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**Success or Failure Under A System of  
Responsive Authoritarianism**

An Evaluation of China's Internet Governance Policy  
within a Macro-and-Micro Framework

**By**

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A thesis submitted in partial fulfillment of the requirements for the  
degree of Doctor of Philosophy in Politics and International Studies

Department of Politics and International Studies  
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## **Declaration**

I declare that this thesis has been entirely my own work and follows the guidelines provided in the Guide to Examinations for Higher Degree by Research of the University of Warwick. This thesis has never been published before and has not been submitted for a degree at another university.

## **Abstract**

This thesis evaluates and analyses China's Internet censorship policy according to whether it effectively advances goals associated with what I call the 'responsive authoritarianism' of the Chinese government. The theory of responsive authoritarianism, as the macro framework for interpretation, is combined with the adapted McConnell public policy evaluation framework at the micro-level to scrutinize the policy in terms of policymaking (process), implementation (programme), and political impact (politics). Under consideration is whether the policy gains the Communist Party of China government basic legitimacy through responding to the public; and whether it achieves the internal goal of social stability and the external goal of benefiting from Internet-facilitated international trade to acquire further government legitimacy. To that end, in-depth interviews and surveys were conducted. Additionally, documents were analysed, while several cases were analysed.

It is found that the policy succeeds in gaining the legitimacy of the government, but not without problems: though policymaking involves multiple stakeholders within and outside the government, non-governmental stakeholders could have played a more substantive role. Moreover, the policy is designed to decrease collective activities, but in real practice, some implementers chose to filter other information, like criticism of local government's misconduct or the needs of the public. Politically, the policy has been regarded as bringing the Chinese more benefits than trouble. Nevertheless, factors such as the vagueness of the policy, which leaves rooms for mis-implementation, need improvement. Otherwise, in the long run, the achievements so far would be counteracted.

This study not only analyses the success and failure of the Chinese Internet censorship policy but also adds a new perspective to previous works from both liberal and pro-economic authoritarian positions by interpreting the policy in its own context. Moreover, the macro-and-micro-framework and the approaches employed herein can be used to study other Chinese policies or those of other authoritarian states.

## **List of Abbreviations**

CAC	The Office of the Central Cyberspace Affairs Commission
CCTV	China Central Television
CDC	Center for Disease Control and Prevention
CII	The critical information infrastructure
CNNIC	China Internet Network Information Center
CPC	The Communist Party of China
CR	Chinese researchers on Internet security and policies
HK	Hong Kong
IP	Internet Protocol
IPv4	The 4th Version of Internet Protocol
IPv6	The 6th Version of Internet Protocol
ISL	The National Internet Security Law
IUKDG	Information and Communication Services Act (Germany)
MIIT	The Ministry of Industry and Information Technology
MPS	The Ministry of Public Security
NHC	The National Health Commission
NPC	National People's Congress
NPCLC	The National People's Congress Law Committee
PDCPCCC	The Publicity Department of the CPC Central Committee
PI	Implementers of the policy
PIISSB	The Public Information and Internet Security Supervision Bureau
PM	Policymakers involved in the Internet censorship policy process
PRC	The People's Republic of China
PSB	Public security bureau
SCLAO	The State Council Legislative Affairs Office
SLGs	State Council Small Leading Groups



TB	Transnational businessmen in China
UK	The United Kingdom of Great Britain and Northern Ireland
US	The United States of American
VPN	Virtual Private Network
WHO	The World Health Organization

## Chapter 1 Introduction

### 1.1 Inception of the Thesis

Free or restricted Internet has been an issue of great concern ever since the Internet became available. On the one hand, enabling the seeking, receiving, and imparting information of all kinds, the Internet is “not only to enable individuals to exercise their right to freedom of opinion and expression, but also a range of other human rights, and to promote the progress of society as a whole” (La Rue, 2011:1). On the other hand, the Internet also brings troubles: fraud, fake news, violence, *etc.* Some would even threaten the rule of some governments (Angell, 2000; Rodan, 2004; Chung, 2008). As such, the Internet in some countries has experienced censorship: the control of information and ideas online accessible within a state (*Global Internet Liberty Campaign*, 1996). In China, Internet censorship is usually included in the area of online information regulation. As one of the countries with the toughest policies on the Internet, China has been the subject of many studies. However, to date, of the research that has explored the policy, none has been based on whether it serves China’s responsive authoritarian governance effectively, which is where this thesis aims to contribute.

My interest in this topic emerges from my dual identity as both a graduate student in politics and a ‘digital native’, as a Chinese netizen whose everyday life is deeply rooted in the Internet. As a student of politics, I realize that China’s Internet censorship policy is regarded as being severely manipulated and hence is widely criticized in the West<sup>1</sup> for violating netizens’ freedom of having full access to information. However,

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<sup>1</sup> The West in this study refers to developed nations including “the United States, Canada, Western Europe, Australia and New Zealand plus Japan” (Jacques, 2010:2; Bonnett, 2004:1-13). They are all highly developed and

my experiences as a Chinese netizen suggest the reality is different and the situation is much more complicated. On the one hand, the policy does hinder easy acquisition of information crucial to netizens to some degree. On the other hand, within the proviso that the rule of the CPC should be maintained, Chinese citizens enjoy more speech freedom now than at any previous times, especially online (Horsley, 2009, 2016, 2018; Yang, 2016). We also benefit more from the online flow of information than from any other channel.<sup>2</sup> Therefore, though different voices do exist, most Chinese netizens are highly supportive of the policy in many circumstances, rather than, as expected by Western commentators, disapproving of it (e.g. *Internet Society*, 2012; Guo and Feng, 2012; Wang and Mark, 2015; Kou et al., 2017).

Existing literature on the policy can be divided into two positions: liberal and pro-economic authoritarian. Scholars with a liberal stance believe it is good for everyone to have the full list of civil liberties, including free access to information. They expect that the Internet should provide different sources of information for the Chinese to make their own judgments, and hence be liberated from the dominance of authoritarian rule. Through studying what is censored, they try to understand the rationale and approaches of information filtering. From this position, they criticize the policy for restricting civil liberties of the Chinese and hindering the democratization of China (e.g. Mackinnon, 2011; Deibert et al., 2012). They also take it for granted that the Communist Party of China<sup>3</sup> (CPC) controls everything online. Thus, policy implementers are supposedly manipulated by the central government to choose an

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operate under similar systems, including institutions, values, ideologies, customs, and beliefs. Japan is included because unlike most other Asian nations whose modernization combines experiences of the West and their Asian neighbours, plus their own history and culture, grown under US support, the modernization of Japan is an “exclusively Western phenomenon” (Jacques, 2010:415; Dower, 2000).

<sup>2</sup> Though heavily censored, wide-ranging and frank discussions on all but the most delicate topics are allowed (Klein, 2008; Yang, 2009a; Cai and Zhou, 2019).

<sup>3</sup> China’s political system is distinct from that in Western democracies since the ultimate political power rests with the CPC instead with the government (Witt and Redding, 2014). That is, the CPC equals to the Chinese government. Therefore, the thesis will use ‘CPC’, ‘CPC government’, ‘the central government’, and ‘the Chinese government’ interchangeably.

optimal censorship level and implement it against the Chinese at the CPC's behest (e.g. Bamman et al., 2012; Sullivan, 2013). Whereas the pro-economic authoritarians view the Internet and the censorship policy as tools to boost China's economy. They insist restriction to certain civil liberties, like censorship, boosts the economy, which wins over the Chinese, thus securing their support for the policy. Noticing the political effects of the policy, especially the high support rate it enjoyed, they regard the policy as a tool that benefits the Chinese in general (e.g. Guo, 2007; Jiang, 2012; Wang, 2020).

Nevertheless, though both approaches are informative and enlightening, they both fail to notice the functions and positions of different stakeholders in relation to the policy. Furthermore, firmly rooted in the democratic mindset, works from a liberal position believe in the goodness for people to have full civil liberties, thus to choose what they believe is the best. They forget that Chinese people are not accustomed to judging on their own but to following what is required from the authorities (Pye, 1992; Huang, 2009). They underestimate the desire of the Chinese for economic prosperity in the last decades. Some assume wrongly that economic and political liberalism would go together in China. Hitherto, they also ignore the confrontations between the CPC government and the policy implementers. Scholars taking a pro-economic approach, on the other hand, believe the censorship policy is supported only because it promotes economic growth, and insist that the Chinese care little about political freedom facilitated by the Internet. Therefore, it is beyond them to see that the Internet for the Chinese is not only an economic accelerator but also the platform that has expanded political participation (Li and Zhong, 2007; Cai and Zhou, 2019). Without considering the complexity of *both* the authoritarian rule *and* the roles of the Internet, pro-economic authoritarian researchers explain neither the disapproval of the Internet censorship policy, nor its necessity. Finally, existing studies are also weak in terms of cultural and historical insights into the system and the policy, especially in interpreting the survival of Chinese traditional values from the changing history.

The purpose of this study is therefore to understand the goals of the policy, the approaches engaged, and its political impacts on the government's legitimacy (Parsons, 1995; Howlett et al., 2009). It evaluates the policy with regards to the policymaking, implementation, and political effects. As such, the weakness of the liberals also lies in their sole focus on implementation, whereas a pro-economic authoritarianism viewpoint only considers the political effects. Thus, both existing approaches have ignored policymaking and were single-dimensional.

The thesis sets out to answer whether and how China's Internet censorship policy fulfils the expectation of the Chinese and the government and if there are failings, how these might be addressed to achieve the desired goals. The thesis is situated in a macro-and-micro framework of public policy evaluation. At the macro-level, the policy is interpreted through responsive authoritarianism, which is how the current Chinese political system works. To gain its basic legitimacy, the CPC government responds to its people within a restricted civil society. To further increase its legitimacy, two strategies are adopted: repression enactment and benefits distribution, which are realized in the names of social stability and economic prosperity (Weller, 2008, 2012; MacDonald, 2015). Therefore, they are taken as the benchmarks of the evaluation framework utilised in this thesis. The seemingly paradoxical system (being both authoritarian and responsive; to repress and to distribute benefits) is in line with the nature of China's political culture as *plurality in unity*. If the unity is maintained, China is willing to accept as many pluralities as possible, even those that originally contradict the system (Fei, 1988). For thousands of years, thanks to such a nature, though with changes overtime, the essence of Chinese political culture, the purchase of the unity, has experienced great continuity and stability (Fei, 1988; Wong, 2013; Hong, 2015). At the micro-level, combined with the two benchmarks, the McConnell policy evaluation framework is employed in three dimensions – process, programme, and

politics – in terms of different levels of success and failure. Each dimension contains several criteria, among which most are examined through the experiences and attitudes of different policy stakeholders (McConnell, 2010a, 2010b, 2015). Adaptations have been made to tailor the framework more to the Chinese system.

## **1.2 Premise of the Thesis**

This research begins with the premise that the test of a policy is not to be found in the political system – whether it is democratic or not – but in whether the policy serves the government most effectively within the tested state.

Though more and more efforts, such as Fei (1988), Pye (1992), and Hong (2015), are made to understand China and the system from its own context,<sup>4</sup> more studies over China's Internet (including its Internet censorship), took western-style politics as the basis.<sup>5</sup> They are usually accepted in a broader and easier manner. Within such studies, the mainstream and dominant viewpoint has drawn on Western institutions, values, customs, and beliefs, including the rule of law, the free market, and most importantly, democratic norms (Deibert, 2002, 2010; Mackinnon, 2009, 2012; Sullivan, 2013; Chwee, 2015; Kelly et al., 2015, 2017). The assumptions employed seem inevitable since people tend to see the world within their own history and experiences. As the major architects of both the international system and social science studies, European powers or European-derived nations, represented by the US, have inevitably brought their own traditions and histories to bear on the shaping and design of political systems in many states, especially developing non-democratic ones (Patten, 1998). This ignores how nations are not 'empty wineskins' waiting to be filled with wines, only

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<sup>4</sup> See Section 3.1.2.

<sup>5</sup> See Section 2.2.

produced by Western democratic vines. Instead, the wineskins are already filled with wines from their own long-developed vines.

As a developing country, China certainly has much to learn, and it has been learning from the West – especially after China opened its doors to the world. Nonetheless, its polity and economics, including its political transformation, are more ‘home-grown’ projects. On the one hand, China is historically different from the West: the huge nation sees the unity as its ultimate political goal; it holds a great variety and diversity under the unified nation; it lacks the tradition of popular sovereignty, while the state is the apogee of society and never shares its power with the Church or any other institutions; and the moral suasion and ethical example are of great importance in guiding the behaviours, the thinking, and the values of the masses (Pye, 1988, 1992; Fei, 1988; Tu, 1994; Perry, 2002; Callahan, 2004; Jacques, 2010; Fu and Ren, 2011; Hong, 2015). On the other hand, with economic and political reforms, the current system provides the Chinese with a better life and more say on governance, and the government is becoming more transparent and accountable. The confidence of the Chinese in the government and the present system has increased, which shows that China’s economic and political opening up in the last 40 years has succeeded (Tang, 2018; Cunningham et al., 2020). The increasing confidence of the society to the CPC shows it is unlikely that China will discard its entrenched traditions, let alone embrace the polity of the West. Nevertheless, China’s search for science and democracy that began with the Opium War continues. China keeps developing, but at its own pace. Its development, including the democracy it embraces, should be one that blends its past and present, thus it will be different from what is expected by the Westerners.

Meanwhile, the advancement of the Chinese political system accompanies the development of the nation. The current system faces many problems from its rapid growth in GDP, which are more critical than democratization: ethnic harmony,

corruption, order and stability, and equality, to name only a few (Lou, 2007; Weller, 2008; Wong, 2013). All need to be handled in China's own context but influenced by the wider world.

Therefore, it is necessary to study China in the context of its distinctiveness, especially when its democracy is still undeveloped, and elements of some Western democracies are more like "alien transplants" to China. Even for those insisting that China's democratic evolution can and will take the same or similar forms to those in the West, teaching or assimilation can only take place after much learning and understanding of the original situation.

### **1.3 Research Aims and Questions**

Using the macro-and-micro framework to evaluate and interpret China's public policy, this study aims to explore the implications of China's Internet censorship policy on China and the Chinese, whether it: 1) satisfies the Chinese; 2) facilitates the development of China; and 3) effectively serves China's responsive authoritarian (Internet) governance. Locating the research in public policy evaluation equips the researcher with a tool to unpack China's Internet censorship comprehensively and systematically. Interpreting the success and failure of the policy within the context of China empowers the researcher to add new perspective to the existing literature's liberal and pro-economic authoritarian positions – which frame the policy either as a fiasco or as perfect. The criteria provided by the micro-framework functions to detect failures and successes in different dimensions of the policy – the failures and successes diagnosed will be analysed through an authoritarian responsiveness theoretical lens. Setting up a model to evaluate the policy under its own context provides a new perspective on China and its logic of governance, which might facilitate not only



changes in China's Internet censorship policy, the advancement of Chinese studies (even studies of other non-democracies), but also China's development based on findings and suggestions of this work.

Theoretically, the study aims to: 1) organize a model of evaluation (the McConnell policy evaluation framework) and interpretation (the theory of responsive authoritarianism); and 2) provide a perspective to study China in context to answer questions missing from existing literature. At the macro-level, the present study will answer the following questions:

- Is the Chinese Internet censorship policy a success within the Chinese context? Why?
- How does Internet censorship policy maintain the CPC government's legitimacy?
- To what extent does a responsive authoritarianism approach to Internet censorship, with its aims of societal stabilisation and economic prosperity, satisfy the Chinese people?

Empirically, the study engages both qualitative and quantitative approaches, using a combination of in-depth interviews, online surveys, documentation, and case studies to study the experiences and reactions of different policy stakeholders to understand what happens in the three policy dimensions. At the micro-level, the following empirical questions are asked:

- Who is involved in making the Chinese Internet censorship policy and how do they contribute to it?
- How is the policy implemented to comply with the requirements of the government, if at all?

- What are the effects of the policy on sustaining the current system in China?

#### **1.4 The Scope of the Research**

Although China's Internet censorship began in 1994, it was not until President Xi Jinping came into power that China began to govern the Internet much more energetically (Creemers, 2015), hence the major legal move on Internet censorship. Thus, this research focuses upon documents and related activities that have influenced China's Internet policy since 2013. As the legal basis of public policy, laws and legislation can provide a basic platform upon which to develop ideas of policy success or failure (Begley et al., 2019). Since *the National Internet Security Law* (ISL) is the basic law, the study focuses on the ISL and its supplements.

Further reasons for focusing on documents and related activities since 2013 include:

- Public policy in China is not very clear (Corne, 2002). However, the situation with the Internet censorship policy changed after Xi came into power (Yang, 2017; Xiao, 2019). Though still opaque compared with the Internet policies in democratic countries, it has become gradually more detailed over time, represented by the release of the ISL and its supplements, hence the formation of a system for Internet censorship, making the evaluation more valid and more reliable.
- To obtain substantial evidence, information that is fresh in the mind of the stakeholders is crucial. Taking policymakers as an example, since it usually takes time for someone to become a senior policymaker, it would be difficult for people to remember clearly what happened 20 years ago. In cases where

they do remember, the validity and the reliability of the data may not be guaranteed.

- Information online is not permanent (Schneider and Foot, 2004). Therefore, information about the policy from the 1990s, or even the 2000s, is likely to have been deleted already or is at least hard to find. Additionally, the Internet was not particularly popular in China until the early 2010s, so a focus on more recent times makes sense.

## **1.5 Outline of the Thesis**

Other than the introduction (Chapter 1) and conclusion (Chapter 8), this thesis consists of six chapters organized under theoretical and empirical headings. Part I consists of Chapters 2 to 4 introducing the theoretical dimension and the methodology of the research. Chapters 5 to 7 in Part II focus on the empirical data, the evaluations, and the analysis in terms of the three dimensions of the policy.

Part I begins by reviewing the literature relevant to the Chinese Internet censorship policy from two perspectives in Chapter 2: liberal and pro-economic authoritarian. The former criticizes the policy for it restricts the Chinese of their civil liberties, including free access to knowledge, hence chances to choose a way of life that they believe is the best. Whereas the latter praises it for facilitating China's economy and, hence satisfying the Chinese. Both are enlightening and revealing positions, but oversimplify the issue, since both the Internet and the policy are very complicated issues for China. To address this deficiency, a macro-and-micro framework of Chinese public policy evaluation is organized and explained in Chapter 3. At the macro-level, a policy and its evaluation are interpreted within the framework of authoritarian responsiveness. At the micro-level, an adapted McConnell framework of policy

evaluation is introduced. At the end of this chapter, to complete the micro framework, in line with the macro framework, China's internal goal of maintaining social stability and the external goal to benefit from Internet-facilitated international trade are chosen and justified as the benchmarks for evaluation. Chapter 4 explains the methodological approaches by relating the methodology to the research questions. It contains detailed information on data collection and treatment, justifies the choices of the multi-methods, and illustrates the difficulties and counter strategies in doing this research.

The three chapters in Part II are organized in the order of the process (Chapter 5), the programme (Chapter 6), and the politics (Chapter 7). They present the empirical data before the evaluation according to the micro framework. Reasons behind the data are discussed particularly within the macro framework. Finally, the concluding chapter summarizes the research by illustrating the research contributions, the evaluations and findings, implications and suggestions about the policy, and the limitations of this research. To end the thesis, the broader research implications and recommendations and avenues for future research are presented.

## **PART I THEORY & THE CONTEXT**

## **Chapter 2 Literature on China's Internet Censorship Policy**

### **Introduction**

Even though there exist a wider range of writings on China's Internet censorship, to exhibit the gaps between the present study and existing literature, this chapter focuses on a stark dichotomisation of two different views of Chinese Internet censorship. It divides these works into two categories: the liberal position and the pro-economic authoritarian position. Nevertheless, there do exist works with neutral positions. As such, despite the first section reviewing literature describing or explaining China's Internet censorship objectively, the second section of this chapter considers the liberal position, which believes it is good to have full civil liberties so that everyone has the choice to live the life that they think suits them best. It thus criticizes the policy as a tool for government suppression, depriving the Chinese of the right to access online information freely, hence impeding the Internet's liberating potential. The second position, discussed in the third section, believes that authoritarianism can promote the economy in some circumstances. According to this position, censorship is a valid choice for China, a relatively poor nation desperate to improve its economy, despite the sacrifice of civil liberties. Its Internet censorship policy indirectly promotes the economy by eliminating some possible barriers to economic growth generated online, hence it is approved of and supported by the Chinese. Both positions provide reasoned arguments but are not without problems. Therefore, the fourth section identifies their deficiencies: literature from a liberal position cannot reach an agreement over the objective of censorship – to suppress dissent, or to decrease collective activities (dissent without a potential for collective activity would not be censored). Criticisms of the policy also wrongly predict that the market economy would bring political liberalism or underestimate Chinese people's expectation of economic prosperity, especially from the Internet. The pro-economic authoritarian position not only ignores

disapproval of the policy but also devalues Chinese people's increasing expectations for political participation. Also challenged is the assumption that the high support rate the policy enjoys relies on economic growth alone. Moreover, it stops short at what is seen – connections exist between the policy and Chinese political culture, rather than considering why and how traditional Chinese values survive and revitalize over time. Thereby, existing literature generally oversimplifies the issue by cutting off the policy's connections to the culture, history, and contemporary status of China. It also overlooks the functions and positions of different stakeholders in the policy and its formation. Moreover, to date, no study has evaluated or diagnosed specific problems in the policy for improvement.

## **2.1 The Neutral Position**

Though not many, some researchers explored China's Internet censorship in a relatively objective manner, to describe or explain it purely, with neither clear positions nor presumptions.

These studies either tried to describe the development of the Chinese Internet censorship policy, or to present the politics of censorship under China's unique online sphere. The former researchers mapped out the blueprints of the Internet control, clarified the priorities for different stages of Internet regulation, and showed generally the practice and the process of the censorship (Martinsons et al., 2005; Yang, 2009b; Zhao, 2009; Yang, 2012; Zhang and Zheng, 2014; Ventre, 2014; Shira, 2016; Yang, 2017). They concluded that the policy was a system consisting of multiple laws and regulations covering all aspects of the Internet. The latter, such as Breslin and Shen (2010) found information control was not as severe as imagined. That is, once the CPC's rule was not threatened, the Internet was a freer and valid channel for Chinese

netizens to articulate. They further pointed out that the Chinese logic of governance, including its control of the Internet, echoed the idea that China was ‘different’ due to its unique history thus the different belief systems. Similarly, some explored censorship-evading or circumventing practices and pointed out that Chinese netizens’ responses to the censorship were of political and cultural significance (Yang, 2009a; Yang, 2016). Typical practices were categorized as 1) using code to break code, 2) online guerrilla war, 3) linguistic, and 4) organizational creativity (Yang, 2009b: 60-62).

In conclusion, though neutral in nature, to fit the present review, this study prefers to address them as “grey zone” researchers of China’s Internet censorship. What will be discussed in the following sections would be in the extreme areas who see and describe China’s Internet censorship as either “black” or “white”.

## **2.2 The Liberal Position**

Researchers with a liberal stance believe that it is good for everyone to have full civil liberties, including free access to information and knowledge. They believe that the uncensored Internet is a right everyone should enjoy instead of being undermined by censorship. It is expected that accessing more information, the Chinese would be encouraged to plan their own lives according to their own judgements, not the directions of the CPC. By studying information that has been censored, researchers have tried to understand the approaches and rationale of the policy.



