

CHINA

1. GENERAL INFORMATION ON MEDIA AND MEDIA USE

At the time of the Fifth National Census in 2000 (the most recent), there were more than 80 million illiterate people at or above 15 years old. Of this total, 72.7 per cent were women. At the time of the census, the adult illiteracy rate in China was 9.08 per cent. Since then the illiteracy rate has continued to decline, though challenges remain for women, farmers and ethnic minorities. Since 2000, the number of illiterate people has declined by an average of 2 million per year, according to recent statements by the Chinese government. Ninety per cent of the country's illiterate people live in the countryside. In general, literacy is comparatively hard to achieve in China where people have to learn not just letters but hundreds of different pictorial characters. China is acting against illiteracy by promoting the nine-year compulsory education policy, particularly in rural areas. For example, the government has allocated 10 billion yuan to build 7,600 boarding schools for some four million students in western China between 2004 and 2007. The official goal is to reduce adult illiteracy to less than 40 million people by 2015. According to government statistics, China has lifted 46.5 million people out of illiteracy since 1990.

Literacy and education

China's media landscape has undergone rapid growth over the last 20 years. By 2007, approximately 2,548 radio and TV stations existed across China, according to market research firm China Media Monitor Intelligence (CMM Intelligence 2008). More than 2,000 newspapers are published in the country and about 10,000 periodicals and magazines are competing in the market.

Media landscape

Compared to the pre-reform era, when the central television station and a few Communist Party newspapers were the only media available, Chinese readers and viewers can now choose from various media outlets. In addition to the media's Leninist mandate to transmit policies and to educate and mobilise the masses, newspapers, magazines and television stations are now routinely expected to entertain and excite. But that does not mean that they have been stripped completely off their traditional role to steer the masses. The country's propaganda officials still wield extensive influence over published content.

As more attractive newspapers have entered the marketplace, the readership of the old mainstream press has declined. Between 1990 and 2005, the circulation of the People's Daily – media flagship of the Communist Party – dropped by 40 per cent. Meanwhile, successful tabloids, like Beijing's Xinjing Bao or Southern Weekend began to attract new readers with their modern design and lively features.

As China is a one-party state, there is no clear separation between the party and the state. Despite the rapid growth of the media sector, virtually all major print, television, and radio outlets formally continue to be linked to the party-state and are required to obey party directives. Independent media are not allowed. The strict licensing system makes it mandatory for Chinese print publications, TV stations and radio stations to be associated with at least one government-related institution. Many party organisations, from state to local levels, publish their own newspapers and/or magazines. For example, the Chinese Communist Party Central Committee publishes the nationwide newspaper People's Daily, which is considered the mouthpiece of the central leadership. The

Party media

Shanghai-based Liberation Daily is supervised by the Communist Party Committee of Shanghai Municipality. A wide range of government ministries and institutions also have their own publications. The Supreme People's Court, for example, publishes People's Court News.

All television and radio stations are subject to direct regulation by the State Administration of Radio, Film and Television (SARFT). SARFT acts as the primary enforcement agency tasked with maintaining government control over the sector. The regulator for the print media is the General Administration of Press and Publications (GAPP). In addition, all media are subject to supervision by the Central Propaganda Department (CPD). Propaganda authorities issue directives dictating either that certain news items should not be reported, or how certain items should be covered.

A report from Freedom House explains the organisational grip of the party over the media (Esarey 2006, p. 3): 'The Central Organisation Department and the Central Propaganda Department directly appoint managers of national media, such as the television station CCTV, People's Daily, or Xinhua News Agency. For local media appointments (provincial level and below), the Central Organisation Department of the CCP appoints provincial party secretaries and deputy provincial heads (or mayors and vice mayors of directly administered municipalities). These party appointees cooperate with the CCP Central Propaganda Department to select the managers of media organisations. Thus while the central party leadership does not appoint the heads of local media organisations directly, it exercises power over personnel through appointments of leaders of administrative districts, who determine and supervise subordinates.'

Internet media For the last decade, the internet in China has experienced rapid development. The number of 'netizens' increased from 620,000 in 1997 to 162 million in June 2007. The online community has therefore increased by 260 times in ten years. As a result, China today is already the second-largest internet market in the world behind the US.

But in terms of penetration, China is still lagging far behind. According to the state-run China Internet Network Information Centre (CNNIC), internet penetration was 12.3 per cent in June 2007 – compared to 9.4 per cent a year earlier. Most of the netizens live in cities: the urban penetration rate is 21.6 per cent, as opposed to a rural rate of just 5.1 per cent. In the US or Japan, more than two-thirds of citizens have internet access.

The use of the internet as an information channel has been widely utilised by China's online community. According to CNNIC, the internet ranks first among the information sources for 76.3 per cent of internet users. Most netizens rate the internet as their preferred choice for information gathering. Of the people with online access, 76.3 per cent say they got to know critical news from the internet first, according to a survey by CNNIC. Especially among China's younger generation the new media have established themselves as a major means of news gathering

Popular internet portals like Sohu.com, Sina.com or Netease.com are not linked to the government. Some are listed on foreign stock exchanges. Sohu.com for example is listed on New York's NASDAQ. These commercially driven portals are not allowed to generate their own news content and are not technically permitted to employ reporters. Only government-owned internet sites such as Xinhua Wang (run by the national news agency Xinhua) or Renmin Wang (People's Daily's online site) are permitted to produce their own news.

