianxin yu eyun* (The Tribulations and Ill Fate of Devising China's First Law of the Press), Parts 1-8. Online: http://www.xys.org/ebooks/others/history/contemporary/hujiwei/xinwenfa1.txt (accessed 29 March 2006)

Hughes, Christopher R. & Gudrun Wacker (eds.) (2003), *China and the Internet, Politics of the Digital Leap Forward*, London

Jiao, Guobiao (2004), *Declaration of the Campaign Against the Central Propaganda Department*. Online: www.zonaeuropa.com/20040505_2.html (accessed 13 March 2006)

Jingji cankao bao (Economic Information Daily) (2007), Beijing, 04.01.2007. Online: http://jjckb.xinhuanet.com

Klaschka, Siegfried (1991), *Die Presse im China der Modernisierungen, Historische Entwicklung, theoretische Vorgaben und exemplarische Inhalte*, Hamburg

Lee, Chin-chuan (2003) (ed.), *Chinese Media, Global Contexts*, London

Li, Changchun (2007), *Quanmian luoshi kexue fazhan guan, tuijin wenhua tizhi gaige* (Go All Out to Establish a Standpoint of Scientific Development, Promote a Reform of the Cultural System). Online: http://news.xinhuanet.com/zgjx/2007-01/22/content_5635363.htm (accessed 30 July 2007)

Li, Datong (2006), *Nimen you quan zhidao zhenxiang* (You Have the Power to Know the Truth). Online: http://voyage.typepad.com/china/2006/02/post_8.html (accessed 19 January 2007)

— (2005), *Jiu Zhongguo qingnian bao xin de kaoping banfa zhi Li Erliang zongbianji bing benjie bianweihui de gongkai xin* (Open Letter to Editor-in-Chief Li Erliang and the Incumbent Editorial Committee on the New Evaluation Procedures of China Youth Daily). Online: http://www.xys-reader.org/v.php?id=http://www.xys.org/xys/ebooks/others/report/zqb.txt (accessed 31 July 2007)

Li, Erliang (2005), *Wo de ji dian yijian: huifu Li Datong* (Some Opinions of Mine: A Reply to Li Datong). Online: http://boxun.com/hero/cloudwatching/149_1.shtml (accessed 19 January 2007)

Li, Xiaoping (1991), "The Chinese Television System and Television News", in: *China Quarterly*, No.126, London, pp.340-355

Liu, Alan P. (1971), *Communication and National Integration in Communist China*, Berkeley

Liu, Binyan (1990), *China's Crisis, China's Hope*, Cambridge, Mass.

Lynch, Daniel C. (1999), *After the Propaganda State, Media, Politics, and 'Thought Work' in Reformed China*, Stanford

MII see Ministry of Information Industry

Ministry of Information Industry. Online: http:// www.mii.gov.cn

MPS see Ministry of Public Security

Ministry of Public Security. Online: http://www.mps.gov.cn

New Threads (2006), *Xinwen yueping* (Critical Readings of News), No.34/2006. Online: http://www.xys.org/xys/ebooks/others/report/bingdian4.txt (accessed 30 July 2007)

Open Net Initiative, *Internet Filtering in China in 2004-2005: A Country Study*. Online: http://www.opennetinitiative.net/studies/china (accessed 30 July 2007)

People's Daily Online, *Jinnian yulun jiandu zhuming anli* (Celebrated Cases of Supervision By Public Opinion in Recent Years). Online: http://politics.people.com.cn/GB/1026/3346959.html (accessed 29 March 2006)

Polumbaum, Judy (1994a), "Striving for Predictability: The Bureaucratization of Media Management in China", in: Chin-chuan Lee (ed.), *China's Media, Media's China*, Boulder, pp.113-128

— (1994b), "To Protect or Restrict? Points of Contention in China's Draft Press Law", in: Edward J. R. Epstein et al. (eds.), *Domestic Law Reforms in Post-Mao China*, Armonk, pp.247-269

Qing, Xu (2006), *Ba 'xinwen yuepingzu' de huairen fangdao yangguang xia* (Get the Evil Persons From the "Critical Reading Group of News" Into the Open Light). Online: http://www.observechina.net/info/artshow.asp?ID=38280 (accessed 28 March 2006)

Reporters Without Borders (2003), *Living Dangerously on the Net*. Online: http://www.rsf.org/print.php3?id_article=6793 (accessed 30 July 2007)

SARFT see State Administration of Radio Film and Television

Schoenhals, Michael (ed.) (1992), "Selections from Propaganda Trends Organ of the CCP Central Propaganda Department", in: *Chinese Law and Government*, Vol.24, No.4, Armonk

SCIO see State Council Information Office

State Administration of Radio, Film and Television. Online: http://www.sarft.gov.cn