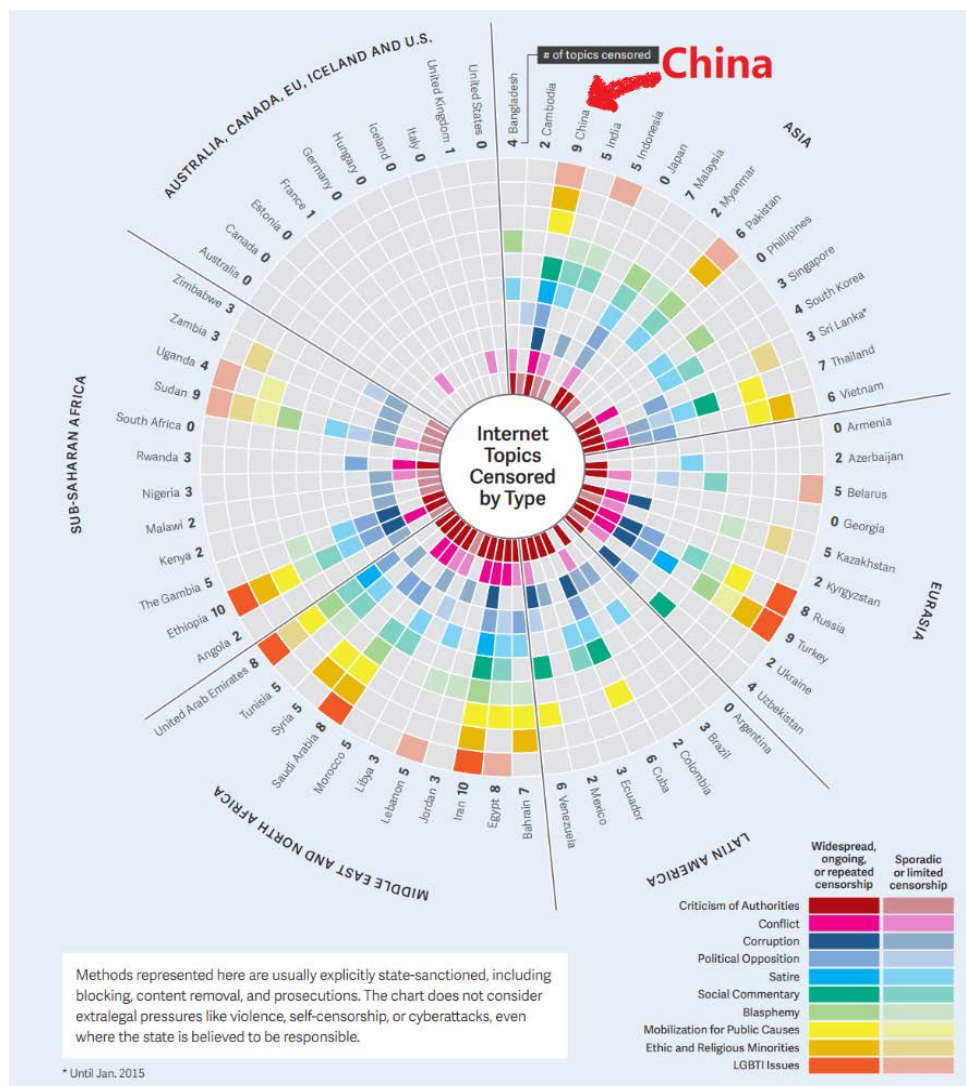
### ***2.2.1 The Objective of Censorship***

It has been commonly assumed that the goal of China's Internet censorship policy was to maintain the status quo for the regime (Mackinnon, 2012; Sullivan, 2013; Epstein, 2013; Inkster, 2015). To understand how the goal was achieved – the policy objective – researchers have focused on the content that has been censored (Mackinnon, 2009, 2012; Sullivan, 2013; Chwee, 2015; Kelly et al., 2015, 2017; Ruan et al., 2020). Some, for example, King and colleagues (2014), have even tried to simulate the implementation to infer what was in the mind of the CPC, especially how it conceptualized hidden threats that might endanger the regime. Thus, two competing interpretations were reached over the policy objective: the CPC government wanted to suppress dissent; and it wanted to decrease collective activity. Whether pro or against the government, collective activity refers to “large-scale mass activities without a legitimate basis which are undertaken by groups formed in a certain social context for common interests under uncertain time, site and incitement conditions, so as to achieve some kind of aspirations and objectives” (Wei et al., 2014:717). That means, dissent would not be suppressed if it had no potential to trigger collective activity (collective activity potential).

The ‘suppress dissent’ interpretation holds that the policy aims to suppress expressions *openly* pointing out faults of the government, its policies, and leaders (Marolt, 2011; Mackinnon, 2012; Epstein, 2013; Xiao, 2019). Examining subtle forms of political expression, especially political satire and criticism of the state among influential Chinese bloggers, Esarey and Xiao (2008) found that they tended towards satire rather than direct criticism to avoid being harshly suppressed. In a comparative study of Internet censorship around the world, Kelly and colleagues (2015) found that China conducted widespread censorship on topics including criticism of authorities, conflict, corruption, and political opposition (Figure 1). While in China's early stages of the

Covid-19 outbreak, Ruan and colleagues (2020) conducted a series of censorship (keyword) tests on popular Chinese social media platforms. They found WeChat blocked criticisms of the central leaders' inability and slow action in dealing with the epidemic or blamed the central/local governments and government-related agencies for mishandling or covering up the outbreak.

**Figure 1 Frequently Censored Topics in 2015 (Kelly et al., 2015:5)**



To verify their findings, King and colleagues (2013) designed a system to locate and download millions of posts originating from Chinese social media. Contrary to what

was expected, it was found that the objective was more about decreasing the collective activity potential than suppressing dissent towards the authority. Instead of deleting criticism of the government, China tended to block content that might trigger collective activities, even if they were pro-government (King et al., 2013, 2014; Lu and Zhao, 2018; Pan, 2019). Although the control tightened, Chinese netizens enjoyed considerable freedom online. Most netizens who publicly voiced anger against the authorities were never censored nor aroused any official retaliation (Sullivan, 2013; Inkster, 2015; Roberts, 2018).

Researchers of both interpretations did not acknowledge each other for there exists a difference of emphases over what to censor – open dissent aimed at the government versus content, including those pro-governmental, leading to collective activity. Each side believed its own findings to be the correct, since to the liberal researchers the CPC government was with unlimited power capable of manipulating its implementers to choose an optimal censorship level (Bamman et al., 2012; Sullivan, 2013; Xiao, 2019). For example, although acknowledging that the implementation of Internet censorship involved different institutions, Xiao (2019) emphasised a series of regulations against the implementers, insisting that none could implement the policy outside the CPC's will. He ignored the possibility that the central government might be constrained because of the bureaucracy and hence had limited capabilities, thus rendering it unable to achieve the objectives set.

Explorations of the content censored across China showed that the policy was implemented differently regionally and institutionally (Feng and Guo, 2013; Earp, 2013; Wright, 2014), possibly because of the vague language of the policy (Mackinnon 2009; Chwee, 2015). Meanwhile, implementers had their own power to censor, since the specific implementations could only be deferred to local level organizations and service providers (Wright, 2014). Although it was clear that there were tensions

between the CPC government and its implementers, such tensions were not linked to the inconsistent interpretations of the policy objectives. No one has yet further explored the causes of the inconsistencies. Also, most liberal scholars only attributed the inconsistencies to the government, until the exploration of censorship mechanisms brought to light the non-government stakeholders who were also involved in policy implementation.

### ***2.2.2 The Mechanisms of Censorship***

Another focus of existing literature is on the mechanisms of censorship: through technology or by hand.

Technologically speaking, the mechanisms used were IP, DNS and URL blocking, and keyword censorship, among others (Knockel et al., 2011; Zhu et al., 2013; Wright, 2014; Ruan et al., 2020). Admitting it was impossible to thoroughly observe the exact technological approaches and the procedures of censorship, researchers agreed that for both accuracy and efficiency, technical approaches must be assisted by hand within a hierarchically-structured team of implementers (King et al., 2014, 2017; Xiao, 2019).

The human element of blocking involved not only governmental institutions but also service providers (MacKinnon, 2009; Hui and Rajagopalan, 2013). Service providers were responsible for implementing censorship, such as administrative supervision, self-censorship, technical protection, and public supervision (Ruan et al., 2020). Companies had to sign the ‘self-censorship undertaking’ to comply with the government’s requirements unless they decided to quit China (Liu, 2010; Kim and Douai, 2012; Jin and Co, 2012; Elmer, 2012). In return, the government would both invest in and protect them (Deibert et al., 2010; Yang, 2010a; Elmer, 2012; Chen et al.,

2013; Zhu et al., 2013). The relation between the state and service providers was therefore symbiotic (Cairns, 2016).

Chinese netizens were involved as well, including as volunteers to report any ‘improper’ information (Earp, 2013). Of all the mechanisms, the ‘50 Cent Army’<sup>1</sup> caught on. It was assumed that some netizens were paid to conduct reverse censorship (counter speech) by pasting a large volume of posts and comments online as if they were the genuine opinions of ordinary netizens. These posts were believed to defend the regime, its leaders, and their policies, serving to monitor and control the Chinese Internet further (Elmer, 2012; Sullivan, 2013). Nevertheless, King and colleagues (2017) suggested that instead of ordinary netizens, such posts were made by government employees outside their regular jobs. The Chinese government did “fabricate and post about 448 million social media comments a year... to distract the public and change the subject” (King et al., 2017:484). Usually, these posts were not designed to argue but to guide the public’s attention to positive topics, and to divert attention from actual or potential collective activity on the ground (*ibid.*). King and colleagues (2017:496) also assumed that the CPC believed collective activities were more likely to happen “either after unexpected events or before periods of time such as *Qingming Festival* and political meetings”, because posts to divert the public’s attention would usually increase drastically at those times.

Exploration of the mechanisms, especially the human elements of censorship, has revealed not only the hierarchical structure of the policy’s implementation but also the crucial role of non-government implementers in it. Nevertheless, for liberal researchers, there was no difference between the government and non-government implementers as the policy was implemented in a joint effort under the control of the governmental ‘carrot and stick’ approach, through enterprises’ obligation to the

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<sup>1</sup> So-called since they were rumored to be paid ¥0.50 (about £0.055) per post.

government and the protection they received in return. The symbiotic relationship between the state and the service providers made it more likely that the service providers were being controlled (MacKinnon, 2012; Cairns, 2016). The Chinese government and policy implementers – non-governmental included – were regarded as a consistent whole and fragmentation in practice between the CPC and its implementers was ignored. Moreover, to date there have been no policymaking studies in the existing literature, for stakeholders were considered to act on behalf of the government's repressive apparatus rather than independent agents engaged in strategic interactions with the CPC government. Regarding policy as merely a strong and impregnable tool of the autocrat, it is likely that researchers see the CPC government as the only actor involved in policymaking.

### ***2.2.3 Criticisms***

Deeply rooted in the benefits of civil liberties, liberal researchers criticized that the Internet censorship policy imposed draconian restrictions on netizens' access to information. Criticisms developed from assuming that economic and political liberalism would go together, predicting the policy would eventually disappear under China's efforts to have the Internet penetrate all sectors of society for purposes of economic growth to accusations that the policy deprived Chinese people of their freedom to make their own judgments on an ideal life and pointing out its long-term negative effects on the whole nation.

### **2.2.3.1 Control vs. Liberalization: The Contradictory Swings**

Though it did not last long,<sup>2</sup> there was a time when researchers predicted that the policy would only have a brief life. The central argument can be interpreted as the contradictory swings between censorship, on the one hand, and China's eagerness to promote the popularity of the Internet to facilitate its economy on the other (Deibert, 2002). Therefore, an assumption existed: as the popularity of the Internet and information and communication technologies permeated China, it would become increasingly difficult to control information online effectively (Hachigian, 2001; Deibert, 2002). Consequently, a popular question asked was 'How long could censorship last?'

The prediction was based on China's desire to promote its economy via the Internet and related technologies: the political authoritarianism did not match the reformation of China, because the economy was moving in a liberal direction. Especially when it was commonly agreed that economic development would trigger the growth of the middle-classes who would be enthusiastic in pushing for political liberalization (Johnston, 2004). Moreover, constraints from the policy would be broken once driven by need – the technologically sophisticated (Chinese) netizens would find counter-technologies to bypass the censorship. Additionally, economic pressures from international trade would in turn facilitate China's political liberalization naturally if China wanted its economy to continuously grow (Deibert, 2002). The material properties of the Internet were also biased towards openness, liberalization, freedom of speech, and communication (Hachigian, 2001).

Researchers further assumed that since the Internet brought China huge economic benefits, which brought the CPC popularity, it was natural that the Internet would “first

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<sup>2</sup> Beginning in the mid-1990s and gradually declined from the mid-2010s.

work to maintain the authoritarian regime... instead of promoting human rights or ‘democratic trend’ through providing economic growth and some personal freedoms” (Hachigian, 2001:118). Therefore, Internet censorship would remain effective for some time. Moreover, “the power shifts wrought by the Internet will surface clearly only during an economic or political crisis in a future China where the Internet is far more pervasive. Meanwhile, the Internet will fuel discontent and could be the linchpin to a successful challenge to party rule” (*ibid.*). That is, free access to information would eventually liberate the Chinese and China politically so long as the CPC continued to push the Internet. More information online would enable more Chinese to reach evidence-based judgements about decisions. Therefore, what began with economy would sooner or later transform society. There would be a day when the CPC government could not afford to reverse the impact of the Internet: digital censorship was unworkable in the long run although technologies were of great help in maintaining the authoritarian system (Deibert, 2002).

#### **2.2.3.2 Violating the Internet’s Liberal Potential**

These predictions were emphasised by Deibert (2002:145), who observed that the CPC “wants to be able to reap the benefits of new information technology while at the same time minimizing and even eliminating its negative political effects – something the ‘unfettered’ perspective suggests cannot happen”. Unfortunately, contrary to what was predicted, with the popularity of the Internet and technology, benefits from the censored Internet continued to bring favourable results to the regime. Consequently, the focus of researchers shifted to the role of the government – every single Internet-related action the CPC took was interpreted as a ‘crackdown’ and violation of Chinese civil liberties (Damm, 2007). Criticisms changed to say that the policy prevented the Chinese from free access to information and free expression online. It was believed that this would not only disable the Chinese’s ability to choose, but also hinder possible



political changes and the economic development of China ((Deibert, 2010; Mackinnon, 2011; Morozov, 2011; Epstein, 2013; Chwee, 2015; Kelly et al., 2015, 2017). Questions from scholars were no longer about the duration but the degree of damage that censorship might cause to China and its development.

By providing volunteer students of two Chinese universities with blocked online information on a long-term basis, Chen and Yang (2019) tested whether China's success at Internet control derived from low or no demand for censored information. Results showed that, once motivated or incentivized, demand for censored information would persistently increase, which might bring broad, substantial, and persistent changes to knowledge, beliefs, intended behaviours and attitudes. Researchers also focused on Chinese activists and took their need for free expression to be the same need expected by the majority. Other issues of interest were the strategies used to circumvent censorship or the negative effects of individual censorship operations (An, 2014; Yang and Liu, 2014; *United States Government Accountability Office*, 2016). As Kalathil and Boas (2003:14) concluded, researchers criticized that "the Internet will become a tool of the Chinese regime... to stay one step ahead of the democracy-seeking masses". And the sweeping language used in the policy "gave China's security services almost limitless scope to act against entities and individuals they wished to silence" (Inkster, 2015:32). Consequently, the policy might even hinder China's social and economic development, since the Internet is an instrument believed to promote the economy (Morozov, 2011; Auer and Fu, 2015). Researchers warned that the policy could eventually pose a potential threat to China and lead to social instability and possible economic problems (Deibert et al., 2012; Epstein, 2013; Chwee, 2015). *Reporters Without Borders* (2012, 2014) even described China as the enemy of the Internet.

Though not in the mainstream, some voices suggested that the policy might not be as severe as was generally recognized and that the policy might do more than repress. In Roberts' (2018:110) words, "Internet access is widely available in China, with a flourishing social media environment where even vitriolic criticisms of the Chinese government are common... many Chinese citizens are not scared by censorship. Censorship does not interfere with most citizens' daily lives or perceived access to information". Some concluded that Internet popularization gave Chinese netizens more space to pursue greater liberalization. Simultaneously, the CPC made better use of the Internet by listening to its people, hence enhancing its capacity to understand public needs, and strengthening the regime (Sullivan, 2013; Inkster, 2015). However, rather than allowing or facilitating the free flow of information, the above measures were also interpreted as the government's strategies to turn the Internet into a tool of control by creating an illusion that the government cared about what the people wanted (Sullivan, 2013). Labelling China's Internet censorship as 'networked authoritarianism' when testifying to the *US-China Economic and Security Review Commission* (2010:222-223), Rebecca MacKinnon stated that "networked authoritarianism accepted a lot more give-and-take between governments and citizens than a pre-Internet authoritarian regime... As a result, people with Internet or mobile access had a much greater sense of freedom – and may even felt like they could influence government behaviour".

Overall, the essence of the liberal position lies in the belief that it is only through full civil liberties, including free access to information, that individuals could make their best life choices, and this is the only way that China could progress further politically and economically. Within this stance, following the content censored (what), the objectives of the policy (why), and its mechanisms (how), liberal studies developed to consider the potential impacts of the Internet on changes in China and possible damage from the censorship policy. Rooted in being open, accessible, and with respect for

speech freedom, liberal commentators regarded the policy as a barrier to China's liberalization. However, what is missing from existing work is the expectations of the Chinese in relation to the Internet, and whether they are accustomed to making their own judgments considering the impact of their culture and history. Moreover, the fundamental differences between China and the democratic nations of Europe and North America are completely ignored: as Wu (2012) pointed out, whereas the liberal online environment in advanced democracies was built on social activities like public argumentation and dialogic politics internalized before the digital age, similar settings were not present in Chinese history and culture.<sup>3</sup> Therefore, predictions that Internet censorship would hinder the development of China and was therefore impossible in the long run, have been proven wrong. Today, the Internet has become indispensable to the Chinese and technology has made information filtering a reality. Nevertheless, there are no major signs of a hindrance to both the development of society and the economy nearly 30 years after the policy was first implemented, hence the questions: why is the policy so durable and what does the policy look like in the eyes of ordinary Chinese netizens? It is therefore necessary to consider the pro-economic authoritarian position that prioritizes the needs of today's Chinese people in their exploration and would thus partially shed light on the puzzles left unanswered by liberal scholars.

### **2.3 The Pro-Economic Authoritarian Position**

To the pro-economic authoritarian researchers, authoritarianism can – in some circumstances – facilitate economic growth. For Internet censorship policy, it indirectly promotes economic growth: it wins over the Chinese thus legitimizes the policy; through the policy, some barriers to China's economic growth generated by the

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<sup>3</sup> Hong Kong, Taiwan and Macau are different cases compared to mainland China. For example, all were colonized for more than 100 years.

Internet are eliminated. Focusing on the high public support of the policy, the position seizes on how the Chinese prioritize economic well-being and a stable life rather than having access to different sources of information. These scholars take the view that the policy succeeds since most Chinese can continuously get what they want from the Internet.

### ***2.3.1 Pro-Economic Authoritarianism***

Pro-economic authoritarian researchers believe that successful economic modernization – even economic liberalization to some extent – can be joined with, and even facilitated by, political authoritarianism (Lee, 2000; London, 2011; Witt and Redding, 2014). It is worth remembering that the market-based economy in authoritarian nations develops in subordination to the principles of political authoritarianism (London, 2011).

The logic behind this position is that some authoritarian approaches can facilitate economic growth, though economic growth itself is achieved through a good dose of liberalism. In such cases, economic growth can cost the populations of these regimes some of their civil liberties (Lee, 2000; Witt and Redding, 2014). For example, freezing or reducing popular consumption to guarantee large-scale long-term state investment to expand industrial capitalism, or suppressing the public to maintain political stability to enforce the necessary deepening of economic reforms (Cohen, 1985; Eckholm, 2003). Both post-independence Singapore and China since the 1980s exemplify this point (London, 2011).

Nevertheless, whether the enormous political costs (e.g. restriction of political rights) for economic growth are worthwhile is context-dependent. To faithful democrats from developed nations, economic growth could hardly justify exclusion or betrayal of

democratic practices. While for relatively poor nations willing to improve their economy at any cost, nothing is more important than economic growth (Cohen, 1985). In China's case, economic growth has been accompanied by the sacrifice of certain civil liberties, but is generally supported (Witt and Redding, 2014). Taking its social credit system as an example, although it is supported by the Chinese generally (Kostka, 2019), the system is considered highly controversial outside China: anyone caught conducting immoral behaviour such as refusing to pay a debt when capable, could lose certain rights, including booking flights or train tickets with business class, purchasing properties, or risking being shamed publicly (Ahmed, 2017; Creemers, 2018; Kostka, 2019). Similar cases include the compulsory real-name registration<sup>4</sup> and the lockdown of Wuhan during Covid-19, and the coronavirus tracking system.<sup>5</sup>

Although with some civil liberties restricted, China's approaches and the resultant economic achievements have bolstered support for the government, especially among the educated and the young, who were more likely to demand control over their own fate (Ortmann, 2013, Kostka, 2019). Based on surveys conducted from 2003 until 2016, a recent report studying Chinese citizens' satisfaction with the government showed that the majority preferred a materially better life: the most significant factor in promoting regime support in China was whether living standards had been raised (Cunningham et al., 2020). Some researchers, for example Lee (2000), have pointed out that success in merging authoritarianism with the economy (liberalization) was culturally and historically related. In addition to traditional values emphasizing duties and disciplines over rights and entitlements, another reason explaining the success of China's model is that it washed away the historic sense of humiliation and decline and fulfilled the attendant desire to restore China to its 'rightful place'<sup>6</sup> (Witt and Redding,

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<sup>4</sup> Real-name registration is said to halt the spread of rumors, avoid online fraud and stop cyberbullying.

<sup>5</sup> Powered by Alibaba's payment app Alipay, the system has been adopted nationwide for people to check whether they have been in 'close contact' with people exposed to Covid-19.

<sup>6</sup> Though far from its peak, China in 1800 still produced one-third of world industrial output (Witt and Redding, 2014).

2014). Similarly, studies of cultural evolution have revealed that enthusiasm for a stable and economically better life could be traced to the national value orientation rooted in history and culture, whereby people in low-income nations and with a long-term history of wars/unrest were much more likely to emphasize both survival and traditional values than those in rich nations that had been stable for a long period (Inglehart and Baker, 2000; Inglehart and Welzel, 2005; Inglehart, 2018). China was just such a case when considering both the long-time low level of GNI per capita, and the fresh memories in fighting both invasions and internal chaos. The Chinese were shown to have a strong desire for a better life, were more likely to sacrifice individual freedoms in exchange for a united front under a strong leader, and were more willing to preserve traditional values negatively connected to liberal democratic values (Inglehart et al., 2014; Zhai, 2017).

### ***2.3.2 The Policy Enjoys Great Support***

Chinese Internet censorship policy studies from a pro-economic authoritarian position arose when the focus shifted to netizens' attitudes toward the policy, mostly through use of surveys (Guo, 2003, 2005, 2007; *Internet Society*, 2012; Yang and Liu, 2014; Wang and Mark, 2015) and interviews (Damm, 2007; Dong, 2012; Wang, 2016a). These studies assumed that, driven by the same goal of a materially better-off life, the state-public relation was purely harmonious. As economic benefits continued to grow and the Chinese proved to be satisfied, statistics showed that the policy enjoyed high levels of public approval (Guo, 2003, 2005; Damm, 2007; Fallows, 2008; *Internet Society*, 2012; Yang and Liu, 2014), even if dissenting voices existed, either overtly (disagreement) or covertly (through indifference) (Lei, 2011; Wang and Mark, 2015; Wang, 2016a).

A typical example of these studies was the *Global Internet User Survey 2012*. As indicated in Table 1, although recognising the existence of both server censorship (question 7d) and its limitations on freedom of expression (15d), most Chinese participants still regarded Internet censorship as essential (7a; 7e). More believed it would promote businesses, facilitate the economy (15i) and provide increased safety (15k). Some even said that they would accept more severe Internet control for increased safety (17). In contrast, democratic nations – such as the US<sup>7</sup> – did not support the censorship and had much lower expectations economically for the Internet (*Internet Society*, 2012).

**Table 1 Chinese participants' attitudes to Internet censorship<sup>8</sup>**

Question	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Don't Know/N/A
7a. The Internet should be governed in some form to protect the community from harm.	57% (US: 28%)	41% (41%)	2% (15%)	- (11%)	0% (4%)
7d. Censorship currently exists on the Internet	46%	45%	7%	1%	1%
7e. Censorship should exist in some form on the Internet.	44% (22%)	45% (39%)	7% (21%)	2% (11%)	1% (7%)
15d. Increased government control of the Internet would limit my freedom of expression.	35% (38%)	45% (35%)	15% (16%)	4% (6%)	2% (5%)
15i. Increased government control of the Internet would help businesses grow and help economies.	29% (10%)	42% (25%)	17% (30%)	7% (23%)	4% (12%)
15k. Increased government control of the Internet would make the Internet safe for everyone to use.	29% (15%)	50% (33%)	13% (25%)	6% (19%)	2% (9%)
Question	A Lot	Somewhat	Not Very Much	Not at All	
17. To what degree would you accept increased control or monitoring of	32% (15%)	32% (39%)	14% (24%)	4% (14%)	

<sup>7</sup> Results of the American participants are indicated in parentheses below the Chinese data in Table 1.

<sup>8</sup> Source: Global Internet User Survey 2012 (*Internet Society*, 2012).

the Internet if you gained increased safety?				
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Similar findings were also reported by Guo (2003, 2005, 2007), who concluded from a series of surveys exploring Chinese netizens' perceptions and attitudes towards Internet use and control that those surveyed cared more about financial issues related to the Internet. For example, compared with politically sensitive issues, they were more concerned about the reliability of advertisements online. This echoed the findings of Hong and Huang (2005) regarding the apathy for political communications among most Chinese netizens. Furthermore, Guo (2007) found that over 80% thought the Internet should be controlled/managed and almost 85% suggested the CPC should be responsible for doing so.