Still, the private portals wield a big influence. Both leading portals, Sohu and Sina, provide a wide variety of news by posting articles from other sources, including local and national newspapers or television stations. Although they do not generate their own content, the commercial sites thereby influence what kind of stories will receive national attention. They can also promote certain topics by placing an article prominently on the website. The speed with which news is posted to the sites means that stories may spread nationally before local authorities are even aware of the article being published.

Internet media have contributed to the rapid dissemination of news, including about wrongdoings by officials. Technically, all portals are subject to propaganda department oversight. In order to avoid problems, the internet news sites do exercise self-censorship and try to stay away from sensitive topics, like national security issues. However, the portals are using the fact that their published news has previously appeared in official publications as a shield.

China's media-control system has traditionally relied on the ability to silence reports on undesirable topics. This practice is being challenged by the fact that news reports are often posted to numerous websites within hours of appearing online for the first time. In 2004, many websites picked up the public outcry after a woman driving a BMW had run over and killed a farmer in the city of Harbin, yet did not receive a jail sentence. The killing followed an argument about a small traffic accident. Tens of thousands of Chinese flocked to chatrooms, many expressing outrage, suggesting that the woman had received special treatment because of connections to local authorities.

The growth of the internet and the speed of online news circulation clearly challenges the authorities' aim to control and monitor the flow of information. In addition, the speed and attractiveness of online reports has weakened the hold of the traditional media players over the masses. The government is therefore contributing a lot of resources to restricting the spread of information on the internet. Firewall software is blocking netizen's access to certain websites that the authorities consider to be not in line with government policy, including websites that are run by Chinese dissidents at home or abroad. However, online content from foreign news providers is also regularly or temporarily blocked, for example online-news from Britain's BBC or Germany's Deutsche Welle.

Online blogs and message boards are censored. A number of regulations hold online hosts responsible for the content of their sites, forcing them to screen online discussions and remove content that may be deemed subversive. According to estimates, China now has nearly 17 million bloggers. In another attempt to regulate content the Internet Society of China released a 'self-discipline code for blog services' in 2007.

Foreign companies take part in the censorship. Google Inc., owner of the world's most popular search engine, excludes links to anti-government sites on its China page. In response to a demand by the government, Microsoft has closed down a political blog. Yahoo handed identities of its users over to the administration, which led to the arrest of some so-called 'cyber-dissidents'. According to human rights organisation Amnesty International, China has jailed some 60 cyber-dissidents who have disseminated political information that the authorities believe challenges the political system.

It is not an easy task for the government to keep control of the system as the speed of the internet's development opens up grey zones, for which no regulations as yet exist. In 2005, for example, online television channels became more and more popular, with some of them even setting up news programmes. A new set of regulations that came into effect on 31 January 2008 states that all applicants for internet broadcasting licences must be government-run entities. Websites are prohibited from offering material that promotes sex, violence, gambling or religious cults or reveals state secrets. 'Internet video and audio providers must be resolute in the service of the socialist ideal and of the people,' the government stated. SARFT will supervise web video and radio services, which will need to renew their licences every three years.

Very often people rely on television, which is the preferred source of information for the Chinese, followed by the press (often used) and radio and the internet, which are occasional sources of information. But as stated earlier, for China's younger generation the internet is the primary means of information gathering. For all generations, verbal exchange is also often used.

*Media
consumption*

Verbal exchange is of great importance in China. The citizens are aware that the news they receive from government sources has in some way been filtered. For insight that goes beyond the official version, they therefore value private exchanges with people they trust.

According to studies, Chinese citizens on average watch television for 194 minutes per day and spend 39.6 minutes per day reading print media.

Media influence on political opinion The influence of the media on the formation of political opinion is rather significant, yet in a different way from that of democratic countries that value the freedom of the press. While the media in democratic systems act as a critical observer and as an independent watchdog over government policy and actions, Chinese media are not free to report what they want. On the contrary, the Chinese leadership often utilises the media to form public opinion and foster support for official policies. The propaganda officials hold on to the traditional belief that the government-controlled media should steer society. Even though the authorities' grip over the media is being challenged by the internet and also by some investigative journalists from the traditional media, the party-state still effectively influences public opinion to a large degree.

This holds particularly true for sensitive topics like Taiwan or Tibet. China considers the democratically ruled island of Taiwan to be an integral part of the People's Republic. Opinions that might differ from that official standpoint cannot be published in mainland media. Objective reporting about democratic development in Taiwan is suppressed. Taiwanese politicians who strive for more autonomy or even independence are frequently branded as 'traitors'. On the other hand, Taiwanese representatives who argue for a closer relationship with the mainland are prominently featured in the Chinese media and are described as holding up the will of the Taiwanese people as a whole. The one-sided reporting contributes to the fact that the vast majority of mainland Chinese share the view of their government that the island belongs to them, and it strengthens their belief that the Taiwanese people share this view – although in reality opinions on the island are rather diverse.