— (a), *Dianshiju zhizuo xukezheng* (License for the Production of Television Dramas). Online: http://www.sarft.gov.cn/manage/publishfile/104/722.html (accessed 30 July 2007)

— (b), *Dianying shencha chengxu* (Inspection Procedures for Movies). Online: http://www.chinasarft.gov.cn/manage/publishfile/27/1104.html (accessed 8 March 2006)

— (c), *Shenqing shezhi dianying xukezheng chengxu* (Application Procedures for Movie Production Licenses). Online: http://www.sarft.gov.cn/manage/publishfile/27/3281.html (accessed 30 July 2007)

— (d), *Zhongguo guangbo yingshi jituan jianjie* (A Brief Introduction to the China TV and Film Broadcasting Group). Online: http://www.sarft.gov.cn/manage/publishfile/69/914.html (accessed 30 July 2007)

— (2001), *Dianying guanli tiaoli* (Regulations on the Administration of Movies), 12 December 2001. Online: http://www.sarft.gov.cn/manage/publishfile/19/685.html (accessed 30 July 2007)

— (1997), *Guangbo dianshi guanli tiaoli* (Regulations on the Administration of Radio and Television), 1 August 1997. Online: http://www.sarft.gov.cn/manage/publishfile/19/683.html (accessed 30 July 2007)

State Council Information Office. Online: http://www.scio.gov.cn

Willmann, Katrin (2006), "Verschärfte Medienkontrolle oder Protektionismus?", in: *China aktuell*, No.5, pp.83-90

Wei, Yongzheng (2002), *Xinwen chuanbo fa jiaocheng* (Textbook of News and Communication Law), Beijing

Wu, Guogang (1994), "Command Communication: The Politics of Editotial Formulation in the People's Daily", in: *China Quarterly*, No.137, London, pp.194-211

Wu, Xuecan (2002), *Ran meige ren dou biancheng jianchayuan – Zhongguo gongchandang dui meiti de quan fangwei kongzhi* (Let Everybody Become a Supervisor – The All-Pervasive Media Control of the Chinese Communist Party). Online: http://www.bignews.org/20020312.txt (accessed 30 July 2007)

Xinhua, http://www.xinhuanet.com

Zhang, Xiaogang (1993), "The Market Versus the State, The Chinese Press Since Tiananmen", in: *Journal of International Affairs*, Vol.47, No.1, pp.195-221

Zhao, Yuezhi (1998), *Media, Market and Democracy in China*, Princeton
Zhengzhi.com, *Zhongqingbao yu Beida qingniao hezuo gaozhong* (Cooperation Between China Youth Daily and Beida Jade Bird Group Terminated). Online: http://www.zhengzhi.com/cmyj/qingwen.htm (accessed 19 January 2007)
Zhongguo gongchandang (Communist Party of China), *Zhonggong zhongyang zhishu jigou ji fuzeren* (Organs and Their Responsible Persons Directly Under the CCP CC). Online: http://cpc.people.com.cn/GB/64162/ 64163/4441072.hmtl (accessed 30 July 2007)
Zhongguo qingnian bao (China Youth Daily) (2005a), *Zhongguo qingnian bao caibian renyuan jixiao kaoping tiaoli* (Regulations For the Evaluation of Merit of Reporters and Editors of China Youth Daily). Online: http://www.xys-reader.org/v.php?id=http://www.xys.org/xys/ebooks/others/report/zqb5.txt (accessed 31 July 2007)
— (2005b), *Zhongguo qingnian bao zhoukan zhongxin taolun kaoping fang'an huiyi jilu* (Minutes of the Meeting of the China Youth Daily Weekend Edition Center for Discussing the Evaluation Scheme). Online: http://www.xys-reader.org/v.php?id=http://www.xys.org/xys/ebooks/others/report/zqb3.txt (accessed 31 July 2007)
Zhongyang xuanchuanbu (2006), *Gongwuyuan luyong kaoshi zhaosheng jianzhang* (Short Job Descriptions for Entrants in the 2006 Employment Concourse of the CC Propaganda Department). Online: http://edu.qq.com/a/20051013/000049.htm (accessed 30 July 2007)
Zhonggong zhongyang xuanchuanbu (2003), *2004 nian xuanchuan sixiang gongzuo yaodian* (Main Points for Propaganda and Ideological Work in 2004). Online: http://www.sxufe.edu.cn/xuexiao/danwei/cddw/lwjy/xxzl/12.htm (accessed 26 November 2005)
— (2002), *Buxu baodao, caozuo, pingdian, guanzhu, guchui* (Forbidden to Report, Make Up, Comment, Follow Up or Propagate). Online: http://www.asiademo.org/2002/06/20020628c.htm (accessed 26 November 2005)