Whether pro or con, attitudinal studies showed explicitly that: 1) the Chinese supported censorship since they believed it facilitated economic growth and guaranteed safety; and 2) the government was trusted and counted on to control the Internet. Unfortunately, the surveys failed to explore the reasons behind these findings. Nevertheless, some explanations, especially for the connection between the censorship policy and economic growth, were seen in follow-up studies and described in various ways:

**Control to protect the economy.** The most recognized explanation was that the policy indirectly facilitated China's economic growth by eliminating some barriers generated by the Internet.

The Internet in China was regarded as an instrument for economic rather than political gains (Yu, 2017). Damm (2007) reported that the Internet failed to become a promoter for political change but was instead an accelerator of economic prosperity. He found that few Chinese cared about freedom of speech but were interested in the economic



effects of the Internet. This echoed Zheng's (2004) conclusion that, far from politics, becoming rich was the most valued and respected form of social activity. This might explain why, although there were many ways to bypass Internet filtering, few did so, and when they did, it was more likely for economic or entertainment reasons rather than pursuing any liberal potential (Yang and Liu, 2014).

Considering expectations, some researchers saw China's Internet censorship policy since 2009, when it began to block formidable foreign Internet enterprises, as an insidious and unique form of economic protectionism (Calinoff, 2010; Chovanec, 2010; Chu, 2017), as it "disrupts commercial activities by more than is necessary to achieve the goals of the censoring government" (Erixon et al., 2009:2). Chu (2017) pointed out that, using the excuse of national security,<sup>9</sup> blocking of Google, Twitter, and YouTube, among others, was conducted in essence to reserve the industry for domestic actors only: China was technologically capable of banning certain content that threatened its national security, but it chose to block whole websites. This argument was also evidenced by the ban on seemingly harmless photo-sharing website Flickr and the subsequent growth of its Chinese clones; and the selective censoring rather than blocking of Tianya, a popular Chinese Internet forum filled with vitriolic and hate-filled speech, including that against the state (Calinoff, 2010). Protection was also visible in the growth of China's homegrown Internet giants after the abolition of their foreign competitors. For example, Baidu became the most frequently used search engine after Google left, while Sina Weibo was launched and became popular after Twitter was blocked (Chu, 2017). The benefits of the blockage of foreign competitors were seen immediately and continuously. For example, Baidu's Nasdaq stock shot up 16.6% (\$64.01) the same day Google announced it was leaving China. Before that,

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<sup>9</sup> According to China, Google was blocked since it refuses to comply with the Internet censorship policy; YouTube for showing a fabricated video showing police officers beating Tibetans; and Twitter and Facebook for helping Uighur terrorists organize the Xinjiang Riot (Calinoff, 2010).

within three years, Baidu had lost nearly 6% of its market share in China to Google, who just entered China. While two years after Google had exited, Baidu's market share increased by 80% (Calinoff, 2010; Oliver, 2010). An Internet research firm once estimated that if all foreign competitors were deported, China's Internet industry would bring in \$8 billion in three years just through advertising revenue (Chu, 2017). Statistics showed that, only in 2011, Baidu alone earned \$2.3 billion in advertising revenue (Baidu, 2011).

The policy also protected China's economy because it helped to contain cybercrimes. Ranging from online fraud/scam, gambling, pornography, invasion of personal privacy, to manufacturing and disseminating computer viruses, cybercrimes struck China's economy hard<sup>10</sup> (Liang and Lu, 2010; Cheng, 2017). Research showed that its domestic cybercrimes were mainly economically motivated (Cai et al., 2018), not to mention that economic losses would multiply once the Internet was involved (Wang, 2009). Cybercrimes in China were regulated by different laws and regulations (Xu, 2003), among which Internet censorship functioned to keep constant surveillance and control over related information, such as detecting, blocking, or filtering pornographic or illegal gambling websites, or enforcing real-name registration to make cybercrimes more traceable (Zittrain and Edelman, 2003; Liang and Lu, 2010; Song and Yang, 2013).

Researchers also pointed out that the policy had few negative impacts on the economy: very few of the censored content had expressly commercial purposes, whereas the policy seldom intervened in areas where the economic benefits of China's Internet were mainly concentrated (He, 2015; Clover, 2015).

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<sup>10</sup> For example, only according to the 'Network Hunt Platform' of the Beijing Public Security Bureau, in 2016, the platform received 20,623 reports of online fraud with a total loss of RMB195 million (Cheng, 2017).

**Personal safety.** Supporters of the policy also felt safe under its protection (Guo, 2007; Zhou, 2009; Leibold, 2011), because of its containment of cybercrimes like online fraud. Of all cybercrimes in China, online fraud targeting individual netizens, such as online shopping scams or telemarketing, constituted the largest group (Liang and Lu, 2010). As the damage caused was likely to be not only economic, but also mental and emotional, most of the Chinese felt protected by the censorship (Jiang, 2012). The Chinese believed the government, acting through the censorship policy, and not themselves, should be responsible for differentiating and filtering all information as dangerous or inaccurate, thus avoiding threats to personal safety and assets. They also trusted the government rather than private companies to protect their privacy online (Zhang et al., 2002).

**Less controlled.** Though not many, some researchers also attributed the general acceptance of Internet censorship to it being less strict than previously assumed (Fallows, 2008; Wallis, 2011). For example, through analysing uncensored Weibo posts on controversial political issues from 2009-2013, Qin and colleagues (2017) found that to gain information bottom-up to prevent social problems from growing into a threat, critiques of officials, the government, and even information about organizing and coordinating collective activity events was available online – unless it was considered to pose a potential threat to the regime. In comparison to other media, people found it much easier to express themselves through the Internet (Kalathil and Boas, 2003). The Internet has turned into the most important channel for information to be transformed or reconstructed bottom-up in China (Qin et al., 2017).

Overall, China's Internet censorship policy has done what was expected by the Chinese through promoting the economy and offering protection, which led to Chinese people's broad approval of the policy. The Chinese believed the government to be responsible for controlling and filtering information to protect their safety and assets.

Jiang (2012) explained further that they regarded online censorship as strengthening the system within which they gained access to a materially better-off life. They worried that information aimed at overthrowing the regime would lead to political instability, which would ruin their hard-earned better-off life. Therefore, most Chinese interpreted censorship as a measure to “establish the Internet as part of a modern economy and society and to control ‘sensitive political issues’” (Damm, 2007:283). Unfortunately, though the logic of support has been identified and explained, few pro-economic authoritarians explored reasons other than those related to economics, such as why the Internet was less strictly controlled also contributed to general acceptance of the policy. Moreover, the Chinese did differ in their attitudes: not all supported the policy and were indifferent to their rights of free speech and access to information. Meanwhile, since most attitudinal studies occurred before 2013, change may have taken place since Xi came to power.

### ***2.3.3 Interpreting the High Support Rate***

This section considers interpretations of the high support related to the context in which the policy was generated. Just as freedom of speech and information transformation freedom principles have profound roots in the democratic European powers or European-derived nations, statistics show that the Chinese also think it natural to make sense of the policy within the Chinese context. The *Global Internet User Survey 2012* revealed 88% of Chinese participants agreed with the notion that “each individual country has the right to govern the Internet the way they see fit” (*Internet Society*, 2012:23). The survey (as seen in Table 1) showed that most Chinese approved of censorship, which echoed findings from other pro-economic authoritarians. As Hughes and Wacker (2003:6) pointed out, “understanding the impact of information technology in China requires knowledge not only of the ways in which technology works but also of the political system, culture and history of that

country”. Thus, when interpreting the policy and its high support rate, the broader social conditions and their impact on China should be considered, along with the cultural and historical factors affecting the phenomenon (Damm, 2007; Wallis, 2011; Taneja and Wu, 2014; Wang, 2020).

Some have tried to verify that particular social conditions led to the expectations of the Chinese regarding the Internet and thus their general acceptance of the policy. Damm (2007) noted that China was extremely unequally developed. Thus, most Chinese were still enthusiastic about a materially advanced, rather than a politically free society. Meanwhile, as the mainstream and the biggest beneficiary of China’s economic take-off, the newly cultivated Chinese middle-class was more and more satisfied with the government, and hence much less politicized: having got what they wanted, more started to turn away from newly imported Western ideas<sup>11</sup> and resorted increasingly to ideas from the Chinese government, which were in line with traditional (authoritarian) values. Kalathil and Boas (2003) pointed out that it was too naive to see the Internet as either a threat to, or a tool of, the Chinese regime – China’s information revolution accompanied the nationwide pursuit of economic take-off. Additionally, though economic development was of the greatest importance, a stable society under a stable regime was regarded as its premise: memories of social chaos and political instability before 1949 and in the 1970s were still fresh, almost in the genes of the Chinese. It was noted that social chaos was by no means good for the country or the economy. Therefore, when imported to China, instead of playing its expected role of facilitating political change, the Internet instead played a trade-off between economic modernization and political control. It mirrored the coexistence of

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<sup>11</sup> China is adept at importing overseas cultural touchstones. The imported entities are remoulded into something that is not entirely Chinese but is also totally different from the original piece. A recent round of importation started with China’s economic reform. Together with pizza, Hollywood, basketball, and Christmas, also introduced are ideas and values appreciated in the West: individualism, freedom of speech, and liberal democracy. Covering all aspects of life, they generate huge challenges to authoritarian rule (Fish, 2015). For more detail on how extensively such ideas and values have been imported, see <https://www.chinafile.com/features/whys-beijing-so-worried-about-western-values-infecting-chinas-youth>

China's political authoritarianism and economic liberalization. Therefore, "to both benefit from and enhance a knowledge-based economy... the Chinese government has chosen to encourage mass Internet usage and education in an environment that is able to shape if not wholly control. Yet the leadership is also wary of the potential effects of an unfettered flow of information" (Kalathil and Boas, 2003:25). Although it is possible for the Internet to set the stage for gradual liberalization and contribute to change within China, it will not precipitate the collapse of the current system.

Researchers also further connected the policy's high support rate to China's culture and history. Some found that the majority did not need the censored information (no-need) (Giese, 2004; Damm, 2007; Wallis, 2011; Taneja and Wu, 2014), while others revealed that the Chinese tend to support and obey the authoritarian rule (obedience) (Zhang et al., 2002; Wang and Mark, 2015; Wang, 2020). Researchers of the no-need noticed that a large proportion of Chinese netizens lacked interest in the censored information and might share the same pro-authoritarian ideologies (connected to certain political and cultural values) with the CPC (Wallis, 2011; Wu, 2013). Taneja and Wu (2014) compared global patterns of web usage and found online habits were driven by cultural proximity: whether blocked or not, Chinese netizens' preferences for information were the same. This proved that cultural proximity had a greater role than censorship in shaping netizens' behaviour. The obedience researchers found those supporting censorship scored higher in *the Authoritarian Personality Scale* by being extremely obedient with unquestioning respect for the authorities (Wang and Mark, 2015) – labelled as China's national character, inherited from Confucian traditions (Chien, 2016). Zhang and colleagues (2002) found that, compared with Americans, Chinese netizens were more supportive of government Internet regulation. This was consistent with the greater role of the government in traditional Chinese societies. Wang (2020) went one step further by proposing that hidden paternalism explained the high support rate: the paternalistic style of duty and function of the government

had its roots in the culture and history of China. To the Chinese, the policy was a token of governmental responsibility instead of an approach that restricted their freedom and responsibility.<sup>12</sup>

Overall, researchers from the pro-economic authoritarian position explained support for the policy in the context of the social and historical conditions of China: instead of suppression, censorship caters to public needs. Therefore, since the Internet censorship policy promotes the economy, thus satisfying the Chinese, it helps to gain legitimacy for the CPC. However, this position is too focused on the power of the economy to realize that the policy contributes to more than a materially better life. These studies neglect the Internet's liberating potential for the general Chinese population. The Internet had cultivated the need for political participation, which might challenge autocratic rule and even catalyse the shift to liberal democracy (Hachigian, 2001). Therefore, demands to have their opinions heard to influence real-life events have increased (Herold, 2008, 2009; McLaughlin, 2009), which may explain both negative attitudes to the policy, and seemingly pointless censorship policy: pro-economic authoritarian researchers suggest that netizens don't care very much about the information that is censored. But if this were true, why censor at all?

Finally, the pro-economic authoritarian literature identifies the traditional values behind Chinese people's attitudes to the policy but leaves unexplored how China's political culture has survived and revived over 5,000 years of history, especially the constantly changing modern history. Therefore, the pro-economic authoritarians are too attracted to the 'provide' role of the Internet censorship policy to notice, for example, 'suppression', as detected by liberal researchers. Together with those with a

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<sup>12</sup> The influence of the political culture on Chinese governance is commonly seen. Some cultural actions may be considered odd and unacceptable by non-Chinese, but quite normal for insiders. For example, publishing images of individuals' petty crimes (e.g. disobeying traffic lights) to publicly shame them (Xu and Xiao, 2018). This is often more effective for Chinese than actual punishments with fines since China has a culture of shame (Creemers, 2018; Wang, 2020).

liberal position, existing works on the policy fail to recognize that the state-public relations in China are not absolute enough to be either antagonistic or harmonious, thus the function of the policy has been oversimplified.

#### ***2.3.4 A Combined Approach***

Studying the social and cultural origin of the policy, another insight was brought about by those researchers with one foot in pro-economic authoritarianism and the other in liberalism. That is, although this combined approach succeeded in encompassing both the providing and suppressing roles of the policy and scrutinizing it in the rich political soil of China historically and culturally, it only understands the cultural roots of Chinese politics as excuses by the CPC to legitimate its policies rather than as consequences of Chinese culture and history.

Within the scope of pro-economic authoritarianism, Creemers (2015:257) attributed the policy to “a tension that has characterized Chinese governance for centuries: the oscillation between centralization, hierarchy, and order on the one hand, and decentralization, rebellion, and disorder on the other”. By tracing the influence of the changing political culture on Chinese rulers, Creemers (2015) concluded that such a tension, still under development, had cultivated a blended core of China’s past and present. Therefore, after highlighting Chinese public policies historically and culturally, the study pointed out that although the Internet was newly imported and had a critical function in China’s socioeconomic reform, the Internet censorship policy was merely part of a repeated cycle (with some variations) after the collapse of the Qing Dynasty: “political circumstances would create opportunities for criticism and debate; intellectuals would come forward with energetic participation; the leadership would, after some initial dawdling, silence the debate... Never would intellectual risings result in enduring liberalization” (Creemers, 2015:262). Weber and Jia (2007)



explored the CPC's cultural strategies of control from Internet enterprises' self-regulatory systems. They concluded that, to control as well as benefit, the government planted the cultural logic in digital commodification. They mentioned that China's Internet was built according to a broader socialist-market economy principle: to combine political control with global economic progress. The government desperately wanted an open and efficient economy through the Internet. But the openness of information online had posed an ideological threat. As such, on the one hand, the commercialization of the Internet was balanced by controlling modalities to reaffirm the government's central position in the transition to a socialist-market economy. On the other hand, cultural commodities were instilled in audiences to magnify the "positive social relations that were not only beneficial but essential for nation-building, or the bringing together of peoples by adopting common values and practices" (Weber and Jia, 2007:775). By doing so, an 'imagined' Chinese world was evoked that was both "linked economically to, but separated politically and culturally from, the global world" (*ibid.*). Once enough economic benefits were promised, traditional Chinese values would reconcile with modernity to limit the influence of Western culture upon Chinese society, with regulated online behaviour.

Studies from a liberal perspective also elaborated on the 'suppression' and antagonistic relations between the state and the public. Creemers (2015) pointed out that the ever-complicated censorship constrained the rights of individuals to propose or expose painful truths in their lives, to prioritize certain claims over others, and to marginalize interest groups. Overall, the policy exposed the disfunction and contradictions of the system. Weber and Jia (2007:786-787) pointed out that, being most affected by policies, the public neither knew detailed information about what governmental institutions did, nor had a great say in policy formulation. This "has serious implications for the success of the government's implementation of a total system of social relations based on a Chinese imagined community".

The combined approach moved one step further in illustrating the policy. Having explained empirical evidence from both positions, it illustrated the state-public relation as somewhere along a continuum with antagonism and harmony at each end. However, perhaps due to the absence of evidence proving the continuity of both China's political culture and its influence on governance in existing studies of China's Internet censorship policy, to these researchers, the 'political culture' the policy was based on did not evolve naturally but as an instrument of the CPC, planted in the minds of the Chinese to strengthen its rule. In Weber and Jia's words (2007:775), the incorporeal Chinese world based on the traditional values was the result of "the government's discursive constructions of a modern Chinese value system". Similarly, Creemers (2015) insisted that cultural resources be manipulated to turn the governmental efforts of suppression into gestures of serving what they want. Different from pro-economic authoritarian studies, they dug into the history and culture of China, but ignored how culture was not 'planted' in the politics, but the root of politics (Pye, 1992; Hong, 2015; Han, 2019). As addressed at the beginning of this section, interpretations from the combined approach are neither to the point nor adequate. The liberal explanation of the policy is incapable of recognizing the historical and cultural basis of the Chinese system. In other words, though the combined approach empowers researchers to further detect how the policy came about, the restored mindset, the liberal position, prevents analyses that dig deeper into the historical and cultural soil of a country with 5,000 years of heritage; therefore, it only scratches the surface of the policy and the rule of the CPC. This in turn explains why such an approach – especially that of Weber and Jia (2007) – has touched only lightly on China's history and culture. For the present study, which aims to diagnose problems with the policy, and then to suggest changes, the combined approach only does half of the job.

## **2.4 Identification of Deficiencies**

Like two blind people trying to describe an elephant, researchers with liberal and pro-economic authoritarian positions have only touched different parts of the same elephant. In the story, each blames the other, believing only they are right, which deprives all the chance of conceiving the whole. The fundamental problem lies in the failure of recognizing the mutual impacts between the Internet and China.

Much of the existing works believed China ought to change, including by encouraging free speech and free access to information on the Internet (liberal position). With less attention paid to broader social changes in China, researchers presumed that the Internet would encourage the Chinese to make their own life choices, free of state interference. Focusing entirely on netizens' deprived civil liberties in accessing different sources of information, they are mostly concerned with the repression side of the policy. Therefore, they blame China's Internet censorship policy for violating the principles of free speech and free flow of information. Though it echoes the few activists in China, researchers do not realize that Chinese netizens come in various kinds: patriots, nationalists, pro-democracy activists, anarchists, and economic supremacists, among others. For the majority, their biggest interest is in obtaining a materially better life, hence they have similar expectations for the Internet.

On the other hand, researchers from a pro-economic authoritarian position insist that authoritarianism can facilitate economic growth in some circumstances. Recognizing the unique role of the Internet to the Chinese, they focus on how the censorship policy facilitates economic growth before going further in exploring how social conditions and culture define the prestige the policy enjoys. Nevertheless, focused on the potential economic benefits the Internet provides, researchers devalue its liberating potential. Also underdiscussed is the suppression role of the policy. They miss the

point that China's state-society relationship is neither antagonistic nor harmonious. Consequently, they cannot explain the necessity of the policy, if, as they assumed, the liberating potential means little to the Chinese.

Moreover, although pro-economic authoritarian researchers, for example, Wang (2020), mentioned the connection between the policy and China's political culture, they either lightly touch or completely ignore the continuity of the culture throughout history. Similarly, further exploration of those with mixed positions reveals that although they do often consider the political culture from which the policy emanates, they only understand it as the product of the CPC regime. That is, the culture was 'planted' in the minds of the Chinese only when the regime came into being. Therefore, such a culture is merely the government's excuse for legitimizing its rule and policies. This also shows the absence of existing Internet censorship policy literature concerning the continuity of China's political culture, especially when today China is benefiting enormously from economic liberalism, which is neither authoritarian nor traditional. It is, therefore, time for the policy to be explored through the lens of the distinct polity of China and the source of its political culture. More importantly, since both the 'provide' and 'suppress' sides of the policy have been considered by the mixed approach, it would be beneficial to explore other elements contributing to authoritarian China's survival beyond these aspects.

The existing literature has also ignored: 1) the fragmented top-down governmental system and the hierarchically intertwined state-society interactions, and thus misinterpretations of the policy; 2) the possible disagreements and inconsistencies among the different policy implementers both within and outside the government; and 3) the impact of non-government stakeholders from all walks of life, representing various interest groups. Consequently, to suppress critique of the state or to prevent collective activity, researchers from a liberal stance could not explain the paradoxical

findings about the objective of censorship in implementation. Similarly, those from a pro-economic authoritarian position could not explain the existence of political disapproval of the policy. Possibly for the same reason, no one has yet explored the policymaking behind the policy. As will be seen in the next chapter, public policy in China involves multiple stakeholders within and outside the government and in different ways. The pieces lost in the jigsaw puzzle include individual stakeholders' positions, assumptions, motives, fears, expectations, operations, and reflections on the Internet, the censorship policy, and the political system.

Methodologically, although existing studies of netizen's expectations and attitudes shed light on the impact of the Internet and the policy on Chinese netizens, most have been quantitative in nature, usually conducted via questionnaires which could only ask vague questions like "Do you agree that censorship should exist in some form on the Internet?" (*Internet Society*, 2012). These studies were not designed to explore the rationale behind the answers given, thus making it impossible to improve or change the current policy.

## **Conclusion**

Existing studies leave crucial spaces unexplored because they do not capture the complexity and essence of Chinese authoritarianism, and consequently, the Chinese Internet and the Internet censorship policy. Authoritarian China is about more than suppressing and providing. Mostly an economic accelerator, the Internet in China is also a platform to satisfy the growing need for political participation. Since the Internet and China are influencing and changing each other, the Internet censorship policy is designed to solve specific problems in a specific context, behind which lies the rich history, culture, and concerns of contemporary China. All this background has

triggered the present study, which regards policymaking, implementation, and political effects as indispensable and of equal importance. To explore the subject further, an understanding of China and the measuring rubrics are required in a macro-and-micro framework. It is expected that this combined approach will bring out a different perception of the policy: why the policy exists, how it is made and implemented, its contributions and the problems it faces. Only by doing so can proper suggestions for continued implementation be identified and better governance of the Internet possible.

## **Chapter 3 A Macro-and-Micro Framework for Policy Evaluation**

### **Introduction**

This chapter aims to construct a macro-and-micro analytical framework that is 1) more appropriate for China, especially its Internet censorship policy; 2) more comprehensive in evaluating the policy (the process and politics, besides its implementation); and 3) capable of interpreting policy success and failure in the Chinese context. Responsive authoritarianism exhibits, at macro-level, the distinctiveness of the Chinese system and its policies. McConnell's public policy evaluation framework is further nuanced and elaborated on and used to tailor a framework to evaluate China's Internet censorship policy at the micro-level. The combined countermeasures are considered next: repression enactment (stability) and the distribution of benefits (prosperity) to handle the hidden threats to the survival of authoritarian China for further legitimacy, hence the benchmarks for the present evaluation.

### **3.1 Macro Framework: Responsive Authoritarianism**

“Context is the information that surrounds an event; it is inextricably bound up with the meaning of that event” (Hall and Hall, 1995:6), thus to interpret China's policy, this study embeds responsive authoritarianism and the logic behind it – China's political culture – as the macro framework. It is within this contextual framework that policy originates. The importance of interpreting policy in its own context lies in the fact that public policy should address problems within the scope of where it works (Pye, 1985). The theory functions to offer an explanation to the policy through exploring the connection of its status quo with its political and cultural heritage.

Moreover, other than the power to interpret policies of an authoritarian country, the theory also helps justify the micro framework which is used to evaluate the policy.