The negative image of the Dalai Lama in China is also heavily influenced by media reports. Positive reports about Tibet's spiritual leader, who lives in exile in India, are virtually non-existent. On the contrary, he is frequently referred to as a 'splittist' who wants to separate Tibet from China. The meeting of German chancellor Angela Merkel with the Dalai Lama in Berlin in 2007 not only drew fierce criticism from the Chinese government. Discussions with Chinese people revealed that the meeting also created irritation among ordinary citizens. Influenced by the negative reporting about the Dalai Lama, many wondered why Germany, which they consider to be a friend of China, had taken such a provocative step. The fact that the German chancellor justified the meeting in the context of religious freedom was barely reported in China. To the Chinese authorities, Taiwan and Tibet, above all, are a highly sensitive matter of national sovereignty. As journalists are aware that there is no room for them to freely comment on issues of sovereignty, they strictly toe the party line.

The Chinese know that the media is not free and that it is influenced by the leadership. They therefore do not automatically assume that all reports are objective. Complaints about biased reporting in favour of the government are not uncommon in discussions with Chinese citizens. But critical distance does not automatically improve knowledge. Many Chinese might be aware that they are only presented with one side of the story, but at the same time they do not have easy access to different interpretations and additional facts, which makes it hard to form an individual opinion that goes beyond knowing what not to trust. Therefore, not only what is reported but also what is not reported and censored by the authorities has an important effect on the formation of political opinion.

State-owned media All media outlets are officially connected to the state. Still, many are more or less run like private companies, but the censorship system makes sure that outright criticism of state policies hardly ever appears. It is fair to say that the coverage of media in China ranges from being close to government to clear propaganda.

State-owned media and published opinion Newspapers, magazines, television and radio stations all remain subject to CPD oversight and instructions. Some print editors do have slightly more freedom in pursuing critical stories. In general, television and radio remain subject to a higher degree of CPD regulation than the print media, although this can vary between publications and channels as well as between regions in China. Still, published opinion is heavily influenced if not completely formed by the state-owned media.

The government has increased the number of press conferences in recent years. The State Council, China's cabinet, for example now holds regular press briefings on a variety of subjects for local and foreign journalists, including cabinet work, statistics, food safety and rural development. Following a presentation by the politician, there is usually a question and answer session. Over the past year, the State Council Information Office in Beijing has held more than 70 press conferences and issued several white papers on food and product quality as well as on the country's political system. In April 2007, China adopted regulations on 'open government information' that promised public access to information on a range of issues including government spending, drug and food safety, and land seizures.

*Government
press conferences*

Provincial and local governments also increasingly hold news conferences. The willingness of the political elite to present policy through dialogue with the press has clearly increased. The State Council has also increased media training for government spokespersons.

In 2007, the south-western municipality of Chongqing, which straddles the Yangtze River, instituted regular monthly press conferences for domestic and foreign media. Chongqing is the second provincial-level municipality to adopt this form of press conference. China's business hub, Shanghai, introduced a similar scheme in June 2003.

Yet, press conferences by the president, the premier and state ministers are still scarce. The premier holds one regular press conference annually at the end of the yearly National People's Congress plenary session in March. In addition there are brief press encounters of China's state leaders with visiting dignitaries such as the president of the United States or European leaders. On many of these occasions, no more than three questions are allowed. Journalists who want to attend these press conferences have to be accredited for the event. Application procedures are usually highly bureaucratic and only a limited number of journalists will be given access.

Live broadcasts of press conferences are rare. The premier's press conference is one of the few that are broadcast live. Usually, television channels will only broadcast extracts.

2. LEGAL ENVIRONMENT

In China's political system the judiciary is not independent. The Communist Party wields significant influence over courts and judges. Therefore it is not only laws and regulations that influence the legal status of the media and possible legal sanctions, but also party policy.

Basically, freedom of opinion and freedom of the press have been recognised in the constitution as fundamental individual rights, and no amendment to the constitution sets clear restriction to such rights. In the second chapter of the constitution, 'The Fundamental Rights and Duties of Citizens', Article 35 states: 'Citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration.'

*Freedom
of expression*

Yet, there are limits. Articles 22 and 24 show that guidance of the media is equally important – and equally enshrined in the constitution. Article 22 defines the role of the state as promoter of, among others, the media. It says (full text): 'The state promotes the development of literature and art, the press, broadcasting and television undertakings, publishing and distribution services, libraries, museums, cultural centres and other cultural undertakings, that serve the people and socialism, and sponsors mass cultural activities... .' Article 24 goes further in dealing with content, even though it does not refer directly to the media. It says: 'The state strengthens the building of socialist spiritual civilisation through spreading education in high ideals and morality, general education and education in discipline and the legal system, and through promoting the formulation and observance of rules of conduct and common pledges by different sections of the people in urban and rural areas. The state advocates the civic virtues of love for the motherland, for the people, for labour, for science and for socialism; it educates the people in patriotism, collectivism, internationalism and communism and in dialectical and historical materialism; it combats the decadent ideas of capitalism and feudalism and other decadent ideas.'