### ***3.1.1 System of Responsive Authoritarianism***

#### **3.1.1.1 Idea of Responsive Authoritarianism**

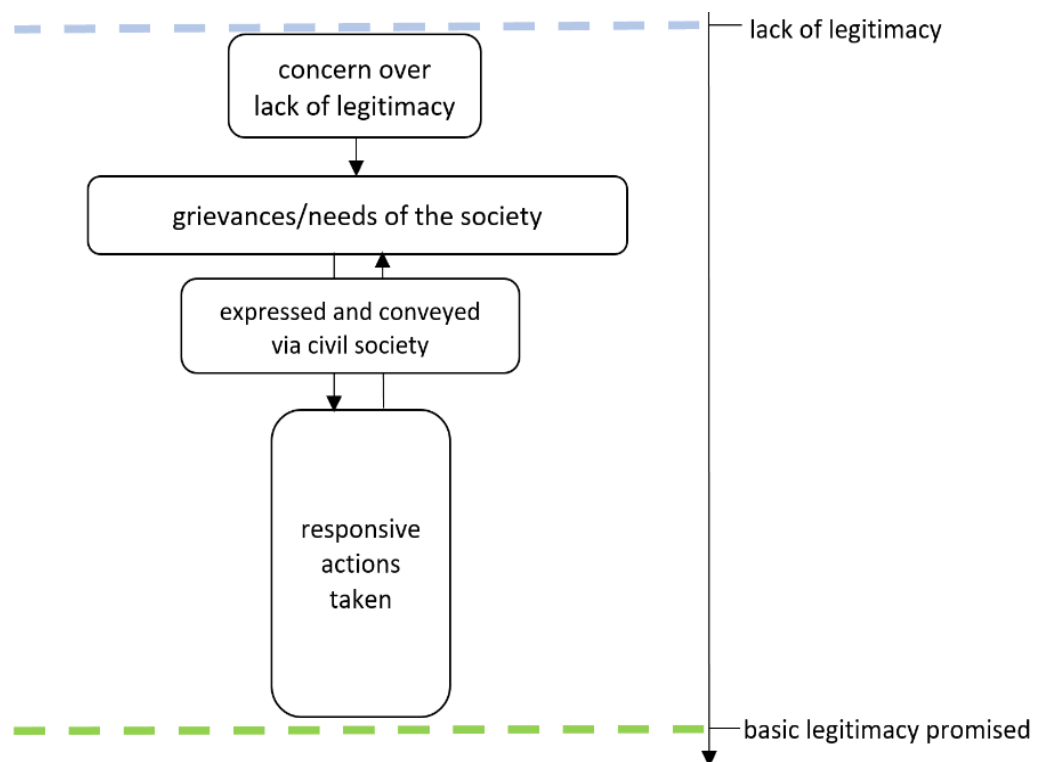
It is believed that, instead of elite politics or social repressions, the basic legitimacy of some authoritarian regimes is maintained mostly by popular consent gained by being responsive to the public (Esherick et al., 2006; McCauley, 2019). Here, responsiveness refers to government responses to and fulfilment of the needs of the public: “Smart authoritarian regimes are at least partially responsive to grievances from civil society because the leadership fears the consequences of being unresponsive” (MacDonald, 2015:67). If a government is considered illegitimate, policy implementation is more difficult, and the chances of regime collapse increase greatly. In China, triggers of responsiveness vary, such as economic growth, medical care, education, and environmental protection (Nathan, 2003, 2013; Weller, 2008, 2012; Yan, 2011; He and Warren, 2011; Perry, 2015; Lee, 2018; Fewsmith and Nathan, 2019). This, in turn, requires a more responsive government to better understand societal demands (Brownlee, 2009; MacDonald, 2015).

Figure 2 illustrates how CPC’s basic legitimacy is sustained through being responsive to the needs of society. Since neither competitive election nor free press on any significant scale are possible, faced with growing public demands to have their voices heard to influence real-life events (Li and Zhong, 2007; Zheng, 2007), the authoritarian state has developed other techniques to ascertain and solve problems in civil society through being responsive. However, as will be illustrated in section 3.3.5, civil society in responsive authoritarian nations is usually restricted and of limited



vibrancy, responsiveness functions only to earn the government its basic legitimacy. Nevertheless, it nurtures an environment in which the state pursues other goals – repression enactment and benefits distribution<sup>1</sup> – to secure its legitimacy further (Wintrobe, 2005; Su and Meng, 2016; Truex, 2016; Lee, 2018). Enacting suppression and providing benefits varies between policies (MacDonald, 2015). For example, economic related policies put more weight on benefits, whereas policies involving national security issues give more weight to suppression.

**Figure 2 The chain of sustained legitimacy in responsive authoritarian China**



The clearest case of responsive authoritarianism is a regime with a low degree of legitimacy, and which is in power for a long time. It is believed that “the more the regime is concerned about legitimacy, the more responsive it will attempt to be”

<sup>1</sup> The two goals will be discussed and explained in detail in section 3.6.

(MacDonald, 2015:70). Also, the longer a regime is in power, the more responsive it will attempt to be (Gandhi and Przeworski, 2007; MacDonald, 2015).

The Chinese regime is a typical case in terms of gaining and maintaining its legitimacy with 1949 as the baseline. Once in power, the legitimacy initially gained before 1949 may have declined as the immediate post-revolution legitimacy was more fragile and open to the potential of being weakened (MacDonald, 2015). However, contrary to popular belief that the CPC's rule would collapse after 1989, today the regime is still enjoying a high level of public support and showing no sign of disintegrating anytime soon (Weller, 2008; Yan, 2011; Perry, 2015; Fewsmith and Nathan, 2019). This is simply because after the Cultural Revolution, the form of governance in China changed enormously (Weller, 2012; MacDonald, 2015). The *reform and opening-up* brought about experiences from the outside world, especially models of other authoritarian states from Asian polities that were long-lasting and economically successful, such as Singapore and Malaysia. Once blended with China's own governing techniques, it transformed the "underlying vision of how state and society should relate to each other... Mechanisms China has developed to solve the problems from the feedback include petitions and letters to government offices, limited demonstrations, some use of lawsuits, the rise of nongovernmental organizations, and many more informal techniques" (Weller, 2012:84-85).

To remain in power, the CPC government is savvy enough to be responsive to public needs. Being 'abnormal', China is both unique and typical when compared with other authoritarian states. The uniqueness lies in the distinct sources of responsiveness. The commonality comes from the official promotion mechanism, which further restricts the already limited responsiveness, and its opacity, especially in public policies.

### **3.1.1.2 Sources for Responsiveness**

The key sources of responsiveness are top-down and bottom-up: the former relates to oversight of CPC government agents and the latter to releasing societal pressures (Chen et al., 2016).

Taking the partially free Chinese media as an example, the top-down mechanism of oversight is one of the critical channels available to the CPC government to gather information to supervise and identify potential threats within the government (Lorentzen, 2014; Lu and Ma, 2019). In relation to bottom-up social pressures, responses to public demands are selective and vary in terms of degree. The degree of responsiveness tends to be high when the demands are: 1) backed by threats of collective activities or tackling the upper levels of government (Chen et al., 2016); 2) focused on single, rather than multiple tasks and issues (Nathan, 2003; Li and Zhong, 2007); 3) articulated by those within a policy subsystem (Kornreich, 2019); 4) economically related (Nathan, 2003; Su and Meng, 2016); and/or 5) raised in more economically advanced regions (Distelhorst and Hou, 2014, 2017). Taking the third demand as an example, by analysing online comments to a policy stipulating the expansion of access to medical insurance, Kornreich (2019) found that, compared with other social groups, the CPC government was more responsive to street-level policy implementers.

### **3.1.1.3 Obstructions to Responsiveness in Practice**

Limited governmental responsiveness from a restricted civil society earns the autocrat only basic legitimacy. In practice (e.g. policy implementation), this limited responsiveness could be weakened or obstructed because of the official promotion mechanism. Although both decided by the top, promotion gauges higher and lower-

level officials differently. Comparatively, priority is given based on the loyalty of higher-ranked officials toward the central government, whereas lower-ranked officials are promoted based on their performance (Naughton and Yang, 2004; Ding, 2010; Shih et al., 2012; Gueorguiev and Schuler, 2016).

Crucial to the core of higher-level officials are personal loyalty and connection to the highest-ranked leaders of the CPC government (Nathan, 2003; Zhang, 2014; Keller, 2016). These officials are responsible for leading and supervising officials of lower-levels to carry out the principles and policies set by the CPC, which cultivates a top-down structure of political operation (Nathan, 2003; Keller, 2016; Meyer et al., 2016). Other than the loyalty of higher-level official, support from lower-level officials is also critical (Nathan, 2003; MacDonald, 2015). Therefore, the CPC promotes lower-level officials based on their performance in achieving targets in office. Such a system breeds loyalty among upper-level officials, at least in terms of behaviour. Consequently, level by level, compared with ordinary Chinese citizens, words from the top carry more weight than those from the bottom.

The promotion system might obstruct government responsiveness, which challenges the CPC on its effectiveness in monitoring the operations and behaviours of its own agents and continuing to access public needs/dissent (Policzer, 2009; Svolik, 2012). Since their promotion is decided by the top, officials may be vulnerable to over-report their achievements and avoid/under-report, or disguise unfavourable information to hide their poor performance and/or inability to govern. Some even suppress information of this kind through censorship, bribery, or threats (Edin, 2003; Li and Zhou, 2005; Shih et al., 2012; Landry et al., 2018). What is worse, the restricted civil society is far less capable of monitoring agents of the CPC to prevent them from the above misconduct, and these agents are the ones who respond to the public

(MacDonald, 2015). This, in turn, leaves more room for official misconduct and hence responsiveness is obstructed from earning basic legitimacy.

#### **3.1.1.4 Opacity in the System**

Like other forms of authoritarianism, the Chinese system operates in an opaque manner (Economy, 2013), which extends to its public policy (O'Brien and Li, 2016). Most Chinese policies are vague, couched in seemingly principled words. Meanwhile, the government lacks interest in explaining policy (Pradhana et al., 2017; Liu et al., 2018). Consequently, Chinese public policies might be applied variously among different implementers and cases (Corne, 2002). This leads to indirect but crucial consequences for a responsive authoritarian government, in ways that are both positive and negative.

Positively, Corne (2002:374) believes the vagueness is intentional, so that “policies can be applied and adjusted to the vagaries of human behaviour”. The typical case is blind-eye governance, which is commonly seen among local level governments and refers to “cases in which people act outside the law, but their actions are clearly visible to local officials but there is a mutual understanding that the officials will avert their gaze and the local people will not force those officials to look by flaunting their wrongdoing” (Weller, 2012:85). It functions to “remove some burdens from the state such as buffering family and community members from economic and health disasters” (Weller, 2012:99). Moreover, organizations operating under blind-eye governance are obedient and operate cooperatively. Through providing information to the government about public needs, these organizations contribute to the responsiveness of the government (Weller, 2019).

The flexibility of a vague policy can be traced partially to the high-context culture of China. High-context community transfers are defined not only by language (verbal or nonverbal) but more by the implicit rules shared between the people in a community in routine communication (Hall, 1976). Consequently, people-to-people relationships are crucial. This culture assumes that message takers in the affective mode of communication can read between the lines. Such a skill is based on a shared context between communicators (Hall, 1976; Wurtz, 2005; Hofstede et al., 2010; Inglehart, 2018). As Nisbett and Miyamoto (2005:467) conclude, “Westerners (from lower-context culture) tend to engage in context-independent and analytic perceptual processes by focusing on a salient object independently of its context, whereas Asians tend to engage in context-dependent and holistic perceptual processes by attending to the relationship between the object and the context in which the object is located”.

A high-context culture guarantees that only those familiar with its cultural norms, as well as different situations of conversations, can correctly and completely understand the messages in a vague policy (Hall, 1976; Wurtz, 2005; Hofstede et al., 2010). On the positive side, in a large, unevenly developed country, the high-context culture leaves room for local governments to implement policy according to their specific conditions. Therefore, mechanisms such as blind-eye governance might improve the effectiveness of implementation when dealing with different situations. However, it also leaves room for poor policy implementation. For instance, to protect their own or local interests, some Chinese local officials would intentionally misinterpret a policy (Li, 2010a; Ding, 2010). Moreover, one cannot ignore the fact that, although contexts overlap among those within the same culture, individual implementers (message takers) may act idiosyncratically due to different sub-cultures (Morlino et al., 2017), which may be amplified in China, a large country that has undergone dramatic change in the last 40 years.

### ***3.1.2 Plurality in Unity: The ‘Paradoxical’ Nature of Chinese Political Culture and its Continuity***

Even though China has changed dramatically since the collapse of Qing Dynasty,<sup>2</sup> its political culture has transformed the slowest, hardest, and least (Hong, 2015). Therefore, responsive authoritarian polity of China inherits the essence of China’s political culture: *plurality in unity* (Fei, 1988). That is, so long as (political) unity is retained, China is willing to accept and absorb what is useful, especially elements that facilitate unity (Wong, 1999; Cohen, 2010). Currently, unity refers to a united, peaceful, and stable society under the CPC’s rule. Plurality in unity explains not only the continuity of China’s political culture but also why contemporary China preserves traditional political culture and the authoritarian system, although it accepts growing pluralism (e.g. market economy, increasing responsiveness). To understand the paradoxical nature of the political culture and its strange continuity and stability, it is necessary to understand three key themes that mark traditional Chinese political culture. They are still in play today, distinguishing China from the rest of the world, especially the West.

#### **3.1.2.1 Key Themes Marking Traditional Chinese Political Culture**

Political culture is “multifaceted and all-encompassing, with a clear focus on the intricate connections between country, society, and individuals” (Hong, 2015:64). Therefore, the first and most important theme marking the traditional Chinese political culture is that: *the Chinese state (government) enjoys more legitimacy and authority amongst its society and people, resulting in a strong and ubiquitous state since ancient times* (Tu, 1994; Perry, 2002; Hong, 2015). The ubiquitous Chinese state can be explained by the following reasons.

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<sup>2</sup> Changing from a feudal to a semi-feudal and semi-colonial to a socialist (authoritarian) country.

Firstly, the Chinese state is entitled to the role of representative, embodiment, and guardian of the nation and the people.<sup>3</sup> Though less omnipotent in practice, the role of government is supposed to be without boundaries, like parents in the Chinese sense (Tu, 1994). The basic unit in China is the family, where the foremost characteristic is filial piety: children are obliged to respect their father's authority. In return, it is the father's duty to take care of the children. It is also believed that ancestors are permanently present; hence, the continuity and lineage of the family (Pye, 1985). Consequently, the Chinese view the state as an intimate, or more concretely, the head or patriarch of the family, which is quite different from the West where people view the state as an organ with constrained power, or even an intruder in some circumstances (Huang, 2009). Taking the endurance (and alternations) of dynasties as examples, it was believed that Heaven (the Chinese image of God) appointed successors or substitutes to the throne.<sup>4</sup> Those being ruled were framed as children (子民) of the rulers (Wong, 1999; Fu and Ren, 2011). On the one hand, this established the moral criteria that explained the ruler's power. On the other hand, there was a hidden contract between the ruler and the ruled. In exchange for their subordination, Chinese rulers were responsible for satisfying the needs of their 'children' and bringing them a stable quality of life. Otherwise, they would be considered unqualified; in the event of widespread public discontent, it could be deemed that an emperor had failed in his obligations and should be overthrown (Pye, 1992; Huang, 2009; Fu and Ren, 2011). This mindset survives today in the idea that the state should be responsible for its people: the CPC government attaches great importance to public opinion (Tang, 2018; Cunningham et al., 2020). In return, the people should be obedient to the state

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<sup>3</sup> The situation is the same for the CPC. According to the *Communist Party Constitution of China* (The 19th National Congress of the CPC, 2017), the purpose of the Party is to protect and serve the people: "At all times the Party gives top priority to the interests of the people, shares weal and woe with them, maintain the closest possible ties with them, and persists in exercising power for them, showing concern for them and working for their interests" (para. 25). As will be explained in section 3.2.2.2, although understanding of the role of the Party is Leninist, it echoes traditional Chinese political culture.

<sup>4</sup> The Chinese empire is called 天子, the son of the Heaven.



in public activities. Even today, the ruled still address officials as parental officials (父母官) (Link, 2013; Cao, 2018).

It is worth mentioning that the obligations and rights of the ruled were very unequal (Ma, 2013). In a system along the family-state axis, individual obligations were heavy and multi-layered: loyalty to family, neighbours, community, and, ultimately, the state (Fei; 1985). Their rights, on the other hand, were limited and usually mentioned with their obedience to the higher agency: individuals were expected to surrender other rights in exchange for political protection and economic benefits provided by the family, community and state. With individual obligations constantly emphasized, the boundary between individual responsibilities and social obligations was blurred (Hong, 2015).

Power has also been constructed differently in China compared to its democratic counterparts in Europe and North America, where state power had been continuously challenged by competition from rival elites<sup>5</sup> alongside the shaping of the nation-state. The Chinese state was supreme and unchallenged, for it had been enhanced by an imperial examination system open to all. Steeped in Confucianism, the chosen elites would soon become part of the state, and thus acted on its behalf (Lovell, 2006). It made the empire system efficient but contributed to the absence of any form of popular accountability. There was almost no room for the public to express their interests or to participate politically (Hong, 2015). When the empire failed to maintain a good quality of life for its people, it was assumed the mandate had been rescinded and a new empire ‘appointed by the Heaven’ would be accepted. Therefore, empire by empire, as long as the new ruler brought protection and good quality of life, China continued to be authoritarian and hierarchical, resulting in a strong tradition of state sovereignty

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<sup>5</sup> In the shaping of the nation-state, the state power was first constantly challenged by the church, then by other sectors of the aristocracy and merchants.

(Zheng, 1999). The state continues to enjoy superiority as the guarantor of stability and unity, even without the Western sense of popular sovereignty.

Furthermore, *China is not a nation-state, although it calls itself one, rather it is a civilization-state* (Tu, 1994; Pye, 1992; Zheng, 2004; Jacques, 2010). The basic Western nation-state is formed by the demarcation of territory and the equal relationship among the territories (Simpson, 2006). For China, it is the Chinese civilization that shapes and consolidates the nation.

The formation of Modern China started with the Qin Dynasty (221-207 BC), much earlier than the nation-states period<sup>6</sup> (Wang, 1991). Since then, the most important political value for the Chinese has been unity and maintaining Chinese civilization (Nolan, 2004). Even before the Qin dynasty, the oriental Chinese had started to attach greater importance to the *great unification* (大一统), which came from Confucianism<sup>7</sup> (Dong, 2018). The almost obsession with unification can be traced to the most striking differences between China and the West (European nations for most of that time) in history: size and polities (Wong, 1999). For over two millennia, while Europe existed as a multi-state system after the end of the Roman Empire, since the Qin dynasty China had an imperial state system – to conform with and maintain the continent for the imperatives of a unified nation, China paid a huge price (Jacques, 2010; Inglehart et al., 2014; Zhai, 2017).

While unified and with highly centralized power, China has been extremely diverse, pluralistic, and in many ways, very decentralized, although a much greater degree of

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<sup>6</sup> With the formation of major nation-states and the sovereign equality of states as the defining quality in its development, the modern international relationship assumes the Westphalian system as the starting point of nation-states (Simpson, 2006).

<sup>7</sup> Confucius' emphasis on the supreme importance of the government in human affairs, the overriding priority of stability and unity and moral virtue were shaped by his experiences in the *Warring States Period*, dominated by turbulence and instability. Such emphases have shaped the fundamental values of the Chinese civilization (Nolan, 2004:15).

homogeneity has accompanied the decentralization (Pye, 1988; Cohen, 2010). As the dominant culture, Confucianism, including *great unification*, has always been challenged by different popular cultural elements diametrically opposed to it (Pye, 1988; Fei, 1988; Creemers, 2015). Facing them, instead of rejecting or simply accepting, Confucianism, which sees harmony as its ultimate goal, sought to absorb, digest and even to be inspired by the different cultural elements, and adapt itself accordingly (Pye, 1988; Tu, 1994; Cohen, 2010). Consequently, plurality evolves to better maintain unity. For example, though it mostly eschewed the supernatural, Confucianism would “quest to forestall the delusion and confusion of the people by witchcraft and heterodox sects” (Creemers, 2015:258).

It should be emphasized that the notion of unity focuses more on political and cultural unity, which further highlights plurality in unity through the concept of sovereignty (Niu, 2001; Callahan, 2004). Such a notion has been maintained and upgraded until today (Xinhua, 2019). Typical cases include the existence of regional differences in governance (*cf.* 2.3.1.1) and “the possibility of resolving certain territorial disputes by having the countries concerned jointly develop the disputed areas before discussing the question of sovereignty” (Callahan, 2004:63). The Chinese perception of sovereignty reflects the Confucian concept of maintaining harmony while preserving differences (和而不同). For the CPC government, harmony presupposes the coexistence of multiple parties under CPC leadership; the difference is regarded as the essential characteristic of harmony (Li, 2006; Xinhua, 2019). As Confucius said, the *junzi*<sup>8</sup> respects and harmonizes with others, but does not necessarily agree with them, while the petty individual uncritically agrees with others but is not harmonious with them (君子和而不同，小人同而不和) (Callahan, 2004; Li, 2006).

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<sup>8</sup> “The word *junzi*, which appears more often than any other in The Analects of Confucius, describes Confucius’s ideal person, who any one of us, rich or poor, has the potential to become” (Yu, 2010:23).

Lastly, the *Chinese have a different conception of race* (Callahan, 2004; Lovell, 2006; Jacques, 2010). The Chinese do not feel multiracial but belong to the same race: the *Han*. Han Chinese, though sharing a powerful sense of cultural identity, are products of a gradual fusion of different races (Genet, 1996; Lovell, 2006). During the long stretches of Chinese history, the Han ethnic group has taken a mostly dominant position. The shaping of Confucianism accompanied the formation of the Han ethnic group (Yuan, 2017). Because of its emphasis on both unity and the acceptance of plurality, winners of uprisings in a dynasty would quickly “discard their rebellious roots and take on the Confucian garb of imperial rule” (Creemers, 2015:258). Such changes occurred even when the new ruler’s own culture was completely different from that of Confucianism. For example, the Yuan Dynasty (1271-1368) ruled by the Mongolian minority and the Qing Dynasty (1636-1911) ruled by the Manchu minority: as nomad minorities formed in nomadic civilization, both differed greatly from the Han.<sup>9</sup> However, within a few years of coming into power, both the Mongolian and Manchu minorities were assimilated into Confucianism and their nomadic cultures were integrated as part of plurality in unity (Wang, 2000; Zheng, 2003; Kim et al., 2019). Such resilience and continuity of the cultural identity is also seen in both the persistence and steady spread of the Chinese language (Ostler, 2005), or the Sinicization of Buddhism (originating in India) (Tu, 1994; Bell and Hahm, 2003).

Alongside such conquests and absorption came pride and a strong sense of self-confidence in the superiority of the Han race and culture (Pye, 1992; Yan, 2001; Bo, 2008). This can be seen from the Chinese view of the world until the 19<sup>th</sup> century: having enjoyed superpower status several times, China believed itself to be the centre of the world – ‘the Middle Kingdom’ (Callahan, 2004). The Chinese conception of race contains China’s belief in its cultural superiority. As the ‘superior race’, it was

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<sup>9</sup> The Han ethnic group was shaped during an agricultural civilization (Yuan, 2017)

nearly impossible for the Chinese to become assimilated, even in the first half of the 20<sup>th</sup> Century when China suffered the vicissitudes and disasters of both inner regressions and foreign invasions (Pye, 1992). The Chinese conception of race has been strengthened today with China's revitalization (Yan, 2001; Shi, 2006).

### **3.1.2.2 Surviving the Collapse of Qing and Communist Rule**

China today is the result of its political culture that evolved over the country's long history (Pye, 1992; Yang and Zhang, 2013; Hong, 2015). However, considering its modern history, one might challenge the continuity of China's political culture. The collapse of the Qing hit Confucianism hard and forced China to seek a new orthodoxy for re-unifying the nation, resulting in the adoption of Marxism and Leninism by the CPC (Kim et al., 2019). Nevertheless, the fact is, whatever the change, its core, *plurality in unity*, remains the same. Therefore, instead of being purely accepted, the new orthodoxy, once absorbed, evolved, thus merged with the old one, developed into the dominant political culture (Cohen, 2010; Creemers, 2015). It is, hence, entitled as *the localization of Marxism and Leninism* to show the distinction. The essence of this localization combines the universal principles of Marxism and Leninism with concrete revolutionary practice of China<sup>10</sup> (London, 2011; Zhou, 2016a).

The main reason for challenging the continuity is dates from 1949 to the 1980s when Confucianism was denied and attacked.<sup>11</sup> The then-political culture is described as Communist/Maoist political culture (Hong, 2015). In that era, the Confucian influence decayed drastically under numerous political movements.

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<sup>10</sup> In the report on the revision of the party constitution of the Seventh National Congress of the CPC, it was reported that "we should change Marxism from European form to Chinese form, that is to say, we should use Marxist stand and method to solve various problems in the Chinese revolution, many of which have never been put forward and solved in front of the world's Marxists" (see <http://cpc.people.com.cn/GB/64162/64168/64559/4526957.html>).

<sup>11</sup> After the Cultural Revolution, since the 1980s, Confucian influence has seen revivals in China (Zhao, 2004; Zheng, 2004; Bell, 2008; Han, 2019).

On the one hand, with the distinctiveness of Marxism and Leninism merged into China's political culture, there are differences and incompatibilities within the Communist political culture and the traditional one. Firstly, in terms of self-cultivation, Confucianism is more of an individual project of intellectual and moral inquiry; whereas Marxism and Leninism view self-cultivation as an organizational necessity, which must be achieved with disciplinarian inculcation of a rigid ideology or belief system. Secondly, in terms of Marxism and Leninism, rather than 'appointed by Heaven', a ruler is legitimate, because it possesses "the fundamental truths and insights necessary for governance, which must gain and maintain the levers of power necessary to propel society towards eternal sunrise" (Creemers, 2015:261). Lastly, being less conservative, Marxism and Leninism injected China with the notion of progress, hence "to mobilize and organize society as a whole in pursuit of wholesale revolution along a historically determined path forward" (*ibid.*), resulting in the founding of the People's Republic of China (PRC).

On the other hand, traditional Chinese political culture survives and has been proven remarkably enduring. It should be recognized that, under its nature of plurality in unity, the essence of China's political culture has witnessed no fundamental shake-up (Hong, 2015). "The contours of Chinese modernity bear the imprint not just of the Communist present but, far more strongly, that of the Chinese past" (Jacques, 2010:97; Yang and Zhang, 2013; Hong, 2015).

Firstly, although Confucianism was depreciated and attacked from 1949 to 1980s, those parts of Marxism that commonly accepted by the Chinese were those that most chimed with the Confucian tradition (Schoenhals, 1999). Hence, new tensions continued regarding not only the above three key themes, mapping the distinctiveness of China outside, but also regarding the 'paradoxical' nature of the political culture

inside, giving rise to the search for the *Marxism and Leninism with Chinese characteristics* in the last 40 years. The search continues in contemporary China, in the name of Localization/Sinicization of Marxism (Yuan, 2006; Zhang, 2017; Cheng, 2018).

The Communist culture in China has glaring similarities to the prevailing political culture dominated by imperial Confucian tradition (Wong, 1999; Hong, 2015). Some researchers believe it is their commonalities that led to China's acceptance of Marxism and Leninism (Wong, 1999; Creemers, 2015). As researchers have concluded, major commonalities between the two are: 1) the emphasis on social stability (maintained by a social hierarchy, the devaluing of personal interests and the supremacy of state/collective interests); 2) the restriction of public political participation; and 3) the emphasis on the tolerance and acceptance of the will of the superiors (conversely, if disobeyed, the superiors should provide harsh punishments) (Jacques, 2010; Hong, 2015; Creemers, 2015).

Even in Mao's era, Confucianism continued to be influential and remained the common-sense approach of the people to some degree, albeit in a subterranean form (Schoenhals, 1999). Taking the individual-state relationship as an example, it was not altered, only developed into another form: on the surface, the family was replaced by the party and kinship by political connection. Whether work units, neighbourhood committees, communes, or the Party, all worked using the same mechanism as traditional families: attaching great importance to individuals' obedience to the higher ranks, emphasizing their obligations but devaluing the rights. People were included in a new hieratical system, with no private space independent from the state, just like the old days (Hong, 2015).

Another cause for the survival of the traditional Chinese political culture was its endorsement of the ruler's power, the stickiness of unity, and the tolerance of the pluralities (Hong, 2015). The core of political culture was politics, and the core of politics was power, with its focus on the control of interests (Ma, 2013). That meant the ruling classes would step in proactively to make changes to political values in ways they recognized and benefited from the most. Therefore, the obvious pro-ruler traditional Chinese political culture was appreciated then kept.

Entering the 80s, as China opens up and gradually resumes its position among the world powers, traditional Chinese political culture revitalizes and is gradually appreciated by both the government and the society. Since the 1990s, studies of traditional Chinese culture became popular among China (Liu, 2011). Taking the researcher as an example, born in the early 1990s, she began to learn it even before Kindergarten, starting by reciting classical works such as *Three-Character Canon* or *The Analects of Confucius*. Actually, her neighbour's two-year-old twins, are doing the same thing today.

In the 2000s, the revitalization entered an "blowout" age and covered all walks of life (Liu, 2011). This is not something that can simply be dictated and controlled by the CPC. The state promotes the revitalization and is supported in general, the Chinese people are also interested in it and demand the state to continue to promote the revitalization. Thus, it is both top-down and bottom-up: efforts from the government are seen in the media, schools, communities, and workplaces; so are the private sectors. Surfing the Internet, you can see trending topics such as the studies of classical traditional works, the traditional grown-up ceremonies, the traditional wedding ceremonies, the Han (Chinese) clothing, make-up, *etc.* These are all evidence of the revitalization.



To that end, the current orthodoxy, especially after the revitalization of Confucianism (Han, 2019), blends both the old (tradition) and the new. Typical example is the vagueness of public policy, which can be regarded as the combination of self-cultivation in both Confucianism and Marxism/Leninism. On the Confucian side, vagueness leaves Chinese officials room to implement policy in different cases using their own intellectual and moral judgement (Corne, 2002; Creemers, 2015). On the other side, because Marxism and Leninism focus on organizational necessity, which “ensures that cases can be dealt with in a manner conducive to generating procedural legitimacy, as well as that the broader system of undefined and vague boundaries can continue to exist. These trends allow for increasing ways to stabilize the system, and to manipulate rules, norms, and computer code in such a way that citizens are nudged into rationally acting out the leadership’s will” (Creemers, 2015:270).

As can be seen, the traditional culture and values are always there. Even more, as the political culture evolves and China moves back to the ascendant, plurality in unity roots deeper in the Chinese mechanism of governance, hence maintaining the system. Nevertheless, it underwent setbacks, especially after the Opium War (1840) when the Chinese attributed the failure of the nation to its traditional culture. Thus, for a long time, it was devalued and attacked. However, after decades of retrospection, the Chinese realize that it is wrong to pour out the water and throw out the baby. Furthermore, even devalued and attacked, the essence of traditional culture has always been there. Also, though with certain deficiencies, such as paying little attention to science and technology, traditional culture functions uniquely to sustain and to develop the nation. Therefore, though with its ups and downs, traditional Chinese culture functions as the blueprint that shapes how the Chinese judge, think, and behave.

As is in the literature: instead of vanishing, traditional Chinese political culture was actively revived and scrutinized for any light that it might throw on the present,

offering a compass for further development of the culture (Han, 2019). As Zhang (2006) concluded, to maintain unity, one of the elements of the China Model was “‘selective cultural borrowing’ including from the neoliberal American model, and especially its emphasis on the role of the market, entrepreneurship, globalization and international trade... What makes the Chinese experience unique is that Beijing has safeguarded its own policy space as to when, where and how to adopt foreign ideas” (para. 7). Under the CPC’s rule, diversity strengthens national unity, rather than the other way around. Diversity should serve the long-term development of China and its rulers, otherwise, what is the use of embracing diversity? Or put simply, if unity no longer exists, why should diversity?

### **3.1.2.3 The Past: A Recent Experience**

It took China only 40 years to modernize. Taking the researcher’s own experience as an example, her hometown is developing fast. Today, a visitor to the city will find it hard to believe that the city centre, now bedecked with skyscrapers, was once covered with shoddy one-storey houses surrounded by farmland when her parents first arrived in the late-1980s. Rapid change has not eradicated the profound influence tradition has on China but has strengthened plurality in unity. Although the country is undergoing drastic changes as far as economy and ways of life are concerned, tradition still functions as a blueprint that shapes how the Chinese behave. . Meanwhile, to cope with such rapid change, China “has generated a completely different experience and expectation of change... [China is] characterized by a form of hyper-modernity: an addiction to change, an infatuation with technology, enormous flexibility, and a huge capacity for adaptation” (Jacques, 2010:107). If the immediacy of the past contributes to China’s insistent attachment to unity, then it is the embrace of modernization and, thus eagerness to change that promises flexibility to plurality, resulting in a pragmatic government. The size of China and the uneven distribution of resources mean that

modernization is occurring very unevenly and, even today, various stages of development coexist, providing richer soil for the Chinese political culture to grow.

### **3.2 Sources of the Micro Framework: The McConnell Framework**

Governments solve problems through public policy – behind this simple logic lie questions: why is a policy made? How is it implemented to achieve the original goals? Is it a success? The same policy may be studied in quite different ways, through policy analysis, process study, or policy evaluation, for example. The present study aims to evaluate whether the Internet censorship policy effectively serves a responsive authoritarian governance. Therefore, the theoretical framework should help answer three questions: 1) is the policy a success or failure? 2) what is the cause of success/failure? and 3) how does the policy impact the CPC's legitimacy. Whereas the macro framework provides analytical power, the micro framework describes and assesses policy. Hence, the McConnell policy evaluation framework is introduced. To make sense of this choice, literature on public policy study is reviewed with specific attention to policy evaluation.

#### ***3.2.1 Why Public Policy Evaluation***

##### **3.2.1.1 General Agreement on Public Policy Studies**

Definition of public policy varies as understanding of the issue develops. There is the popular simple definition as: “whatever governments choose to do or not to do” (Dye, 2013:12); or a developed version: “a set of interrelated decisions taken by a political actor or group of actors concerning the selection of goals and the means of achieving them within a specified situation where those decisions should, in principle, be within the power of those actors to achieve” (Chow, 2014:15); and further: “an attempt made

by the government towards addressing a public issue/problem through the (combination of) institution of laws, regulations, decisions or actions pertinent to the problem concerned” (Iheanacho and Madumere, 2016:296).

There is no precise and universal definition of public policy. Nevertheless, a general agreement does exist that public policy consists of “the process of making choices, the actions associated with operationalizing those choices, and the outputs and outcomes produced by those actions” (Smith and Larimer, 2018:4). Based on that, in the plural fields of public policy studies, *policy analysis* determines the best policy for authorities to address an issue of concern; *policy cycle study* produces knowledge on the policy process or one of its subcategories; while *policy evaluation* seeks to assess the consequences of government behaviour (Dubnick and Bardes, 1983; Schofield, 2001; Weimer and Vining, 2005; Peters and Zittoun, 2016). Among these, the present work is a typical example of “ex post efforts” (Smith and Larimer, 2018:5) to identify and isolate the relationship between the target policy and its outcome, resulting in a *policy evaluation* study.

### **3.2.1.2 Types of Policy Evaluation**

Policy evaluation is the “ongoing ‘framing contest’ between its advocates and shapers on the one hand, and its critics and victims on the other” (Bovens and 't Hart, 2016:654). Simply put, it is the study of consequences and effects of public policy (Knoepfel et al., 2011; Dye, 2013).

Lasswell (1956) brought and interest in approaches with fixed criteria for policy evaluation to the forefront. Since then, many approaches have been taken. Some are designed with more comprehensive criteria (Bovens et al., 2001, 2008), some use the reversible success and failure to evaluate policy (Oppermann and Spencer, 2016a,

2016b) or even the differentiation between degrees of success and/or failure (Dunleavy, 1995; Bovens and 't Hart, 1996, 2016; McConnell, 2010a, 2010b). In general, depending on the actors involved, the amount of information required, and the purpose of evaluation, policy evaluation can be classified as follows: 1) *effort evaluation*, which measures the policy inputs to establish “a baseline of data to be used for further evaluations of efficiency or quality of service delivery” (Wu et al., 2010:85); 2) *performance evaluation*, which evaluates programme outputs to “determine what the policy is producing” (*ibid.*); 3) *process evaluation*, which examines the organizational methods to see whether the policy can become more efficient; 4) *efficiency evaluation*, which assesses the costs to see if a lower cost can be achieved; and 5) *effectiveness evaluation* to test whether the policy has achieved its goals and whether policy improvement or change is needed (Howlett *et al.*, 2009; Wu et al., 2010). Thus, the present study represents an *effectiveness evaluation*.

### **3.2.2 Theoretical Debates on Policy Evaluation Studies**

The debates that revolve around three fundamental issues of policy evaluation are: 1) the necessity of a tripartite evaluation framework; 2) the focus for evaluation; and 3) the objectivity of evaluation.

#### **3.2.2.1 Is A Tripartite Framework Necessary?**

The first debate is whether the policy process (policymaking) should be a category separate from programmatic and politic dimensions. It leads to the establishment of a three-dimensional framework, splitting the policy outcome into *process*, *programmatic* and *political* success and failure, with detailed indicators for each category and evidence for assessing each indicator (Marsh and McConnell, 2010a).

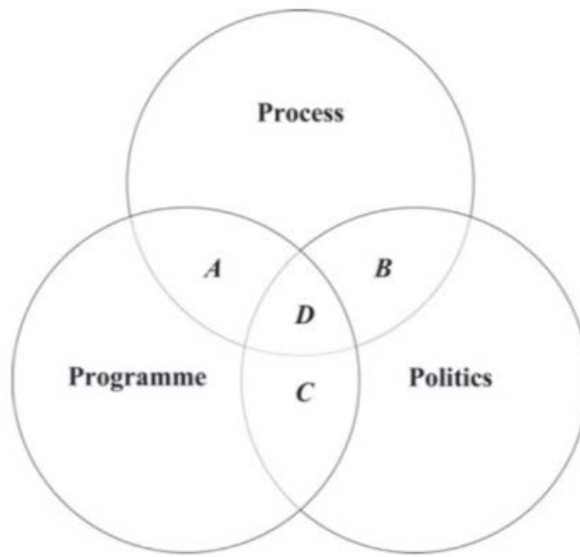
Although the three-dimensional model offers a more comprehensive framework, evidence from the under-specified indicators shows only how policy success could be; hence, the evidence is mostly subject to interpretation and contestation (Bovens, 2010). Even Marsh and McConnell (2010a) admit the framework is a heuristic one other than a model or a theory. In addition, the justification of the three categories is too weak to verify the necessity for studying the process separately. As Bovens (2010) challenges, first, the three dimensions are not at the same level. The process is an adaptation of policy whereas the programme and politics both concern policy outcomes. Then, it is believed that the process can be analysed from both the programmatic and the political perspectives. A two-by-two framework would be sufficient.

Marsh and McConnell (2010b) rebut by observing that in many circumstances, policies are considered successful if they are virtually unamended after emerging from the legislative processes. However, this does not mean they would succeed in implementing or winning political reputation for the government. They point out that, except for the overlap with various degrees and combinations of synergy and tension, there is a time where the process does not overlap with the programmatic and political categories (Figure 3). A typical case is the UK *Dangerous Dogs Act*.<sup>12</sup> Therefore, a tripartite framework would provide not only a more systematic and thorough approach in public policy studies but also the building blocks for future policy amendments since it captures both the various facets of policy success/failure and the real-world politicking and contestations surrounding the policy.

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<sup>12</sup> Although the process of the *Dangerous Dogs Act* succeeded in gaining support, the policy failed both in terms of politics and as a programme, for it not only backfired politically but could not be implemented. See details in [https://www.legislation.gov.uk/ukpga/1991/65/pdfs/ukpga\\_19910065\\_en.pdf](https://www.legislation.gov.uk/ukpga/1991/65/pdfs/ukpga_19910065_en.pdf) (Accessed 7 August 2017).

**Figure 3 Three dimensions of policy success (Marsh and McConnell, 2010b)**



Outside this research, the debate may continue. But the tripartite framework has been selected for the present study. Knowledge of the process is necessary because the Internet censorship policy has been an issue of high controversy. China regards it as a must for maintaining the CPC's rule and somehow enjoys a high level of public support internally while being severely criticized in the West. Researchers are also still debating about the objective of the policy. Therefore, by separately exploring how this policy is made, implemented, and what its political effects are, it is expected that both the explanations and problems of the policy can be detected.

### **3.2.2.2 Is Success or Failure the Focus for Evaluation?**

In policy evaluation, 'success' and 'failure' are usually taken as two opposing concepts (Howlett, 2012; Oppermann and Spencer, 2016a, 2016b). Bovens and 't Hart (1996:157) see policy success as "a 'mirror image' of policy failure", whereas, McConnell (2015) assumes policy success and failure are extremes on the same

spectrum. Whether success or failure should be the focus of evaluation is always debatable.

Those who focus on success hold that policy failure is not as commonly seen as imagined (Bovens and 't Hart, 1996; Bovens et al., 2001, 2008). Moreover, once focusing on failure, there would be negative political consequences, especially for developing countries who are relatively more fragile than their developed counterparts (Bovens and 't Hart, 1996; Bovens et al., 2008; Marsh and McConnell, 2010a). For example, it creates an impression that all politicians and bureaucrats in developing nations are incompetent or corrupt (Bebbington and McCourt, 2007).

For researchers focusing on failure, policy success can be difficult to achieve because ideally complete success is rarely to be found (McConnell, 2010a). Also, since part of policymaking is based on experiences from the past, focusing on failure would provide more intuitive information for avoiding mistakes (McConnell, 2010b; Howlett, 2012; Oppermann and Spencer, 2016a, 2016b). Because the literature on policy failure is much more extensive than that on success, McConnell (2010b) believes focusing on failure means more existing works can be consulted. Some claim failure is more newsworthy, and political analysis would be more interesting, especially when it includes strong aspects of failure caused by corruption, public disagreements, and misjudgements of officials (McConnell, 2015). Others believe failure would sometimes inspire improvement in political studies (Marsh and McConnell, 2010a).

This study posits that success or failure should depend on the aim of the evaluation. The present study is to determine whether the policy serves to satisfy China and the Chinese most effectively and whether potential problems still exist; therefore, policy failure is a better choice of focus, as it provides direct information about the problems, whether improvements are necessary, and where they should be made.



### 3.2.2.3 Is Objective Evaluation Possible?

Literature about objectivity can be categorized into two approaches: rationalistic and argumentative. The former strongly emphasizes value neutrality and objectivity; the latter holds that fact and value are fundamentally inseparable (Nagal, 2002; Bovens et al., 2008).

Advocates of the rationalistic approach insist that objective evaluation is possible, because “a rigorous separation of facts and values” can be achieved (Bovens et al., 2008:325). Hence, such advocates explicitly try to produce apolitical knowledge. To them, policy evaluation “strives to produce factual data about societal structures and processes... Therefore, judgments should be based on reliable empirical data... to produce information that is free from its psychological, cultural, and linguistic context. Because such information transcends historical and cultural experiences, it is assumed to have political and moral neutrality” (*ibid.*).

Those in the argumentative camp hold that there will always be disputes in evaluation, for society is not a mere set of physical objects to be measured. Facts depend on a set of underlying assumptions that give meaning to reality. Researchers like Bovens and 't Hart (1996) reject the existence of fixed criteria in assessing public policy. They argue that a policy failure can be traced from various kinds of people who were once engaged in its interpretation. Therefore, researchers should map the different layers of meaning that are associated with failure as social constructs since whenever a stakeholder labels a failure, they make a judgment. Each of these judgments is contestable, and each is subject to a political process of competing interpretations of ambiguous events.

Even today, one cannot help asking whether an objective evaluation is possible when politics is subjective in nature. As “an inherently political activity” (Taylor and Balloch, 2005:1), policy evaluation is subjective. Therefore, the best alternative is to attach great importance to objectivity, but not be consumed with it. Relative objectivity can be achieved as much as possible with approaches that map out the different layers of meaning with the interests of different actors. Furthermore, as Bovens and colleagues (2008:329) suggest, “it is not the task of analysts to resolve fundamental disagreements about evaluative criteria and standards of accountability. Instead analysts can contribute to societal learning by refining the standards of appraisal and by encouraging a more sophisticated understanding of public policies than is possible from a single perspective”. Finally, evaluators must keep in mind that “the need today is less to develop ‘objective’ measures of outcomes... than to facilitate a wide-ranging dialogue among advocates of different criteria” (Majone, 1989:183).

Within the debate, this study insists that, rather than providing the absolute facts of policy outcomes, policy evaluation should be based on set of fixed criteria, and the interpretation should be context-dependent. It is important to understand the facts within the contexts that shape the facts. Only by doing so can our understanding of public policy be enhanced. Policy evaluation is more about offering new knowledge to reveal the power of relations, the interests represented, and the future of governance, among others.

### ***3.2.3 McConnell Framework***

To make more valuable evaluations, Allan McConnell (2010a, 2010b, 2015, 2016) developed a tripartite framework using policy failure as the focus for evaluation – policy failure is not only about failure in different *dimensions* but also the *degrees* of failure in each dimension. Success and failure are just two extremes of one spectrum.

In practice, policy outcome is usually found to be somewhere in between these extremes. Assuming “a policy fails, even if it is successful in some minimal respects, if it does not fundamentally achieve the goals that proponents set out to achieve, and opposition is great and/or support is virtually non-existent” (McConnell, 2015:221), policy failure is considered the mirror image of success. It is not a unitary, self-evident phenomenon that either does or does not exist – a policy may fail in some form, but succeed in others (McConnell, 2010b).

### **3.2.3.1 Dimensions of Public Policy**

This framework classifies policy into three dimensions: process, programme, and politics.

To make policy, governments go through *processes*. This involves steps that include the emergence of the issue(s), defining the problem(s), examining the options, consulting the stakeholders, and designing policy before the final decisions are made (McConnell, 2010b). Accordingly, to evaluate whether the process is successful, one must determine whether the following four criteria have been fulfilled: preserving goals and policy instruments; securing legitimacy; building a sustainable coalition; and attracting support for the process (McConnell, 2015).

After a policy is made, governments establish a *programme* to implement it. This includes factors ranging from “persuasive policy instruments... to financial subsidies, incentives and penalties, as well as the regulation of behaviour” (McConnell, 2015:236). A successful programme must: implement the policy in line with objectives; achieve desired outcomes; benefit target groups; satisfy highly valued criteria in the policy domain; and attract support for the programme (McConnell, 2015).

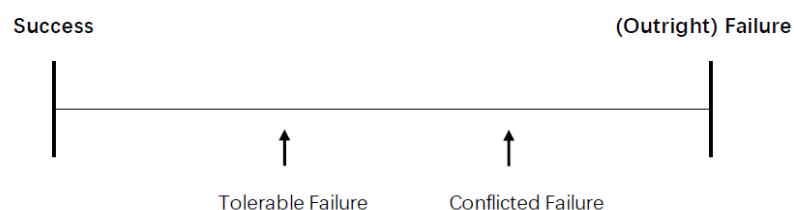
Another issue concerns *politics*. The term ‘politics’ correlates with the ability of a government to govern and the values the government seeks to promote (McConnell, 2010b). Whether positively or negatively, the government must bear the political consequences of its policy. The evaluation of politics is about meeting the following criteria: enhancing electoral prospects/reputation; easing the business of governing; promoting the desired trajectory of the government; and providing political benefits for the government (McConnell, 2015).

In practice, the three dimensions may not only compete and overlap but also function concurrently or separately (McConnell, 2015, 2016). No matter how they intertwine, the effect may help to evaluate the success or failure of a policy in the form of a spectrum. Based on the three dimensions, the framework explores two fundamental issues: 1) What constitutes failure? and 2) What causes such failure – according to which criteria does it go wrong?

### 3.2.3.2 Policy Success-Failure Spectrum

Policy failure is never “all or nothing” (McConnell, 2016:671). Other than the success and (outright) failure at the extremes of the outcomes of a policy, two other degrees of policy outcome are found within the spectrum (Figure 4): tolerable and conflicted failures (McConnell, 2010a, 2010b, 2015).

**Figure 4 Policy success-failure spectrum**



Tolerable failure, the second-best result a policy can achieve, is a condition that “does not fundamentally impede the attainment of goals that proponents set out to achieve, and opposition is small and/or criticism is virtually non-existent” (McConnell, 2015:237).

Conflicted failure refers to the result where “the achieved goals are fairly evenly matched with the attainment of goals, with strong criticism and strong defence in roughly equal measure” (McConnell, 2015:237). Although a conflicted failure cannot be counted as a complete failure, it is more than enough to cause fatal damage to a policy.

McConnell (2015:237) claims degrees of failure help “grasp the real politick of failure, for some failures are survivable and others not, while failure in some realms may actually be a consequence of success in others”. Furthermore, within these dimensions, one can capture the characteristics of different policy outcomes (Table 2). By analysing whether a policy is successful, one can examine the rationale behind them and make improvements in the process.

**Table 2 The McConnell policy evaluation framework (McConnell, 2015)**

Criteria Dimension	Policy Success-Failure Spectrum			
	Policy success	Tolerable failure	Conflicted failure	Outright failure
Process	Preserving goals and policy instruments.	Policy goals and instruments preserved, despite minor failure to achieve goals.	Preferred goals and instruments proving controversial and difficult to preserve. Some revisions needed.	Government unable to produce its desired policy goals and instruments.
	Securing legitimacy.	Some challenges to legitimacy but of little or no lasting significance.	Difficult and contested issues surrounding policy legitimacy, with some potential to taint the policy in the long-term.	Policy process illegitimate.