*Free media
coverage*

This mix shows the delicate situation of the media as these provisions can theoretically contradict each other. De facto there is no press freedom in China. Freedom of thought and speech is increasing – but only, as long as the government and the socialist system are not directly challenged.

The Communist Party still expects the media to follow its leadership. In a commentary on the occasion of China's 8th Journalist's Day in November 2007 the People's Daily wrote: 'Over the past 70 years, the principle of adhering to the CPC leadership and serving the people, the faith of always reflecting people's aspirations and closely following the pulse of the time, the work style of going among the public, and the aspiration of promoting a professional spirit and abiding by occupational ethics, all have not changed. (...) Reality has proved that the Chinese journalistic cause can well stand the trust of the people and the party'.

The government has been using a vaguely worded 'national secrets' law with greater frequency against journalists in recent years. To a certain degree it is up to the party to interpret what a 'national secret' is. 'China has been very discreet about media opening up, because it is regarded as affecting state security,' Xinhua news agency quoted Yu Guoming, vice dean of Renmin University's School of Journalism and Communication, in November 2007.

In September 2004, New York Times researcher Zhao Yan, a Chinese national, was detained on suspicion of revealing unspecified state secrets. The arrest followed a report in the New York Times (which proved correct) that former Chinese President Jiang Zemin was retiring from his post. After three years in prison, Zhao was released in September 2007. His case sparked international outrage. US President George W. Bush and Secretary of State Condoleezza Rice lobbied on his behalf with Chinese President Hu Jintao.

In August 2006, Ching Cheong, a Hong Kong-based correspondent for Singapore's The Straits Times newspaper, was sentenced in a one-day trial to five years in jail on charges of spying for Taiwan. He was detained during a visit to Guangzhou in April 2005. After almost three years in jail the veteran journalist was released on parole in February 2008. China's official Xinhua News Agency had reported that Ching was convicted of selling unspecified 'state secrets and intelligence' to a Taiwanese foundation, which it said was a front for Taiwanese espionage activities on the mainland. Ching's supporters argued that there was no real evidence proving he was a spy and that he was targeted for political reasons. In interviews after his release, Ching admitted, that his work with the foundation involved 'mediating between authorities on both sides' rather than pure journalism. But he also stressed 'that at no time was I in possession of any national secrets, let alone handing them over to Taiwan'. If anything, the cases of Zhao and Ching demonstrate that Chinese journalists are walking on a cliff edge if their work includes topics of national interest and security.

Regulation of media coverage There is no particular defamation law determining access to information and the protection of the privacy of office bearers, but these kinds of provisions can be found in PRC civil laws and penal code.

There are no independent commissions regulating the media. Wide-ranging censorship after publication, however, is executed by the government under law. The General Administration of Press and Publications (GAPP) oversees the print sector, including online publications. Television and radio stations are subject to direct regulation by the State Administration of Radio, Film and Television (SARFT). SARFT's oversight of television, radio and film is all encompassing. It represents the state in setting and executing policy for the production, exhibition and distribution of domestic, co-produced, and imported television programmes. In addition, all media are subject to supervision by the Central Propaganda Department (CPD). Publishers and broadcasters receive regular instructions from censors on how to report certain issues and what they should not report.

While the supervision system for the traditional media is well established, the development of digital media represents a challenge to the regulators. China attempts to maintain tight control over the media and at the same time wants to nurture the development of digital technologies. As not all

areas of responsibility for digital content are clear yet, the modern media landscape has created loopholes. Two examples are internet television (IPTV) and videos distributed over mobile phones. While SARFT continues to claim that video content rights must remain in the hands of Chinese broadcasters, thousands of small operators, many unlicensed, are producing video products or buy content from abroad and distribute directly throughout the market without passing through any kind of government clearance, therefore undermining the censorship system. According to media research firm CMM Intelligence 'there is a growing sense of urgency in the central government over the virtually uncontrolled explosion of video content distributed over new media platforms.' 2007 was therefore characterised by increased efforts on the part of SARFT to extend its control into the digital realm with new regulations intended to cover content distributed over telecom networks. Already in late December 2006, SARFT issued a directive to deal with what it described as the wide range of 'internet TV stations' that acquire content from Chinese and foreign content distributors. A couple of stations were declared illegal, including cntv.net.cn and ccentv.cn. According to the Notifications on Inspecting and Punishing Illegal Net TV Stations, a number of net TV stations have been established with the express intent of 'forging government approvals in order to attract investment'. The notice prohibited legal broadcasters from cooperating with illegal net TV stations. But industry experts stress that grey areas and contradictions remain. Efforts at supervision are also challenged by commercial interests. Mobile phone companies and operators have strong financial incentives to ignore SARFT's directives, because for them, more and diversified content is a selling point.

No specific restriction on content exists, but media coverage of state policy, nationality and religion, diplomacy, military affairs and state confidentiality has to be strictly in compliance with relevant restrictions. No people, groups or organisations are excluded by law from working as journalists.

Do media reports have to be examined by state authorities before publication? Not by law, but effectively yes. Under the censorship system, reports on sensitive topics are regularly evaluated by party or propaganda officials before publication.

The legal environment for media coverage has not been modified over the past five years. Still, the working environment is always changing. The propaganda departments constantly give out orders to the media; in many cases this 'guidance' is case-specific, at both national and local levels. Given the grip of the government over the media through censorship and propaganda orders, many local Chinese journalists speak of a slight worsening in press freedom over the last five years. 9/11, however, did not have any particular effect on the media laws in China.

Changes in the past five years

In August 2007, China's new Emergency Response Law passed the Standing Committee of the National People's Congress (NPC), China's legislature. The law became effective on 1 November of the same year.

Work on the law began in 2003, after journalists from the southern province of Guangzhou had reported, against the will of local officials, the spread of the deadly SARS-virus. While the need for reform in this area is widely accepted, following the disastrous management of emergency information during the SARS crisis and the Songhua River pollution incident in 2005, critics saw the media's subservience to local government as being directly responsible for causing the most confusion. Earlier draft versions of the law included provisions to fine news organisations between RMB 50,000 and RMB 100,000 if they reported disasters and accidents without official authorisation and if the reports led to 'serious consequences'. The provisions spurred intense criticism from Chinese journalists and media experts, who feared that such regulations could be used by officials to cover up disasters and accidents. The government responded that the provisions were not meant to deter independent reporting, but to prevent media from spreading false information or fabricating events that might cause public panic. Still, the media's outcry had some effect: the provision for fines was dropped from the law. Yet, the law does still contain elements that put pressure on the media. It states that 'units and individuals are prohibited from fabricating or spreading false information regarding emergencies and government efforts to cope with emergencies'. Offenders will

be warned, it says. Media organisations or web companies could lose their business licences if their offences lead to serious consequences. For journalists these provisions are problematic, as the definition of 'false information' lies more or less exclusively in the hands of the Communist Party. Instead of encouraging investigative journalism, the provisions are meant to deter the media from reporting natural disasters, social protest or major accidents before the authorities have officially commented on them.

At the same time, though, the law includes elements that strengthen the right of citizens to receive timely and accurate information. The law says: 'People's governments in charge of coping with an emergency should provide coordinated, accurate and timely information on the emergency and its development.' According to the law, government officials will incur administrative punishment for providing inaccurate information.

With the new law, the pressure on local officials not to cover up emergencies has increased. It is therefore in line with the general aim of the leadership to raise the effectiveness and credibility of its rule. But at the same time the law effectively puts restraints on supervision by the press. The law can therefore act as a good example of the general policy of China's leadership, which intends to raise the standard of government through internal reforms, but without independent monitoring from the outside.

China has promised to grant foreign journalists more freedom to report in China in the run-up to, and during, the Olympic Games, which are due to be held in Beijing in August 2008. According to new regulations that took effect on 1 January 2007, foreign journalists would not necessarily have to be accompanied or assisted by a Chinese official when they report in China. Also, they no longer need to apply to provincial foreign affairs offices for permission to report in all Chinese provinces.

2008 is not only the year of the Olympics but also marks the 30th anniversary of China's reform and opening up. The party and the government are keen to utilise the Olympics as a showcase for the modern China. The loosening of restrictions for press coverage plays an important part in showing increased openness and has been welcomed by the international media community. 'We will further improve our news briefing system and improve the quality of the news service,' China Daily quoted Cai Wu, Minister of the State Council Information Office, in December 2007. 'At the same time', Cai said, 'we sincerely hope that through efforts by friends in media circles we present to people around the world a true China that adheres to reform and opening up, promotes harmonious development and commits itself to building a moderately prosperous society'.

Almost 700 foreign journalists were stationed in Beijing by the end of 2007 and their numbers are expected to swell to between 20,000 and 30,000 during the Olympics. For China the new rules are also a test bed. Currently, they only apply in the lead-up to, and during, the games. One can assume that the leadership will evaluate the outcome of this experiment before making further commitments. However, Cai has indicated that the government will consider extending the duration of the rules, but there has been no official announcement as yet.

Despite the reforms, the Beijing-based Foreign Correspondents Club in China (FCCC) issued a statement raising concerns over press freedom at the start of 2008. It said that it had received more than 180 reports of interference in journalists' work in 2007, including beatings and intimidation by thugs in Beijing and other provinces. Journalists working in sensitive areas like Tibet and Xinjiang had also been followed and detained, or their sources have been intimidated. Especially in remote areas, it appears that the new regulations have not yet changed the often media-hostile attitude of officials.

Legal censorship Laws and regulations impose content restrictions on such subjects as national security and state secrets. Regulations governing newspapers, for example, ban material that opposes the party's leadership, undermines social stability, or subverts the socialist system. Regulations ask the media to uphold socialism and carry out propaganda work on behalf of the party and government.

In theory, all kinds of legal consequences are possible, depending on how serious such a breach is perceived to be. But as courts are not independent, it depends on the party, the government and its propaganda authorities how strictly the laws are enforced in particular cases. Journalists or editors who breach norms or act against the party may lose their positions, face closure of their publications and in some cases can face jail sentences. In less serious cases, journalists are told by the propaganda department to be more careful in future. Publications that carry articles that the propaganda officials rate as harmful are sometimes taken from the market.