	Building sustainable coalition.	Coalition intact, despite some signs of disagreement.	Coalition intact, although strong signs of disagreement and some potential for fragmentation.	No building of a sustainable coalition.
	Attracting support for process.	Opposition to process is low level and outweighed by support.	Opposition to process and support are equally balanced.	Opposition to process is virtually universal and/or support is virtually non-existent.
<b>Programme</b>	Implementation in line with objectives.	Implementation objectives broadly achieved, despite minor failures and deviations.	Mixed results, with some successes, but accompanied by unexpected and controversial failings.	Despite minor progress towards implementation as intended, programme is beset by chronic failures, proving highly controversial and very difficult to defend.
	Achieving desired outcomes.	Outcomes broadly achieved, despite minor shortfalls.	Some successes, but the partial achievement of intended outcomes is counterbalanced by unwanted results, generating substantial controversy.	Some small outcomes achieved as intended, but overwhelmed by controversial and high-profile failure to produce results.
	Benefiting target group(s).	A few shortfalls and possibly some anomalous cases, but intended target group broadly benefits.	Partial benefits realized, but not as widespread or deep as intended because of substantial failings.	Small benefits are accompanied and overshadowed by damage to the very group that was meant to benefit. Also likely to generate high profile stories of unfairness and suffering.
	Satisfying criteria highly valued in policy domain.	Not quite the outcome desired, but despite flaws, close enough to lay strong claim to fulfil the criteria.	Partial achievement of goals, but accompanied by failures to achieve, with possibility of high-profile examples.	A few minor successes but plagued by unwanted media attention.
	Attracting support for programme.	Opposition to program aims, values and means of achieving them is stronger than anticipated, but easily outweighed by support.	Opposition to program aims, values and means of achieving them is equally balanced with support for same.	Opposition to program aims, values and means of achieving them outweighs small levels of support.
<b>Politics</b>	Enhancing electoral	Favourable to electoral	Policy obtains strong support and	Despite small signs of benefit, policy

	prospects/reputation.	prospects and reputation enhancement, despite minor setbacks.	opposition, working both for against electoral prospects and reputation in fairly equal measure.	proves an overall electoral and reputational liability.
	Easing the business of governing.	Despite some problems in agenda management, capacity to govern is unperturbed.	Policy proving controversial and taking up more political time and resources in its defense than was expected.	Clear signs that the agenda and business of government struggles to suppress a politically difficult issue.
	Promotion of government's desired trajectory.	Some refinements needed but broad trajectory unimpeded.	Direction of government very broadly in line with goals, but clear signs that the policy has promoted some rethinking, especially behind the scenes.	Entire trajectory of government in danger of being compromised.
	Providing political benefits for government.	Opposition to political benefits for government is stronger than anticipated, but outweighed by support.	Opposition to political benefits for government is equally balanced with support for same.	Opposition to political benefits for government outweighs small levels of support.

### 3.2.3.3 Reasons for Policy Failure

For the reasons behind policy failure (the second issue the framework explores), McConnell (2016:677) believes that “we should avoid a fruitless search for a definitive, scientifically rational cause of any particular policy failure, or getting caught in the trap of saying definitively that failure has a single cause, isolated from its context”. Instead, the framework focuses on how political actors contribute to policy failures. To help “prompt deeper and subsequent theorizing and operationalizing” (*ibid.*), the framework outlines three key elements of policy failure: 1) individual decision-makers; 2) institutions and policy process; and 3) deeper societal values (Table 3).

**Table 3 Differing frames on the sources and implications of policy failure (McConnell, 2016:678)**

	Individual actor centred frame		Institution/policy process centred frame		Societal centred frame	
	unsupportive	supportive	unsupportive	supportive	unsupportive	supportive
<b>What caused the failure ?</b>	Reckless self-interest, deliberate cultivation of failure, negligence, incompetence, appalling judgement.	Lapse in otherwise good judgement, genuine mistake, bad luck.	Institutional self-interest, institutional arrogance, major blind spots, weak capacity for good decision-making.	Small weakness in otherwise solid institutions and processes.	Core values/elite interests produced policymaking biased and inevitable failures.	‘Good society’ has perhaps drifted slightly from core value and issues.
<b>Should decision-makers have foreseen and prevented the failure ?</b>	Yes absolutely, but they pathologically ignored or were incapable of seeing the risks.	Ideally yes, but they were faced with difficult circumstances; they may also have been unlucky.	Yes absolutely, but a dysfunctional institution/process, either ignored or was not capable of seeing the risks.	Ideally yes, but small weaknesses in processes and procedures limited the capability to foresee and prevent.	Yes, in theory, but systematic biases produced a blindness to possibility of failure or even a preparedness to foresee but tolerate.	Ideally yes, but in practice we cannot foresee and prevent every failure.
<b>How can we learn from the failure ?</b>	Remove ‘bad’ individuals from office and replace them with others who are more competent.	Do what we can to better train our policymakers, but we shouldn’t be too harsh on them.	Drastic dismantling or overhaul of institution/process.	Minor refinement of institutional policy, procedures and/or processes.	Causes of failure are deeply embedded in dysfunctional core values and systems of power. Learning can only happen when there is a paradigm shift.	Reflection and perhaps refinement of core values/priorities and how we put them into practice, rather than fundamentally challenging them.

Policy failure can arise from one or more of these three situations and questions arise about the causes of failure: “whether it could have been foreseen, thus prevented, and what can be done to learn from the failure” (McConnell, 2015:677).



### ***3.2.4 Scepticism about the Framework***

As an innovation, the McConnell framework is adapted to a few individual cases (e.g. Candel, 2016; Redeker, 2016; Mboumoua, 2017), but with more challenges, either in relation to its individual dimensions or the inadequacy of being able to identify the reasons behind the policy failure or to define its content.

#### **3.2.4.1 Individual Dimensions of the Framework**

Instead of understanding it holistically, most critiques of the framework focus on individual dimensions. For example, Bovens and 't Hart (2016) question the separation of the process from programme and politics, insisting that the way McConnell defines the process comes close to the definition of political effect. Craft (2017:328) notes that the approach is too narrow to avoid political policy failure, for the political dimension emphasises: 1) ex-post evaluation of policies after they have been formally developed; 2) the bounded scope of the political arena and policy participants, which focus only on the “ex-post evaluative spaces of legislatures, courts, media, and the electorate”; and 3) the discounted role of elected officials in evaluation. Therefore, Craft (2017:329) modifies evaluation criteria in the politic dimension as “electoral or reputational damage to the government or leader, lack of political control or interference with the government’s policy agenda, the inability of political actors to set direction or ‘values’ of government, and high degrees of opposition”.

#### **3.2.4.2 Reasons for Failure**

Researchers also suspect that the framework – despite clarifying the level of intensity of the perception of a success/failure – might be unable to clearly identify the causes of policy failure or define the content (Howlett, 2012; Bovens and 't Hart, 2016).

Sceptics further point out that outcomes from the framework may be “primarily descriptions of specific types of policy outcomes and do not address the issue of why failures of different scales and types occur or, more significantly, how they can be avoided through improved knowledge-management processes or policy learning in government” (Howlett, 2012:545).

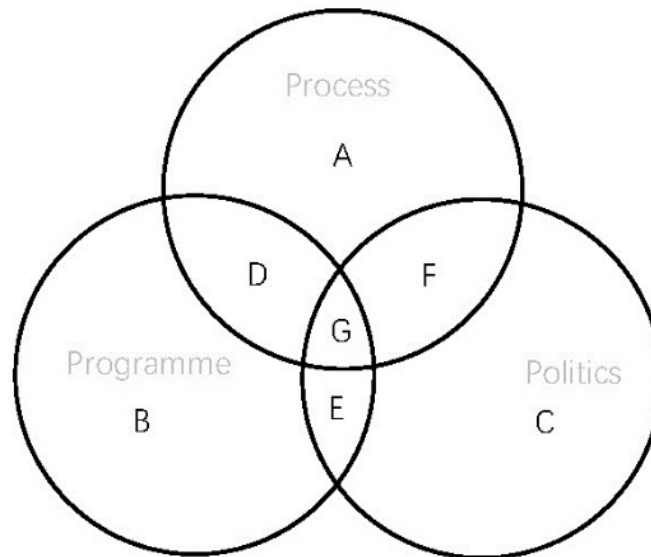
Failing to identify the reasons for failure can also lead to inadequately distinguishing whether the failures result from ill will or misjudgement. Usually, the former is the result of intentional mistakes, due to personal or local interests or corruption, whereas, the latter is a combination of goodwill and unintentional mistakes (Howlett, 2012). Countermeasures taken to avoid policy failure under these two conditions are totally different.

#### **3.2.4.3 Responses to Scepticism**

The present study disagrees with the first scepticism but recognizes the doubts of the second. The argument is that it is impossible to locate the reasons behind a success or failure without the context in which a policy was made and implemented.

Careful reflection on the scepticism over individual dimensions should naturally be a reminder that these critiques are solely concerned with either the dependence or independence of the three dimensions, while ignoring how process, programme, and politics are of equal importance (McConnell, 2010a, 2010b, 2015, 2016). To illustrate the understanding of the framework, as seen in Figure 5, the independent outlying parts (A, B, C) are areas where analysts examine how public policy is formed, implemented, and what the political effects are as well as whether the policy fails in different dimensions. The overlapping areas in the centre (D, E, F, G) reflect varying degrees and combinations of synergy and tension.

**Figure 5 Independence and dependence between the three dimensions of public policy**



The argument in response to Bovens and 't Hart (2016) is that since public policy is political in nature, it is inevitable to consider the political effects in evaluation, regardless of process, programme, or politics. For the process dimension, as Craft (2017:327) states, policy formation “involves significant exercises of power, partisan mutual adjustment, values-based and normative inputs, and the authoritative allocation of scarce resources”. However, this does not mean the separation of the process from programme or politics is unnecessary. Though focused on reputation, criteria in the process cannot be examined without exploring how the politics of policymaking unfold at various conjunctures in the policy process. For example, a policy’s legitimacy is achieved in large proportion through constitutional and quasi-constitutional procedures (Marsh and McConnell, 2010a). Therefore, in studying if one secures its legitimacy, the formation procedures must be tested.

Further to Craft’s (2017) challenge that the framework considers only the political influences after a policy is implemented, the present study is a reminder of the

overlapping area in the three dimensions. In this sense, policy failure usually begins with ignored warning signs for preventing failures that are shown as early as the policy formation stages (Boin and Fishbacher-Smith, 2011). Therefore, what Craft (2007) believes is missing in the political dimension is studied in the other two dimensions: process and programme (Figure 5: E, F, G). For example, what is blamed as “the discounted role of elected officials in evaluation” (Craft, 2017:328) is by no means ‘discounted’ but enhanced, because in practice officials represent the government, which is largely the key factor in public policy. Therefore, when evaluating the formation and implementation of policy, it is impossible to discount these officials who exert political influence. Craft’s (2017:330) challenge may arise solely from his focus on client-oriented advice, because he seeks only to answer “how governments avoid political policy failures”, thus ignoring the whole procedure of the policy. Craft (2017) later reversed himself and indicated that the criteria would better suitcases that evaluate the political dimension alone, such as efforts to avoid political policy failures.

As for the inability to define reasons for failure, the suspicion is reasonable (will be argued in section 3.2.5.1); however, such an inability, on the whole, is a natural result of being a rational approach, which McConnell emphasizes strongly in regard to value neutrality and objectivity. McConnell (2015) believes failures are independent of context. However, as discussed, policy evaluation is impossible without context, such as the culture and power structure within which stakeholders interact with each other to make decisions, implement the policy and generate reflections (*cf.* 3.2.2.3). Therefore, the macro framework of responsive authoritarianism is introduced.

In conclusion, what is needed is not to propose more definite answers from a single theoretical approach, but to facilitate a wide-range dialogue among studies exploring the same issue from different perspectives. Nothing, including the framework, is perfect. With proper amendments, the McConnell framework can still be of great value

in approaching highly contested policies, such as the Chinese Internet censorship policy.

### ***3.2.5 Deficiencies of the Framework***

For the present study, the McConnell framework lacks the power to be argumentative, because it does not dig deeper into the reasons behind policy failures and success. Moreover, although it is intended to be applicable to all (McConnell, 2010b), it must still be adapted when used with non-democratic systems, such as China's.

#### **3.2.5.1 Reasons for Failure and Success**

Perhaps the weakest aspect of the McConnell framework is its inability to explain the reasons behind policy failure and success. This inability is problematic because “policy study involves a primary concern with explanation rather than prescription; a rigorous search for the causes and consequences of public policies; an effort to develop and test general propositions about the causes and consequences of public policy and to accumulate reliable research findings of general relevance” (Dye, 2013:9). This explains why a macro framework for responsive authoritarianism is needed.

McConnell's (2016) claims that the causes of failure are contextually irrelevant, and attention should be given to political actors, sounds persuasive. However, in practice, these claims do not stand up as they ignore how policy actors are themselves contextually dependent. Power distribution among policy actors varies between different systems (Howlett et al., 2009; Dente, 2014). Even in the same system, stakeholders' unequal position and thus their roles are contextually dependent. For example, in terms of national defence policies, the public has less influence, compared

to policies of national health. Similarly, manufacturing and agriculture associations exert strength only on policies that influence their own interests. Furthermore, though interactive, their roles at different stages of public policy also vary (Howlett et al., 2009).

Also, public policy is produced and enacted through interactions between individual, institutional, and societal factors (McConnell, 2016). These interactions, in turn, operate in the broader societal contexts built on factors such as history, changing technologies, and knowledge (Jörg, 2011). Public policy is not context free, and neither are its failures and successes.

#### **3.2.5.2 Applicability to Non-Democratic Systems**

Another deficiency of the framework is the inadequacy of its applicability in non-democratic systems. Over time, critiques have emerged regarding the applicability of the framework (McConnell, 2016; Gray, 2011; Vince, 2015). Though McConnell (2010b:324) himself claims that the approach “hold(s) the potential to be incorporated into almost any perspective”, the original design was based on experiences in liberal democratic systems. Therefore, the more attention is paid to the framework, the more scepticism emerges regarding its applicability to non-democratic systems.

The framework has been used in some Western democratic countries to evaluate policies and even facilitate policy change (Candel, 2016; Redeker, 2016; Mboumoua, 2017). Recently, researchers have tried to verify its applicability to broader areas, such as foreign policy (McConnell, 2016) or deeper issues, like policy learning or crises management (McConnell, 2011; O’Donovan, 2017). Nevertheless, relevant to this study is whether the framework is universal in being able to evaluate policy of any

political system. To date, no real evaluation has been performed in countries beyond democratic ones.

The framework might not fit China's policy well because of the huge differences between democratic and authoritarian systems. For example, one of the criteria is *whether it enhances electoral prospects/reputation*. As China is a single-party authoritarian state, electoral prospects are significantly fewer. However, it must be kept in mind that the two systems do share the essence of public policy in terms of problem solving. It is reasonable to ask to what extent the framework can be used to explore Chinese cases or even facilitate policy change. As globalization is irreversible, and China is becoming an important member of international society, can China's public policies be understood and explained in the same way as Allan McConnell did regarding policies in democratic countries?

### **3.3 Applicability of the McConnell Framework**

The key issue under discussion is whether China's public policy can be understood and explained by applying the McConnell framework in the same way (or at least in a very similar way) as it is applied to policies of democratic countries. This study holds that some of the same operational logic that drives democratic policies might be applicable to Chinese policies as well, thereby linking the framework in a new and novel way that can be adapted to China. Thus, the framework must conform to the following: 1) most criteria can be measured in China; and 2) the framework may expose the extent to which Chinese policy serves to reach the goals set. This can be tested by exploring how Chinese public policy works, especially if multi-stakeholders exist. If they do exist, in what ways and how effectively do they play their due roles and influence China's public policy in the three dimensions?

### **3.3.1 Multi-stakeholders in China**

Public policies involve different actors at multiple levels (Howlett, 2007; Knoepfel et al., 2011). Although power is distributed unequally (Borzel and Risse, 2005), stakeholders have always been at the centre of public policy literature, because they: 1) fight to achieve their own demands for policy formation; 2) affect implementation; and 3) generate various political effects (Howlett, 2007; Mertha, 2009).

Due to the particularity of Internet governance (compared to traditional policy areas), this research focuses on four types of stakeholders: *government*; *experts*; *interest groups*; and *the public*. Among them, government is by far the largest factor, for the government decides not only what a policy will be and how it functions but also bears the consequences. Experts are crucial because no policies are made and implemented without consulting experts. To promote or protect their own benefits, interest groups exploit the opportunities to influence the drafting of certain policies and lobby for changes to existing policies; some have even managed to call for new policies to be considered. As the main target, the public is also an important stakeholder, because public opinion may shape the formation of policy, determine whether a policy can be implemented smoothly, and what political effects would be brought about (Richardson, 2000; Howlett, 2007; McConnell, 2010a, 2015). In China, although power is highly centralized, public policy has “substantial room for dynamic interplay and bargaining between actors, both inside and outside the government” (Ahrens, 2013:1). The main features of the key stakeholders are discussed below.

**The government** can be divided into central and local governments. The former is a unit comprised of *the National People’s Congress (NPC) and its Standing*



*Committee*,<sup>13</sup> *the State Council*,<sup>14</sup> *the State Council Small Leading Groups*<sup>15</sup> (SLGs), *the State Council Legislative Affairs Office*<sup>16</sup> (SCLAO), and all the other ministries, bureaus, agencies, and commissions at the central level.<sup>17</sup> The main responsibilities of local governments are to interpret and implement policies. Local governments can also issue legislation but are “only permitted to fill in where national decrees are absent or do not entirely fulfil local needs” (Corne, 2002:370).

**Experts** are mainly found at research institutions, which are both governmental and non-governmental in nature. Other than universities like *the Chinese Academy of Social Sciences*, many think tanks, especially non-governmental ones, are playing an increasingly important role in the domain of public policy (Wu, 2011). Except for taking part in the drafting, most contribute via the reporting system.<sup>18</sup>

**Interest groups** of multiple disciplines have emerged and are exerting more extensive influence on China’s recent public policy (Yang, 2007). These groups can be divided between economic and non-economic actors. The former are mostly business-driven associative interest groups, such as private capital, state monopoly, and international capital groups (Yang, 2010b). The latter include rights-driven associative (non-violent) and anomic interest groups (resorting to violence to articulate their needs if things do not work out as expected) (Yang, 2007; Zhu, 2010; Popović, 2017).

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<sup>13</sup> The NPC and its Standing Committee is the top legislative body in China. Members of the NPC are all elected locally/hierarchically.

<sup>14</sup> As the highest administrative body with legislative power, the State Council is responsible for overseeing all policymaking before presenting the final draft of a policy to the NPC for approval.

<sup>15</sup> SLGs are formed only when a policy is of great importance. They provide overall supervision and guidance for drafting and revising policies.

<sup>16</sup> SCLAO was responsible for reviewing and revising policy drafts before presentation to the State Council. It also coordinated with other governmental institutions to ensure policies do not contradict each other. It was reorganized and merged into the Ministry of Justice in 2018.

<sup>17</sup> The ministries, bureaus, agencies, and commissions at the central level are responsible not only for drafting and implementing policies in certain areas but also for approving extra funding to achieve the targets of these policies. Under some conditions, they have the power to draft policies without the approval of the State Council or the NPC.

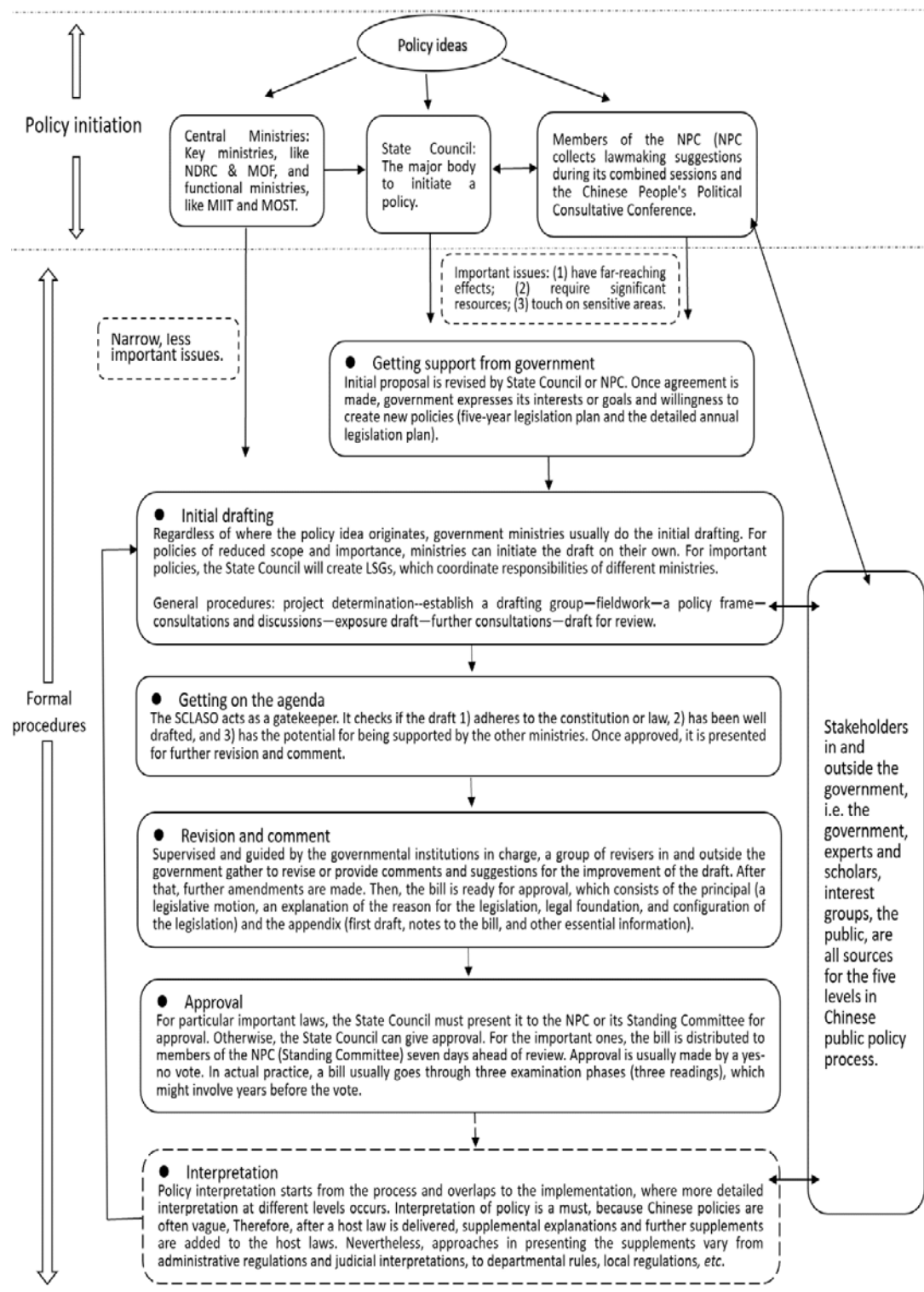
<sup>18</sup> Within the reporting system (课题制度), governments at different levels deliver topics relating to urgent problems so that successful experts can start researching solutions and suggestions.

**The Public** are ordinary citizens, who are the target groups of policies, but with fewer privileges or direct power in the formation or changing of policies. Influential individuals who use their own influence to arouse concern from the public on certain policies are also included. Currently, to achieve government responsiveness, public participation in China has been realized and encouraged through multiple channels: elections at the village level; petitions; lawsuits against the government; reporting to the media; and use of personal networks (Horsley, 2009, 2016, 2018; Cai, 2010; Thornton, 2011; Dickson, 2016).

### ***3.3.2 Multi-stakeholder Participation in the Process***

As shown in Figure 6, China's public policy process involves two stages: initiation; and formal procedures. For the latter, once initiated, policy ideas make their way to become legislation through a five-step process: initial drafting; getting on the agenda; obtaining revision and comment; approval; and interpretation (China.org.cn, 2003a, 2003b; Horsley, 2009, 2016, 2018; Ahrens, 2013; the 12th NPC Standing Committee, 2015; The NPC, 2018).

**Figure 6 Public policy process in China<sup>19</sup>**



<sup>19</sup> Adapted from Ahrens (2013:6).

Today, policymaking in China has become increasingly pluralized (Mertha, 2009; Herold, 2018). A policy draws ideas from multiple sources: government, schools and research institutions, major enterprises, business associations, think tanks and individuals (Ahrens, 2013). Over the years, with multiple stakeholders involved, the transparency of China's policy process has improved greatly (Horsley, 2009, 2016, 2018; Baruffi, 2011; Gueorguiev and Chu, 2016).

Multi-stakeholder participation is guaranteed by four prerequisites. Firstly, at the beginning of each year, both the central and local governments prepare and publish an annual policymaking plan. Next, after a policy draft has been initiated, the responsible institution publishes the draft for at least 30 days for comments (Horsley, 2018). The third prerequisite covers both the state and local governments being placed on the agenda for revising and/or commenting on the draft. While the SCLAO is checking and revising the draft, other than the examiners inside the government, stakeholders outside the government are also involved (SCLAO, 2007; State Council of the PRC, 2018). Finally, before a policy is presented to the NPC, the Chinese government provides a public hearing as an additional channel to expand multi-stakeholder participation. Although only mandatory for drafts of controversial legislations, according to Horsley (2018:3), "some central ministries and many local governments have convened public rule making hearings for many years".

Public consultation is the major approach from which Chinese masses are involved in the policy process (Horsley, 2009, 2016, 2018). Among all channels of the approach, online public consultation, introduced in 2007, enables the government to detect those citizens most relevant to a given policy, as they are more likely to participate in consultations on policies they are concerned with (Hu, 2007; Balla, 2014; Kornreich, 2019). Currently, when drafting policies that directly relate to Chinese people's interests, online public consultation follows a regular process. The government

presents the initial draft to be consulted on the website of *the Ministry of Justice*.<sup>20</sup> The consultation usually lasts for at least a month. For some with major public concern, for example, *the National Internet Security Law*, China has adopted more than one round of online public consultations (Horsley, 2009; Balla, 2014, 2017). Online consultation also contributes to changes in policies: “The likelihood of a policy revision increases with the number of public comments demanding that revision” (Kornreich, 2019:548).