As for political censorship, the CPD with its national, provincial and local departments provides overall guidance. This guidance ranges from detailed instructions on how to report on a certain story to orders not to report a story at all. Media editors regularly receive lists of banned subjects. These can be rural unrest, demonstrations by laid-off workers or issues concerning national minorities. Taboo topics include coverage on dissidents or reports about the violent crackdown against demonstrators on and near Tiananmen Square in 1989. Formal party policy is set out in directives, which are issued internally through the propaganda department hierarchy to media organisations and are discussed in meetings of journalists and editors.

Newspapers tend – and are sometimes ordered – to use dispatches by the state news agency Xinhua instead of publishing their own reports about critical issues, including Taiwan, Tibet or topics of national interest such as foreign policy.

Despite the censorship and the Communist Party's grip on the media, newspapers and television stations still play an increasingly important role in exposing officials' wrongdoings and in uncovering scandals and financial irregularities inside companies. In 2007, for example, an investigative report by a local television station uncovered a network of companies – most of them brickyards and mines – where the workers toiled under slave-like conditions. Some of the actions had been covered up by local officials. The report led to a wave of police investigations throughout the provinces of Henan and Shanxi. Around 600 slave workers were freed. In other cases, critical reporting highlights the inability of ordinary citizens to obtain redress through formal channels, often because of obstruction from local officials. The popular programme 'Focus', on the prime nationwide television channel CCTV 1, for example, frequently brings cases of social injustice to the attention of tens of millions of viewers. These reports have resulted in intervention by central government officials, ordering the local politicians to resolve the matter.

In the run-up to the Party Congress in October 2007 some well-connected intellectuals wrote articles that discussed democracy. About one year ahead of the meeting, the Beijing Daily News published an essay titled 'Democracy Is A Good Thing' by Yu Keping. The author is deputy director of the Central Translation Bureau and head of the Centre for Chinese Government Innovations at Beijing University. Yu's reputation as an important advisor to the administration attracted much attention to the essay. Yu wrote that 'for some officials, who care more about their self-interest, democracy is not a good thing.' And he declared that 'among all political systems that have been invented and practised by humankind so far, democracy is the one having the fewest defects.' He went on writing that, 'even if people have the best food, clothing, housing, and transportation, but they have no democratic rights, then people still do not have complete human dignity.' But he was not advocating an outright switch towards western-style democracy. On the contrary, Yu believes in 'incremental democracy'. He lobbies for reforms that, step-by-step, increase the democratic quotient. Yu stated that 'practising democracy without regard to the necessary conditions may cause disastrous consequences for the state and the people.'

In February 2007, Xie Tao, former vice-president of the People's University in Beijing, wrote an article for the liberal magazine Yanhuang Chunqiu, in which he praised social-democratic achievements in Europe. Xie went on to criticise China's Communist Party for sticking to a 'utopian' ideal of communism. In March 2007, Wang Changjiang, head of the Party Building Section at the Central Party School, published an article on his understanding of democracy. Wang criticised the oft-heard argument that the 'quality' of the Chinese people is insufficient to support democratic

politics. He believes that democratic politics can also be exercised under a one-party-system. In this context he pointed out that peasants are already allowed to vote for village heads in China. For Wang, elections are 'the only way' to reduce tensions between citizens and cadres.

None of the quoted academics directly challenged the rule of the Communist Party. Yet, they all argued for further implementation of democratic processes, which in today's China is still a highly sensitive topic. The very fact that the articles were published shows that at least parts of the media try to get involved into promoting discussions that go beyond the official political line. It should be mentioned, though, that all the above authors are well-connected individuals with potentially powerful friends. This makes them less vulnerable to sanctions, although not immune.

It can certainly be risky to stretch the limits, as has been demonstrated by a couple of incidents over recent years. The most progressive media outlets are based in the southern city of Guangzhou (Canton), namely Southern Metropolitan Daily and the weekly paper Southern Weekend. The publications have long set a model for the media around China, tackling rip-offs in the Three Gorges Dam project on the Yangtse or official cover-ups of the SARS pneumonia outbreak. An investigative story by the Southern Metropolitan Daily about a young college graduate who was beaten to death in police custody sparked national outrage and brought changes to the laws on detention. The newspaper's top editors and managers were later charged with corruption and removed from their jobs, a move by the authorities that was widely considered as an act of official retaliation for the paper's aggressive reporting. Journalists, legal scholars and academics accused the government of fabricating the charges to punish and silence China's new journalism. Another publication, 21st Century World Herald, was shut down after it published an interview with a former secretary of Mao Zedong, who called for liberal political reforms.

Unclear responsibilities sometimes open up opportunities for the media to take a stand against local censors. Driven by commercialisation and in an effort to attract new readers, the People's Daily has launched subsidiaries. One of these is the Beijing-based, tabloid-style Jinghua Shibao. The paper has a regional focus on the capital. To make its mark in the market Jinghua Shibao openly reported on corruption cases. The local censors in Beijing were not amused and tried to intervene, but the management of the paper told the local censors that they were not responsible for oversight. Their argument was that Jinghua Shibao, as a subsidiary of the People's Daily, should be under the supervision of central and state authorities, and not regional departments.

Media licenses Licences and registration are required for all media. Connection to a state or party entity is mandatory.

Journalists' legal status Permission is required for journalists to practise their profession. Licences have rarely been revoked (it happens often, but considering the huge number of media outlets, it is probably fair to say that it happens rarely in proportion to the number of people who work in the media).

Generally, journalists have the legal right to participate in all public meetings of government, with equal access, but in reality, the party and the government seldom hold public meetings, and access is usually limited through a registration process. Big television stations and the national news agency Xinhua, which are both very close to the government, usually get better access than other media.

Journalists have the legal right to challenge state repression, and the courts in theory have the mandate to stop state repression against journalists. In reality, though, it all depends on the decision of the Communist Party, which effectively controls the courts.

Monopolies and cartels The law of the People's Republic of China is silent about private media company monopolies and cartels. No private monopolies and cartels exist in the media sector.

3. POLITICAL CONDITIONS

In the eyes of propaganda officials, critical reports about social issues, such as rising unemployment and peasants who suffer from the corruption of local officials, have the potential to undermine social harmony. The freedom to report on these subjects is therefore restricted with the result that the problems of citizens who suffer as a result of reform policies or from the arbitrariness of local officials are underreported.

Coverage of marginal groups

Due to censorship, freedom of access to information through the media is restricted for all Chinese citizens. It is interesting to note, though, that the party and government obtain information through the media that is not available to the public. China's media have long served as instruments for informing the leadership of developments at local levels. This traditional role is still intact. Xinhua News Agency, television and radio stations as well as major newspapers still produce 'internal reference' publications (neican in Chinese) that are only circulated inside party ranks. The aim of the system is to insure that the party knows first about unfolding social dynamics and local grievances.

Self-censorship is common in all sections of the media. If the media do not receive instructions about a particular subject from the propaganda department, they are generally free to report on the topic. Still, journalists know that some reports can cause them trouble, such as articles attacking local officials. In order to forestall problems, journalists are therefore likely to discuss before publication the issue with officials who are in charge of monitoring content.

Self-censorship

Self-censorship is exercised for any news material that opposes the party's leadership and for reports that might be rated by propaganda officials as undermining social stability.

State repression against journalists, media companies or organisations is often used in China. As concluded earlier, Chinese courts are in effect not independent. The interpretation, application and enforcement of law does vary and is influenced by political considerations. It will depend on the party, the government and its propaganda authorities as to how strictly the laws are enforced in particular cases. What is tolerated today might be sanctioned tomorrow, or vice versa.

State repression

The authorities tend to tighten their grip over the media particularly during the run-up to big political events. In 2006, as preparations got under way for the Communist Party Congress to be held in October 2007, public security officials arrested at least 12 journalists and placed scores more under surveillance, according to Reporters Without Borders. The organisation's annual report on Press Freedom states that, by the end of 2007, 33 journalists sat in jail in China, more than in any other country. Moreover, 50 cyber-dissidents were also in prison for speaking out on the internet.

The GAPP has officially admitted that some organisations and individuals have meddled in journalists' legal news reporting and, in some cases, journalists have been beaten and their equipment destroyed. During one incident in August 2007 five Chinese journalists, covering a bridge collapse in central Hunan province that killed more than 40 people, were roughed up by local officials. According to Zhan Jiang, director of the School of Journalism and Communication of the China Youth University for Political Sciences, 'few local officials view the media as tools for positive and helpful publicity, and refuse investigative reports and media oversight.'

Basic access to the internet is not hindered, but access to certain websites is blocked.

Obstacles to internet access

The actual threat of state repression has increased over the last five years. There has been a slight worsening in press freedoms. When President Hu Jintao took power in 2002, some Chinese intellectuals and journalists hoped that he would allow the Chinese media to begin covering major stories such as corruption and rural unrest more freely. These hopes were raised when Hu fired China's health minister as well as the mayor of Beijing for covering up the severe acute respiratory

Changes in the past five years

syndrome (SARS) epidemic in the spring of 2003. Hu's action led to a more general belief by some that transparency about major events or crises could be expected in future, but that has not been the case. The media faces the same and sometimes even stricter controls under Hu than it did under his predecessor Jiang Zemin. It should be noted, though, that coverage of major health threats such as HIV/AIDS and, more recently, bird flu has at least slightly improved. Yet, there are other areas in which things have worsened rather than improved.

In 2004, the Communist Party initiated a crackdown on newspapers and television stations that reported too critically on problematic issues, including the situation of the unemployed and the peasants, some of whom have suffered as a result of political reform or at the hands of corrupt officials. That same year, the authorities also began to police the internet more actively. Despite the greater freedom that has been promised to foreign journalists during the period leading up to the Beijing Olympics in 2008, restrictions have not been loosened for Chinese journalists.

Government control over print media As all media are linked to the state, production and distribution is automatically monitored, but this system is also being challenged by the digital media. GAPP is responsible for allocating the publishing licences and identification codes required for publishers to legally print books and periodicals in China. This restricted environment has encouraged the growth of publishing in the less-tightly regulated new media, in the form of e-books, user-driven websites, webzines and blogs.