Throughout the making of public policy, although the central government still makes the final decision, it is based more on the synthesized advice and opinions of several different stakeholders (Mertha, 2009; Ahrens, 2013). Although not as important as the role of the central government, the role of other actors, especially those outside the government, is increasing and becoming an inseparable part of China’s policymaking. Moreover, signs of sustainable coalition are arising, especially among interest groups (Zhu, 2010; Popović, 2017).

### ***3.3.3 Multi-stakeholder Participation in the Programme***

While implementing the policy, there exist fragmentations between the central government and its agents, whether inside or outside the government.

Inside the government, to understand the fragmentation, it is necessary to obtain knowledge of the organizational structure of the Chinese government. Authoritarian as it is, operation of the nation is not conducted through Beijing only (Pye, 1999; Zheng, 2004). China maintains a hierarchy with the central government at the top. The local levels, starting at the province level, proceed down to the city, the sub-district,

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<sup>20</sup> For the online public consultation system, see <http://zqyj.chinalaw.gov.cn/index> (Accessed 28 May 2019).

and the towns or villages. All are responsible for policy interpretation and implementation (Corne, 2002; Ahrens, 2013). Due to China's vast size and diversity in many aspects (geography, sub-cultures, natural resources, developmental stages), contradictory interpretations between the central and local governments are inevitable.

On the surface, it appears that the fragmentation arises from the vague language and top-down governance (Pradhana et al., 2017). Fragmentation lies mostly in the allocation of resources because, since the 1980s, the rare resources predominantly taken by the central government were transferred to the provinces for their own disposal (Zheng, 1999, 2004; Li, 2010a; Ding, 2010). Consequently, central-local implementation gaps in many policy arenas gradually formed. The central government publishes a policy with a vision of future development, but the actual power of policy implementation lies with local governments, who may (intentionally or unintentionally) misinterpret and implement the policy according to their own benefit.

The fragmentation also occurs between the government and non-government stakeholders, exemplified by the failure of China's wind power development policy. While implementing the policy, state utilities found an abundance of lower-level power plants were technically unprepared to satisfy the target set by the government (Grafström, 2019).

There have also been cases where fragmentation was eliminated through countermeasures. A typical example is the implementation of China's energy efficiency policy in Shanxi, a province well-known for its coal and a large proportion of energy-intensive enterprises. In this region, the implementation of the policy turned out to be more complicated since it clearly impedes local interests. Therefore, as a countermeasure, the local government's performance was linked with the effectiveness of the implementation of the policy rather than the production of coal.

This forced Shanxi government to set up rules to link energy efficiency objectives with the immediate interests of different local enterprises, the public, local institutions for pollution control, environmental safety supervision, and those representing the interests of the coal-producing enterprises (Kostka and Hobbs, 2012).

In summary, the policy programme in China involves different stakeholders. Implementers of policy, whether within or outside the government, are by no means interest free and thus cannot be easily manipulated by the CPC. For the most part, each practice according to its own will.

### ***3.3.4 Multi-stakeholder Participation in Politics***

A government's policy actions say much about itself politically. The abandonment of the Green-Dam Project is a case that shows how stakeholders within and outside the government can be involved in the political dimension. The Green Dam-Youth Escort Censor-ware is child protection software designed to protect minor netizens from age-inappropriate information online (Yang, 2011). It aims to “keep a record of surfing histories, control the time a user can surf the Internet, and to block pornographic and violent information” (Yuan, 2009:20).

In 2009, the *Ministry of Industry and Information Technology* (MIIT) released the *Notice to Pre-Install Internet Filtering Software on All Computers* (MIIT [2009] No.226), which required personal computer manufacturers to install the software on all computers sold in China. Moreover, computers in elementary and secondary schools were also forced to install it (Chinascope, 2009; Chickowski, 2009). The software was designed jointly by two Chinese companies<sup>21</sup> (Yuan, 2009). To

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<sup>21</sup> Jinhui Computer System Engineering Co. Ltd. and Dazheng Human Language Technology Academy Co. Ltd.

implement the policy, MIIT spent ¥41.7 million to procure one-year exclusive rights from the companies to allow all Chinese netizens to use the software for free (*ibid.*).

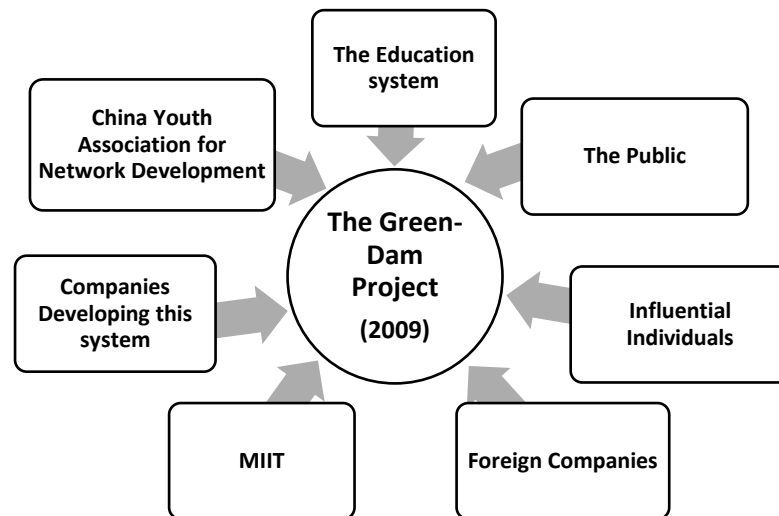
The project generated great controversy. Supporters were mostly Chinese parents, China Youth Association for Network Development, and the government-controlled media. They believed the software would protect minors and create a healthier Internet environment. Some even worried that users would lose technical support if the project was ended in the future (Yuan, 2009). As for the companies designing the project, the huge benefit brought about by the government contract made them the most determined supporters of the policy.

Strong criticisms were aroused as well, and more people were strongly against the policy. The event drew the attention of both the domestic and international media. Most criticism came from the public and influential persons at home and abroad. Other than questioning the usefulness and safety of the software, people blamed it for violating the rights of individual netizens and asked for more civic participation in policymaking (Yuan, 2009). Also, because, in operation, the software conflicted with some software used daily in China's education system, schools and even some departments in *the Ministry of Education* were also strongly against it (Chao, 2009). Additionally, an American company considered the software to be stolen intellectual property (Yuan, 2009).

Under these circumstances, in 2010 MIIT changed the policy so that, except for computers in public spaces, installation of the software would be a matter for individual users to decide. The policy then ended up with MIIT refusing to continue funding the project (Li, 2010b).



**Figure 7 Stakeholders involved in the abandonment of the Green-Dam Project<sup>22</sup>**



At least seven stakeholders were involved in influencing the abandonment of the project (Figure 7). The significance of the event lies in the fact that the voices of these stakeholders, just like those in democratic countries, led to the Chinese government quickly responding to the policy.

### ***3.3.5 Is Adaptation Needed? A Restricted Civil Society***

It has been shown that the McConnell framework is applicable to China. Nonetheless, to evaluate Chinese policy, it must be modified. Though it often “act(s) in similar ways to democracies” (MacDonald, 2015:13), China is different from any democracy. A typical example is the restricted Chinese civil society – civil society exists in China only when one enlarges the definition based on what is typically recognized in democracies.<sup>23</sup>

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<sup>22</sup> Source: Chao, 2009; Yuan, 2009; Li, 2010b;

<sup>23</sup> For a definition of civil society typically recognized in democracies, see for example, Gold (1990:20).

Chinese civil society is restricted: though active, it is not vibrant and uses mechanisms that are different from those typically seen in democracies (MacDonald, 2015). It is within this bond that the government has started “to allow some limited development of social forces that it does not directly control” (Weller, 2012:130). As the main mechanisms, non-political organizations, ad-hoc groups, and individual citizens acting independently are typically encouraged. Under the condition that “visible, political, and organized civil society in authoritarian regimes tends to be highly regulated and often is repressed” (MacDonald, 2015:55), they often serve as stand-ins in the absence of standard civil society (Tsai, 2007; Chen, 2009; Zhu, 2010; Weller, 2012; MacDonald, 2015; Chen et al., 2016).

In China “individuals, ad-hoc groups, and local, ostensibly non-political groups passively resist or accept the policies of the state, seek benefits from the state, and demand redress from the state” (MacDonald, 2015:51). Specifically, Chinese civil society undertakes three major roles, which may overlap: 1) the mechanism of responsiveness; 2) partnership with the state; and 3) service providers under the state.

Firstly, unable to challenge and lobby the state directly, the most crucial role is the mechanism of responsiveness (MacDonald, 2015). Whether for the practical concern of policy success or a larger consideration of regime legitimacy, general support, or at least acquiescence, is crucial to all regimes (Heurlin, 2016; Marquis and Bird, 2018). Therefore, what is needed is “at least tacit acceptance of the legitimacy of the state by local agents of the state, civil society groups, and the local population” (MacDonald, 2015:60). However, autocrats tend to be information-poor (Kuran, 1991; Lorentzen, 2013; Geddes et al., 2014). To offset this, civil society is activated. For example, multi-stakeholder participation in public policy is provided for upward flows of information to formulate responsive policies that address the public needs, or to supervise or even oppose local governments and individual officials (Tong and Sparks, 2009; Rooij et

al., 2014; MacDonald, 2015). In a few circumstances, civil society can even lobby the state directly (Mertha, 2010). Being responsive is not cost free for China, hence the dilemma: without such a civil society, it is difficult for the government to be informed of the needs of the public; therefore, its legitimacy declines. Nevertheless, a civil society might also generate the risk of being overthrown, for its activation might aggregate dissatisfaction in large scale – civil society exists for the private articulation of interests, only such interests are not always in line with the public good. With private interests unsatisfied, those who articulated, if connected, might grow strong enough to pose threats to the CPC government (Thornton, 2011). For example, since the late 1990s, many state-owned enterprises were outright privatized or restructured into modern enterprises, which is seen as a critical step of China's economic reform. However, it also caused the mass unemployment. With their private interests damaged, millions of laid-off workers were dissatisfied with the privatizations. Mass violent protests nationwide were generated, especially among Northeast China, which became one of the huge challenges to CPC after 1989 (Eckholm, 2003; Human Rights in China, 2003). As a compromise, contemporary China cultivates highly restricted multi-stakeholder policy participation, where information of various forms is collected if, and only if, the power is held in the hands of the CPC.

Civil society can also be partners with the state in a *corporatist* arrangement (Foster, 2001; MacDonald, 2015). In a democratic sense, organization under this arrangement is supposed to represent certain sectors of society and bargain with the government for their interest. For the represented, the organization is a reliable and authoritative representative of the government for sending information and resources downwards (Schmitter, 1985). However, in China, because of the decrease in upward information, such organizations exist primarily to send instructions and propaganda downward. At local levels, some also bribe individuals who might cause trouble, thereby neutralizing the threats (Tsai, 2005).

When the targeted population is relatively difficult to serve, authoritarian civil society would also turn into an auxiliary of the state (Teets, 2012). Organizations further push their social missions, expand their size and importance by contracting with the government and, in turn, help the government dredge the channel of information transmission. More importantly, citizen participation makes the provision and regulation of public goods and services more effective and convincing (*ibid.*). This seems to be a win-win strategy, although the government benefits more. Whilst contracts with the government assure the influence of these organizations on their missions, they run the risk of being manipulated, especially since it is the government who decides whether to cooperate with the organizations (MacDonald, 2015).

It is undeniable that Chinese civil society increasingly plays a distinctive role, although the impacts are comparatively weaker than those in democratic regimes. Such roles, if not included as a designated feature of civil society, will render further exploration of the issue incomplete. However, returning to the McConnell framework, as China is such a unique case, amendments of the framework are needed to make it fit the framework. As such, an adapted micro framework guarantees the validity and reliability of the present study.

### **3.4 Micro Framework: An Amended McConnell Framework**

Table 4 shows the adapted McConnell framework. Criterion 3 and Criterion 9 have been adapted.

**Table 4 The adapted version of the McConnell policy evaluation framework**

Criteria		Policy Success-Failure Spectrum			
Dimension		Policy success	Tolerable failure	Conflicted failure	Outright failure
<b>Process</b>	1	Preserving goals and policy instruments.	Policy goals and instruments preserved, despite minor failure to achieve goals.	Preferred goals and instruments proving controversial and difficult to preserve. Some revisions needed.	Government unable to produce its desired policy goals and instruments.
	2	Securing legitimacy.	Some challenges to legitimacy but of little or no lasting significance.	Difficult and contested issues surrounding policy legitimacy, with some potential to taint the policy in the long-term.	Policy process illegitimate.
	3	Guaranteeing multi-stakeholder participation without disagreements in the process.	Despite some signs of disagreement/op positions, multi-stakeholders participate in the process.	Multi-stakeholder participation enacted, although with strong signs of disagreement and some potential for fragmentation.	No guarantee of multi-stakeholder participation or/and opposition to the process is virtually universal.
<b>Programme</b>	4	Implementation in line with the policy objectives	Objectives broadly achieved, despite minor failures and deviations.	Mixed results, with some successes, but accompanied by unexpected and controversial failings.	Despite minor progress towards implementation as intended, programme is beset by chronic failures, proving highly controversial and very difficult to defend.
	5	Achieving desired outcomes.	Outcomes broadly achieved, despite minor shortfalls.	Some successes, but the partial achievement of intended outcomes is counterbalanced by unwanted results, generating substantial controversy.	Some small outcomes achieved as intended, but overwhelmed by controversial and high-profile failure to produce results.
	6	Benefiting target group(s).	A few shortfalls and possibly some anomalous cases but intended target group broadly benefits.	Partial benefits realized, but not as widespread or deep as intended because of substantial failings.	Small benefits are accompanied and overshadowed by damage to the very group that was meant to benefit. Also likely to generate high

					profile stories of unfairness and suffering.
	7	Satisfying criteria highly valued in policy domain.	Not quite the outcome desired, but despite flaws, close enough to lay strong claim to fulfill the criteria.	Partial achievement of goals, but accompanied by failures to achieve, with possibility of high-profile examples.	A few minor successes, but plagued by unwanted media attention.
	8	Attracting support for programme.	Opposition to program aims, values and means of achieving them is stronger than anticipated, but easily outweighed by support.	Opposition to program aims, values and means of achieving them is equally balanced with support for same.	Opposition to program aims, values and means of achieving them outweighs small levels of support.
<b>Politics</b>	9	Enhancing political prospects/reputation.	Favourable to reputation enhancement, despite minor setbacks.	Policy obtains strong support and opposition, working both for and against reputation in fairly equal measure.	Despite small signs of benefit, policy proves an overall reputational liability.
	10	Easing the business of governing.	Despite some problems in agenda management, capacity to govern is unperturbed.	Policy proving controversial and taking up more political time and resources in its defense than was expected.	Clear signs that the agenda and business of government struggles to suppress a politically difficult issue.
	11	Promotion of government's desired trajectory.	Some refinements needed but broad trajectory unimpeded.	Direction of government very broadly in line with goals, but clear signs that the policy has promoted some rethinking, especially behind the scenes.	Entire trajectory of government in danger of being compromised.
	12	Providing political benefits for government.	Opposition to political benefits for government is stronger than anticipated but outweighed by support.	Opposition to political benefits for government is equally balanced with support for same.	Opposition to political benefits for government outweighs small levels of support.

*Building sustainable coalition* and *Attracting support for process* in the original framework have been amended to form Criterion 3: *Guaranteeing multi-stakeholder participation without disagreements in the process*. Consequently, the success-failure spectrum for the criteria is amended accordingly, as shown in Table 4. As a one-party state without a popular vote system, the most effective way to promise support for process in China is to guarantee responsiveness through the participation of different stakeholders, especially those outside the government (SCLAO, 2007; MacDonald, 2015). Therefore, policymaking in China is more about the effort to gain support from different stakeholders. Various mechanisms guarantee participation outside the government and for stakeholders inside the government as well. Although there is no room for a coalition of different parties for the ruling position, governments at different levels do represent the areas they oversee. They compete for resources and interests for their regional development, thereby influencing policy on behalf of the people (non-government stakeholders) they serve/rule. In this sense, governmental institutions act as stakeholders as well, only government stakeholders, especially those at the central level, control more shares of power than those outside the government.

*Enhancing electoral prospects/reputation* has been amended as Criterion 9: *Enhancing the political reputation of the CPC*. The goal set by the CPC government is to serve the people (the 19th National Congress of the CPC, 2017). Therefore, even though the CPC does not need to go through any kind of competitive election, the state of its reputation legitimizes the rule of the CPC (MacDonald, 2015).

### **3.5 Evaluation Benchmarks: Sustaining the CPC's Rule**

World history has witnessed the collapse or destabilization of many authoritarian regimes. Some have predicted that China might be on the verge of collapsing at any

time (Lam, 2005). Domestically, although the one-party system shields the CPC from the risk of unfavourable elections, other political risks exist. Mass collective movements might arise and overthrow the CPC (Shirk, 2007; Tong and Lei, 2010; Wei et al., 2014). Externally, although being involved and benefiting from globalization ensure speedy development, threats to the regime increase: the allure of democratization, propagated by the Internet, has seriously threatened the CPC's rule (Nolan, 2010; Fung et al., 2015; Xinhua, 2017c). Such tensions have endowed the CPC with a stronger will to increase legitimacy. China has become stronger and more secure; however, the Chinese leaders' sense of insecurity is deeper now than ever (Shirk, 2007). The National Committee of the Chinese People's Political Consultative Conference acknowledged that "it is not easy for a proletarian political party to gain power, and even harder to exercise political power well, especially when it is held for a long time, and a party's status as a party in power does not necessarily last as long as the party does, nor is it something that once achieved is never lost" (Xinhua, 2004).

As noted above, it is the basic legitimacy, promised by the government's responsiveness, that provides the CPC with the room to further secure its legitimacy. Wintrobe (2005) attributes the legitimacy to the strategy of combining repression with the distribution of benefits, which is echoed by the responsive authoritarian theory that in addition to the responsiveness, China's durability since the late 1970s is based on its twin goals of social stability and economic prosperity (MacDonald, 2015). Accordingly, this study chooses the following internal and external goals as benchmarks for evaluating China's Internet censorship policy: maintaining social stability (internal); and involving and benefiting from international trade facilitated by the Internet (external). To illustrate, the social tensions will be reviewed first.



### **3.5.1 Social Tensions**

From a CPC perspective, the government faces two unique challenges: internal and external. Once triggered, they would become threats to the regime.

#### **3.5.1.1 Internal Tensions**

Along with the socio-economic transformation since the late 1970s, internal social tensions have accumulated. Collective activities have arisen at a much higher rate during this time (Wong, 2006; Yang, 2009a; Cai, 2010; Wei et al., 2014; Zhang and Chen, 2015, 2016, 2017; Rubio and Smith, 2018). Official reports show collective incidents in China increased from 8,700 in 1993 to over 80,000 in 2007 (Cao and Yang, 2011). After 2007, although the government stopped releasing data on collective incidents, according to *the Chinese Academy of Social Science*, at least 100,000 collective incidents have occurred every year (Lu et al., 2013). Demick (2012) mentioned over 180,000 in 2010 (Gobel and Ong, 2012). In general, according to Zhang and Chen (2015, 2016, 2017), the number is increasing year by year and shows no signs of dropping off.

The turbocharged development since the late 1970s has changed China dramatically within less than a single generation. Accompanying the enormous opportunities are new and immense strains, such as enormous regional variations and the ever-increasing gap between rich and poor (Lou, 2007; Wong, 2013; Wei et al., 2014). Meanwhile, corruption is increasing (Hong, 2015), and officials spend more time in offices, instead of fieldwork in rural areas, factories, or enterprises, which was routine in Mao's time. New ideas and approaches, generated by the transformation of a planned economy to a market economy, drive governments to learn and cope. Particularly, the processes of marketization and decentralization of power mean it

would cost more for higher-levels of government to obtain the truth about either the well-being of communities or the performance of lower-level governments (Lorentzen, 2013). Consequently, it would take more time to realize and hence settle the problems – old and new. Moreover, it was widely held within the government that many of the developmental problems could be settled only by the development itself. That is, the only way out was to facilitate economic growth (Deng, 1992; Hu, 2012; Chang, 2015). Though this worked, as living standards increased dramatically, it generated many problems as well. Negative impacts, such as problems of urbanization, insufficient resources, and pollution are being felt (Bischoff, 2008).

Taking the urbanization in ‘economic development zones’ as an example, over the past decades, it has resulted in the loss of land for millions of farmers (Lou, 2007). Although compensated for lost land, the money maybe quickly used up and, if they cannot find another job, the farmers face poverty. Moreover, if not properly managed, such payments are highly likely to cultivate social problems like gambling, cheating,<sup>24</sup> and youngsters idling away time. Once they have lost their land, these farmers are forced to seek new employment in non-agricultural domains, usually as migrant workers. However, as individuals (rather than working for or in an organization), the social welfare of migrant workers is not guaranteed, because the social security welfare system is based on a household registration system. One of the side effects is that children cannot grow up with their parents. As left behind children (留守儿童), they grow up with grandparents in remote villages. As children of rural migrant workers (农民工子弟), they follow their parents to cities, but, lacking permanent urban residence certificates, they cannot enjoy the good fortunes of city children, such as education (Qian, 2017). Though the situation has improved in the recent years, this phenomenon lingers.

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<sup>24</sup> For example, in recent years in China, an industry of fraud has emerged targeting the elderly. Such fraudsters make a living mostly by selling fake health products to the elderly.

### 3.5.1.2 External Tensions

The threat also lies in peaceful evolution, which “seeks to undermine the values of socialism through the political, economic, and cultural penetration of Communist states” (Russell, 2007:718) This is seen as the main approach of Western democratic countries to crack down on the authority of the CPC (*ibid.*). Purveyors of this strategy hope that, having absorbed some liberal values, the Chinese would press for further political liberalization or even an end to the CPC’s rule (*US Department of Defence*, 2020).

Over time, globalization – especially with the Internet becoming so popular as one of its driving forces – has become one of the most powerful tools for achieving peaceful evolution (Borcuch et al., 2012; Yang, 2012). Globalization has brought “the flood of new information and experience, not just new media... and not just the new openness to outside sources of information through old media but the entire world that comes with the expansion of consumption in a market-driven economy – the multiplicity of products, images, and ultimately alternative self-conceptions that the marketplace encourages” (Weller, 2012:94). These changes, that are forcing Chinese people to search for new values and identities, naturally bring many uncertainties.

For instance, in democratic regimes, it is only natural that the Internet facilitates the free flow of information and ideas globally. However, China differs in its perception of the Internet in relation to globalization and thus to Internet governance. In terms of power, China is a socialist country with an authoritarian system. It is concerned that the dominant democratic discourses online will shake the legitimacy of the CPC to some degree (Creemers, 2015). However, because China is still in its developmental stage, in its efforts to turn itself from the largest nation of the Internet into one of the

most powerful nation in Internet (Xinhua, 2017b), it must learn from developed countries. Though the Internet is a necessity, knowing how to use it and for what purposes are crucial. Therefore, China acts by prioritizing technology, which reaps more economic benefits. Meanwhile, it keeps the Internet under control politically (Damm, 2007; People's Daily, 2017).

Other than for the differences in value, China's rapid development intensifies the outer tensions it faces. Over the years, the economic power that China has obtained has been regarded as a threat to the existing world powers, especially the US. It is said that China's rising hegemony threatens global domination (Mearsheimer, 2001; Broomfield, 2003; Yee and Storey, 2004; Kaplan, 2005; Beeson, 2009; Lee, 2009; Shor, 2012; Ezrati, 2018). Ignoring the growing purchasing power, new job opportunities, and the potentially greater stability and prosperity of the global economy, many, especially those in the developed world, "don't acknowledge China's positive role in the world economy at all. Instead, they focus on the competition China has created, especially for the developed world, or the jobs many believe China has 'stolen'" (Schuman, 2011, para. 2). Consequently, the dominant belief in the US and elsewhere is that "China should be contained, its economic development slowed, and the concomitant decline in the position of the US should be delayed for as long as possible" (Beeson, 2009:95). Therefore, the more developed China becomes, the more outer pressure it faces and the harder it is for further development, which is represented by the current trade war between the US and China.

### ***3.5.2 Enactment Repression***

To ease the tensions, the strategy of combining repression with benefit distribution is taken. The former, which mainly suppresses collective activity, is not only an important factor behind the Internet censorship policy but also the determinant in

minimizing social unrest (Li and Zhong, 2007; King et al., 2013, 2014, 2017). Moreover, for the CPC government, although effective, repression is the last resort if, and only if, a problem (dissent/dissatisfaction) cannot be solved by being responsive, however, things might be different in practice.