4. ECONOMIC PRESSURES

Since the 1990s, the process of commercialisation has accelerated. The main drive for commercialisation is to reduce the need for state resources to support the media. The reforms are not designed to reduce oversight by the CPD.

State subsidies Many media outlets today are financially self-sufficient or are at least planning to be so. In 2003, the government announced a reorganisation of the print media industry and the gradual withdrawal of financial support by the government. Under the reform, newspapers and magazines are no longer allowed to rely on mandatory subscriptions, which for many have been an important source of funding. The system had forced party and government bodies to subscribe to particular publications. The abolition of mandatory subscriptions meant that hundreds of newspapers and magazines ceased publication in the following years.

Yet, resistance, particularly from provincial publishers, has led to a slow-down in this reform since 2006. It appears that the government had not given sufficient thought to how these new, profit-oriented entities would be managed. As many jobs are at stake, closing down more publications would have had a negative social impact that the government wants to avoid. However, at the same time it can be very costly to reorganise and relaunch publications in order to make them competitive in a market-oriented environment.

The government seems not to be prepared or willing to underwrite these massive investments. Efforts have been made to group publishers together into regional conglomerates, but this is still work in progress. As a result, many publications are operating without the necessary funding or expertise.

Commercialisation has permitted advertising and more varied and colourful editorial content. In order to attract readers – and thereby advertisers – papers are increasingly willing to engage in investigative journalism. But commercialisation has not led to a loosening of controls, as we have seen. The authorities even use commercial incentives to make journalists toe the party line. Some publications use bonus systems that give higher incomes to journalists whose reporting pleases the propaganda authorities.

Commercialisation has also increased the likeliness of corruption in the media. At press conferences hosted by Chinese and also foreign companies, reporters regularly receive red envelopes with money inside. The publication of biased news stories in return for payments are common, according to Chinese journalists. Some companies even pay yearly bonuses to journalists who regularly write articles that show the company in a positive light. The media is no less corrupt than other sectors of the Chinese economy. *Further aspects*

Sometimes kickbacks are also used to get around censorship. In August 2007, SARFT turned its attention to its own personnel with an announcement that it would not tolerate censorship officials taking bribes in exchange for approving productions. According to a report from media research company CMM Intelligence, the practice is considered widespread in the Chinese television industry and the announcement followed public accusations by a number of local producers.

Wang Shuo, a prominent Chinese author who had a novel adapted into a TV series, publicly commented on corruption in the TV industry. He said a small group of mostly retired or senior censors had 'absolute power' to demand bribes from production companies and have done so since the 1990s. Director Ye Jing declared that he had paid more than US\$13,000 in 'censorship fees' for a TV drama that was censored three times, but still did not get approval. In its statement, SARFT requested TV production companies to report censors who try to collect unwarranted fees.

5. NON-STATE REPRESSION

Non-state repression against journalists, media companies or organisations is often used in China. To silence critical reports about their companies, businessmen sometimes hire thugs to physically attack journalists. The ones most at risk are reporters writing for tabloid newspapers, whose zeal to report crime stories and pursue scoops sometimes leads them into danger. Reporters Without Borders concluded that journalism has become the third most dangerous job in China, after mining and police work. *Repression by non-state groups*

Defamation cases are also becoming more frequent. A Taiwanese supplier for Apple claimed damages equivalent to three million euros from two journalists who had investigated working conditions in factories producing iPods. The complaint was later withdrawn in response to international pressure. The progressive and hard-hitting business and finance magazine *Caijing* has also faced defamation suits after publishing stories about irregularities in companies. Chinese journalists complain that courts and judges are often on the side of local companies, who use their connections to local officials to influence cases.

China's leaders judge the news based upon whether it supports or undermines their power. It is this judgment that persistently defines the area in which journalists can operate without intervention by the propaganda authorities. Market demands have accelerated the willingness of media outlets to engage in investigative journalism and diversify their content. However, despite commercialisation, the grip of the party and the state over the media is still tight. Journalists, who act against the will of the party, face repressive action.

It is clear from this that actual intimidation through non-state repression has indeed increased. Assaults and defamation suits against journalists have been on the rise in recent years. The situation has therefore worsened slightly over the past five years. *Changes in the past five years*

6. CONCLUSIONS

- Freedom of the media: general situation* Freedom of the media does not exist in China. In Reporters Without Borders' 'Annual Worldwide Press Freedom Index', China stagnates near the bottom. The People's Republic ranked 164th out of 168 countries in 2007, after ranking 163rd in 2006 and 159th in 2005.
- Changes in the past five years* There has been no change in the quality of free coverage in China. There have been efforts by the government to increase openness and make it easier for journalists to obtain information, for example through an increased number of press conferences. However, that does not mean that Chinese journalists have more freedom to write what they want. The censorship system is still in place and repression is regular.
- Major obstacles to free media coverage* The Communist Party effectively controls the country under a system of one-party rule (even though other – minor – political parties do exist). The party is not prepared to give up its status and is ready to act against anything that might undermine its grip on power. The propaganda departments consider that controlling the media is essential, in order to influence public opinion in favour of the party, to suppress criticism of the Communists' leadership and to prevent the formation of opposition groups. Without broad political reform, full press freedom is therefore unlikely.

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