### **3.5.2.1 Collective Activity as the Benchmark in Measuring Social Stability**

#### **Sensitivity to Collective Activities**

Collective activity refers to “large-scale mass activities without a legitimate basis which are undertaken by groups formed in a certain social context for common interests under uncertain time, site and incitement conditions, so as to achieve some kind of aspirations and objectives” (Wei et al., 2014:717). Here, without a legitimate basis does not mean without a basis accepted by the government, but without a basis for going through legal procedures (O’Brien and Li, 2006).

Autocrats are inherently insecure since the primary goal to hold onto power can be difficult to achieve (Tullock, 1987; Haber, 2009). Without democratic settings such as competitive elections to guarantee constant and comprehensive feedback on the government’s rule, the legitimacy cannot be guaranteed (Kuran, 1991). Consequently, it is difficult for the authority not only to monitor lower-level governments but also to identify which dissatisfied social groups are evolving into threats. To remain in power, some authoritarian governments increase their responsiveness to public needs (MacDonald, 2015). For instance, they might tolerate (or even encourage) small-scale, narrowly collective activities to collect information about public discontent. However, regardless of the obstructions to achieving these aims in practice, information gained by such strategies is still limited. Consequently, rather than being solved, problems sometimes grow. Therefore, even when responsive, discontent is more likely to spread wider in authoritarian states and grow into collective activity which signals the

upheaval of a failing authoritarian regime (Kuran, 1991; Lohmann, 1994; Beissinger, 2002; Celestino and Gleditsch 2013; Geddes et al., 2014).

### **Reaction to Loyalist and Contentious Collective Activities**

Although collective activity is documented as a strong signal of authoritarian collapse, authoritarian breakdowns vary across different forms of collective activity (Geddes, 1999a, 1999b; Posusney, 2004; Ulfelder, 2005; Torell, 2010). Collective activities are classified as loyalist and contentious. Loyalist collective activities are generally accepted,<sup>25</sup> whereas contentious ones are rejected (Beissinger, 2002). This study focuses on contentious activities only, because they are the ones closely related to “potentially subversive acts that challenge normalized practices, modes of causation, or systems of authority” (Beissinger, 2002:14) and are commonly recognized as inseparable from authoritarian breakdown (McAdam et al., 2001; Ulfelder, 2005; Lorentzen, 2013).

The Chinese government tends to allow, respond to, or at least turn a blind eye to, loyalist collective activities (Lorentzen, 2013; Tang, 2016). It even supports them in some circumstances (Hurst, 2004; Chen et al., 2016). To satisfy protestors, the government usually tries to calm and compensate them (Tong and Lei, 2013; Tang, 2018). It has been found over the past two decades that China’s loyalist collective activities are usually narrow in scope and are economically related, or targeted at corruption and misconduct of officials, governments and state-owned enterprises without questioning the legitimacy of the CPC or the political system (O’Brien and Li, 2006; Lee, 2007; Cai, 2010; Wei et al., 2014). To avoid being recognized as threats to the regime, organizers use patriotic and legalistic language to promote the activities

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<sup>25</sup> Loyalist collective activities are not those that resist the state. Rather, they attempt to engage the state to obtain satisfaction about regional disputes and societal discontent. They are good resources of responsiveness as they are more visible and direct channels of communication with the top (Beissinger, 2002; O’Brien and Li, 2006; Hung, 2013).

and limit them to the scope that ask only for responses to local concerns. They “do not attempt to link up with other groups who may have related issues... (And) to reduce the likelihood that outsiders might try to make common cause with them” (Lorentzen, 2013:144).

By contrast, contentious collective activities (or even those with contentious potential) are usually banned or suppressed immediately and the organizers and core members harshly punished (Kuran, 1991; Lohmann, 1994; Beissinger, 2002; Lorentzen, 2013; Celestino and Gleditsch, 2013). The bottom lines to identify a contentious collective activity are: 1) whether it is strong enough to challenge the CPC’s legitimacy or its overall policies – if it is difficult to measure the challenge, judgement would be based on 2) whether the activity has evolved in a point where its participants crossed different regions/institutions and attracted wide attention; and 3) whether there have been foreign interventions (Eckholm, 2003; O’Brien and Li, 2006; Wong, 2006; Lee, 2007; Wei et al., 2014). A typical case showing what happens if a collective activity goes against the CPC is the prohibition of the 1999 Fa Lungong protest and the series of punishments directed toward the organization (Tong, 2002). The second standard can be seen in the CPC’s reactions to the several waves of worker protests in northeast China in the early 2000s. Initially, the protests were generated by state-owned enterprise workers in Liaoyang, because of the sudden change of roles (from well-respected workers<sup>26</sup> to laid-off workers). The government reacted moderately. Although nearly 1,000 workers joined in, most involvement was tolerated and no one was punished (Eckholm, 2003). China was undergoing a painful transformation at the time. Many state-owned enterprises were outright privatized or restructured into modern enterprises, hence leading to mass unemployment nationwide. When the

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<sup>26</sup> Working for state-owned enterprises used to be a well-respected profession. It paid well, with wages independent of productivity and profits. And most importantly, it was a job for life with secure retirement options (Human Rights Watch, 2002).

protests went viral, spreading quickly to other cities in northeast China and attracting attention worldwide, the tone changed. The government started to ban demonstrations. Major organizers were either detained or sentenced. One organizer, who was not a laid-off worker, but specialized in organizing protests, received a seven-year sentence (Human Rights Watch, 2002; Eckholm, 2003; Human Rights in China, 2003).

In practice, it is difficult to clearly distinguish the loyalists from the contentious collective activities (Cai, 2010). Other than contentious collective events, responsive authoritarian regimes are also alert to loyalists in case they are turned into contentious citizens. For an authoritarian regime, whether contentious or loyal, “virtually any mass mobilization can be construed as a blow to the legitimacy of the regime” (Ulfelder, 2005:317). Furthermore, without the pressure of (re)election, authoritarian governments, compared with their democratic counterparts, are less cautious when using repressive tactics (Cai, 2010). Sometimes local governments wrongly assume that loyalist collective activities, especially those that target their misconduct or corruption, are contentious. Such cases are common, especially among less developed regions (Cai, 2006). Hence, unavoidably, China wrongly handles many loyalist collective activities as if they are contentious. However, although the boundary is blurred, China endeavours to differentiate potential contentious collective activities from loyalist ones. It monitors and assesses collective behaviour in a timely fashion but only suppresses it selectively – the choice of reaction is based on whether and to what degree an activity could endanger the government’s rule (Cai, 2006, 2010).

### **Collective Activity in the Digital Age**

The Internet poses a threat to traditional political institutions and perhaps even sovereignty (Rodan, 2004; Chung, 2008). Angell (2000) concluded that, in any country, the Internet has the potential to transmit rage and trigger large-scale ‘immoral’ behaviour and violent actions, thereby contributing to market instability, and even



political and civil unrest. When it comes to authoritarian states, the Internet is especially dangerous, for unlike democratic societies where power is “dispersed between the government and the citizens” (Perrit, 1998: 431), the rule of an authoritarian government is based largely on maximum, centralized control of the people (Taubman, 1998; Kalathil and Boas, 2003).

The Internet makes it much easier and more convenient for people to express their opinions and, hence, to promote formation and evolution of collective activities (Wei et al., 2014; Qiu et al., 2014). This makes it not only easier and less costly to organize and participate in collective activities but also, to a larger degree, makes collective activities more destructive. Since China’s collective activities usually “express generalized anger that has built up over time” (Reilly, 2013:222), participants usually have no relationship with the triggering event; once in a group, however, it is different: individual behaviour in a group is vulnerable to group structure, event characteristics and environmental factors (Wei et al., 2014). For instance, in the 2009 Tong-gang incident,<sup>27</sup> the extremely violent behaviour of the protesters was instigated by only a few members (Tong and Lei, 2013:75). Collective activities in the digital age can also become permanent (Bennett, 2003; Yang, 2009a). Some cases are sustained longer than pre-digital age movements. As Bennett (2003) notes, when related information and communication networks online are maintained, the Internet enables us to engage in “permanent campaigns”.

Considering the quantity and composition of Chinese netizens, the situation is even worse. Statistics from December 2018 show the online population in China had reached 829 million, 537 million more than those in the US, 750 million more than

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<sup>27</sup> Tong-gang is the abbreviation of the Tonghua Iron and Steel Company in Jilin province. It was a state-owned enterprise. The incident started with a labour protest against the privatization of Tong-gang. The protest soon turned into a riot when workers dragged out the newly appointed general manager, beat him to death, and then clashed with the police (Tong and Lei, 2013:75).

Germany, and 766 million more than the UK (*the China Internet Network Information Centre* [CNNIC], 2019a; *Internet World Stats*, 2019). Meanwhile, on average, the education level of Chinese netizens is relatively low, which makes them more vulnerable to bad advice and ill intentions. Most Chinese netizens have received only a secondary education. Up to August 2019, netizens with junior high school degrees constituted 38.7% of Chinese netizens, and those with either high school/secondary vocational school/technical school degrees totalled 24.5%. Less than 10% had received undergraduate education or above (CNNIC, 2019b). With such a large poorly educated population, once misled, the resulting chaos could be unimaginable, compared to other countries. A typical case indicating the scale, destructiveness, and long-lasting effects of collective activities in the digital age are the mass protests in Hong Kong (HK) in 2019. Mostly organized online, the scale of the protests is larger than ever (Morrison, 2019).

Despite the sharp social contradictions (triggered mostly by the huge gap between the rich and the poor), compared with Mainland China, HK is much smaller in size, and has a far more democratic system with a higher degree of autonomy. The average educational level is also higher, and the population size is much smaller (*Census and Statistics Department HK Special Administrative Region*, 2016; GovHK, 2019). However, once begun, the demonstrations turned into riots. Not only have the protests lasted longer than before, but some of the movements have been a repetition or continuation of the 2014 Occupy Central movement (Daud, 2019). The protests have caused huge damage to China, HK, and, especially, the legitimacy of the HK government and the economic prosperity of the city (Novak, 2019; Morrison, 2019; Shao, 2019a, 2019b; Bastillepost, 2019; Xian et al., 2019; SCMP Reporters, 2019).

### **3.5.2.2 Internal Goal: Maintaining Social Stability**

Social stability in China is closely related to the frequency and scale of collective activities, such as protests and massive violent actions. Since 1978, China has changed from one of the most equal societies in the world to one of the most unequal (Gittings, 2006). The consequent internal social contradictions have aroused a great number of domestic conflicts, with high collective activity potential (Whyte, 2010). Collective activities in China appear to be becoming more violent, and protesters' demands are becoming more radical (Xie, 2012). The high frequency of collective incidents, especially violent incidents, not only distracts the government's energy and resources from economic and social growth but also influences actions and perceptions of the government. That ultimately makes the limitations and controls on the collective activities a legitimate and effective action to avoid chaos and disorder (*ibid.*).

Therefore, in line with both responsive actions and enactments of repression, measured by collective activity, the internal goal is to maintain social (political) stability and minimize unrest. In China, a stable society refers to the one within which both social tensions, including unstable factors, and conflicts between the government and citizens are reduced to an extent that its fundamental political structure remains unchanged (Yuen, 2014; He and Wang, 2016).

On the one hand, social stability is the inevitable choice due to the tensions China faces. When China faced a potential political uprising caused by the Tiananmen Square protests, Deng Xiaoping (1989:284) posited social stability as China's overriding need for the first time: "In China, the overriding need is for stability. Without a stable social environment, we can accomplish nothing and may even lose what we have gained". "After Mao's time, support for violent class struggle and permanent revolution crumbled rapidly... A society tired of the constant upheavals of the Mao era and

yearning for order and stability complied with surprising speed and obedience” (Creemers, 2015:263) – since then, maintaining social stability has been a primary concern. Domestically, the CPC insists that economic growth is the key to maintaining its hold on power and building legitimacy, as social unrest would hinder economic growth (Deng, 1989; Tanner, 2014). In its foreign policy, China adopts a peaceful rise strategy and tries to establish good relations with its neighbours (Tanner, 2014). Maintaining social stability is a must since collective activities against other countries might put pressure on Beijing in its dealings with other nations (*ibid.*). Likewise, internationally, lessons of regime change in East Germany, Eastern Europe, and the Middle East indicate that (contentious) collective activities are fatal for authoritarian regimes (King et al., 2013). Some researchers believe that maintaining social stability (decreasing/preventing collective activities) generally has priority over other goals of the nation, including economic prosperity (Edin, 2003; Xu, 2010; Sachi, 2015). Therefore, among various goals, such as social stability, economic development, culture and society, Chinese officials would prioritize social order. The logic is that social stability provides a stable environment for achieving economic prosperity, which, in turn, increases stability (Przeworski et al., 2000; Sun et al., 2010; Mirić, 2018).

Moreover, minimizing social unrest is rooted in China’s long history and has been infused into the political culture (*cf.* 3.2.2). It emphasizes “unchecked authority instead of mutual checks and balances; social order and stability instead of conflicts, communication and compromise; hierarchy instead of equality, and the rule of virtue (the rule of men) instead of the rule of law” (Jin, 2015:22). This mindset can also be traced from the higher death rate resulting from chaos and divisions prominent in China’s history. The power transition from the Ming to the Qing dynasties resulted in the loss of one-sixth of the Chinese population. Civil unrest during the late Qing resulted in a population decline of over 50 million, not to mention the chaos and deaths

after the fall of the Qing, when China suffered continuous invasions and civil wars for nearly 40 years (Chang, 1997).

### **3.5.2.3 Inconsistencies in Interpreting Social Stability**

Based on tragedies<sup>28</sup> that have taken place in recent years, this study assumes that the central government's view of stability is not paranoid but appropriate and scrupulous: to prohibit the society from chaos on the one hand, and to not hinder the development of the nation, on the other. Nevertheless, social stability is interpreted inconsistently because of the structural fragmentation between the CPC and its agents (*cf.* 3.3.3). Due to the determinant of official promotion (*cf.* 3.2.1.3), fragmentation might even be enlarged. Therefore, the boundary between responsive actions and repressive enactments is set differently by the CPC government and its agents. For the CPC government, priority is given to legitimacy; therefore, it is more responsive than suppressive; whereas for its agents, to easing the business of governance – this, in some circumstances, may illegitimate the CPC regime. A typical illustration of these paradoxical reactions is the recent case in Wuhan and Hubei regarding the reporting of and connecting with the public at the outbreak of Covid-19 in early 2020. The incident started in December 2019, when a series of pneumonia-like cases of unknown origin emerged in Wuhan, Hubei Province (Huang et al., 2020). Starting from 30 December,<sup>29</sup> with the cases reported to the CPC government and its involvement, signs of fragmentation were revealed.

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<sup>28</sup> For example, the 2014 Kunming attack and the series terrorist attacks in Xinjiang. See, for example, <https://www.youtube.com/watch?v=BjgSOYRZqIo> (Accessed 2 August 2020).

<sup>29</sup> As cases increased, on 27 December, a local hospital reported the condition to the CDC of Hanyang District, Wuhan. Two days later, realizing that most patients shared a history of exposure to the Huanan Seafood Market, the incident was reported to the CDCs of Wuhan and Hubei, and subsequently, to the National Health Commission (The 2019-nCoV Outbreak Joint Field Epidemiology Investigation Team and Li, 2020).

Government reactions (*cf.* Appendix 1) can be divided into three phases, marked by the lockdown of Wuhan (23 January) and the death of Doctor Li Wenliang (6 February).<sup>30</sup> Despite the fact that the newness of the virus dragged down the timely reporting of the disease to some degree (e.g. whether it is human-to-human transmittable), what the Wuhan/Hubei governments wanted, before the lockdown, was to forbid the widespread of information about the virus to avoid social panic. This can be seen through health workers being forbidden to publicly release related treatment information, and the local police warning Li Wenliang and seven others not to share the information. This is important, because the first phase coincided perfectly with the Municipal and Provincial People's Congress and the Municipal and Provincial Chinese People's Political Consultative Conference of Wuhan and Hubei, during which time, social stability is more critical than usual. From 6-10 January, Wuhan even stopped releasing its daily report about the disease to the central government (Belluz, 2020), and did not warn the public that the virus might be human-to-human transmittable until 20 January, when solid evidence was found. After the outbreak of SARS, China built a nationwide system to allow hospitals with infectious disease cases to report directly to *the Centre for Disease Control and Prevention (CDC) of China* within hours. However, faced with Covid-19, local hospitals were not allowed to use the system before obtaining permission from the local government, thereby invalidating the system (Yang, D., 2020; Yang, H., 2020). Taking the position that being transparent is the best approach to fighting the epidemic and, thus, maintaining social stability, the CPC government not only immediately sent an expert group to Wuhan, shared all information with *the World Health Organization (WHO)* and other nations from late 2019 but also started to deliver on a timely basis detailed information about the progress to the public through all major media. Meanwhile, China CDC activated the Level 1 emergency response five days before the virus was proved to be

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<sup>30</sup> Phase 3 ends on 13 February since this research only studies the reactions before this date.

human-to-human transmittable, and seven days before Hubei activated the provincial Level 2 Public Health Emergency Response. The danger of the disease was first reported to the public by Doctor Zhong Nanshan, an expert sent to Wuhan by *the National Health Commission*. From 22 January, diagnosed cases, possible infections, deaths, and those cured nationwide started to be reported daily. Everyone was suggested to stay wherever they were during the Chinese New Year, instead of making customary visits.

After the lockdown of Wuhan and Hubei, and before the death of Doctor Li Wenliang, to show that everything was under control and to suppress discontent, the Wuhan/Hubei governments not only tried to impede the reporting that nearly all local medical facilities were desperately short of protective supplies and a great number of patients could not get timely treatment but also worked hard to censor critiques and suspicion about their capabilities, even patients' online posts begging for help.<sup>31</sup> Meanwhile, instead of relying on local governments, hospitals appealed directly through the Internet for help. Faced with this situation, especially the critical condition caused by the Wuhan/Hubei governments' slow action, the State Council issued *The Announcement on Collecting Clues and Suggestions for the Prevention and Control of Pneumonia Epidemic Situation of New Corona-virus Infection* with two online report platforms, one to encourage citizens to report official/government misconduct in dealing with the disease, especially the concealment of the true condition, another to report those diagnosed positive or suspected of having the virus, who could not get proper treatment or were refused by hospitals. Both platforms were unusual, because they broke the bureaucratic hierarchal structure of the country and directly connected the central government with society, while monitoring local agents. Meanwhile,

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<sup>31</sup> Their techniques include but are not limited to avoiding talking about their capabilities in press conferences or interviews, forbidding the media from investigating and interviewing, and blocking unfavourable online content.

resources including medical workers from all around the nation were assembled and immediately sent to Hubei.

On 6 February, Li Wenliang died from the disease. Before that, whether he was a rumour monger or whistle blower was a trending topic on Chinese social media. His death triggered national rage and suspicion of the municipal, provincial, and even central government. Taken together, the poor performances of local governments and their attitudes toward Li<sup>32</sup> shattered the confidence of the Chinese in the government. In response, Beijing sent a special group to Wuhan to investigate the problems of public concern, including the Li matter. Meanwhile, the Wuhan/Hubei governments, still in a mess, habitually tried to cover-up the critical condition. For example, on 10 February, Wuhan claimed a city-wide health survey to identify all those potentially infected covered 99% of the people in Wuhan. However, many Wuhan citizens said online that they had never seen the survey. Furthermore, to avoid reporting the drastic increase in the diagnosed and dead, the criteria used in the earlier days – partially limited by the capability of the hospitals – remained unchanged. Experts sent by Beijing had long suggested that Hubei should update the criteria. To settle the problems, major local health department officials were replaced. On 12 February, at a press conference, the newly appointed health department officials admitted that the work of the Wuhan/Hubei governments was sloppy and apologized. A new, less strict, standard for diagnosis followed, hence the drastic increase in diagnosed patients in Hubei on that day. On 13 February, the central government had the Party Secretaries of Wuhan and Hubei removed from office. The newly appointed officials and the investigation group sent by Beijing admitted to the public that the number of infected

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<sup>32</sup> Li was still regarded as ‘a rumour monger’ by the Hubei police department until the day he died.



people in Wuhan had not been fully revealed<sup>33</sup> and the scale of the spread had not been accurately estimated.

Adding to the picture of the fragmentation of governance are other anecdotes about the handling of the epidemic. Once the disease was recognized as human-to-human transmittable, provinces activated Level 1 emergency responses within five days: three provinces on 23 January; eleven the next day; another fifteen the third day, and the other two provinces, on 26 and 27 January. Hubei, the centre of the disease, announced Level 2 on 22 January and upgraded to Level 1 until 24 January, later than Zhejiang, Hunan and Guangdong. Of all the provinces, Sichuan, Henan, and Hainan were better prepared,<sup>34</sup> because each governor has a PhD in medicine. As an aside, the ex-authorities in Dali, Yunnan Province, were punished for their interception of masks imported through Yunnan to provinces severely affected by the epidemic (*Southern Metropolis Daily*, 2020; Pratiya, 2020; Chunfeng Lab, 2020)

The dismissal of the party secretaries of Wuhan/Hubei shows that, in addition to the mess in dealing with the disease, Beijing's discontent also concerned Wuhan/Hubei's failure to maintain social stability, for which the party secretaries were mainly responsible (Bo, 2002; Lawrence 2013). Except for the dismissals, the paradoxical reactions represent exactly the inconsistency of the CPC and its local agents in their interpretations of what social stability stands for. Against Covid-19, the CPC government has been quite transparent about the condition (WHO, 2020). Judging from netizens' comments, they are generally satisfied with the CPC government in terms of its reactions to the pandemic. As explained above, to the CPC government, the essence of stability is to eradicate social tension and unstable factors and resolve

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<sup>33</sup> The accurate data was revealed on 16 April after the Covid-19 came under control in China. See details at: <http://www.nhc.gov.cn/xcs/yqtb/202004/9d15772389c64d478713e710a756b883.shtml>.

<sup>34</sup> For example, Sichuan started to curtail passenger transportation with Hubei on 22 January, almost two days earlier than the central government's decision to instigate a lockdown.

conflicts between the government and the citizens (Yuen, 2014; He and Wang, 2016). However, some officials at local levels misinterpret stability as static, a society without disputes or incidents (Sun et al., 2010). Those who want to be promoted are cautious about their achievements, especially regarding political targets, among which the ability to keep social stability matters the most. To them, the seemingly safest, fastest, and most cost-effective method of promotion is to prevent the authorities from hearing about the public's dissatisfaction<sup>35</sup> (Sun et al., 2010; Xu, 2010). Consequently, it has become common for local governments to achieve short-term social stability by suppressing public expressions of discontent. Administration only erases the symptoms, but not the underlying causes, and is bound to be risky for China sooner or later.

### ***3.5.3 Benefit Distribution***

As well as enactment of repression, distribution of benefits is also used to gain government legitimacy. Wintrobe (2005) considers the distribution of benefits to be a far cheaper, more critical effort than repression. Benefits are distributed mostly by providing an ambitious agenda of economic prosperity.

#### **3.5.3.1 Ambitious Agenda of Economic Prosperity**

According to Castells (2010), rather than via democratic elections, popular legitimacy of a developmental state rests on the government's ability to deliver continued economic growth, which echoes the analysis by Gilley and Holbig (2009) on the

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<sup>35</sup> In cases involving non-government agents such as enterprises, the situation is the same. Taking Internet censorship as an example, as will be seen in section 6.1.2.2, to keep their license as service providers and to gain as much profit as they can, the safest and most cost-effective solution of Internet enterprises in practicing censorship is to delete all content with collective action potential, whether loyalist or contentious.

literature of the Chinese regime and party legitimacy: half see economic growth as a crucial strategy to gain legitimacy.

China's economic take-off can be explained by both its internal reforms and involvement in globalization (Huang, 2012). China's development, especially its political reform, is accompanied and supported by its economic reform (Liang, 2007). It has produced strong economic growth and dramatic structural transformation (Sachs and Woo, 1997). Simultaneously, benefits from globalization emerged during the late 1970s, when the CPC government decided to open and become integrated into the world economy (Shirk, 2007; Liang, 2007). Export-oriented manufacturing, extensive foreign funding, and employment of millions of rural migrants boosted the income of the Chinese and reduced poverty far and wide (Huang, 2012). In recent years, globalization has brought the gradual involvement of China into the global markets (Nolan, 2010; Fung et al., 2015). Meanwhile, vast economic stimulus has been used to improve the livelihoods of the Chinese. The population living under national poverty lines, for example, dropped from 17.2% in 2010 to 3.1% in 2017.<sup>36</sup> The economic take-off during the last decades has greatly and dramatically changed the living standards for the Chinese in modern history, furthering the legitimacy of the CPC government (Lin and Liu, 2000; Nathan, 2003).

However, behind the successes, many problems lie deeply hidden. For example, the cost of allocating resources to China's economy, the relatively backward legal system, and features of development being low waged, labour-intensive, export-driven, high in energy consumption, and high in environmental costs (Sachs and Woo, 1997; Allen et al., 2005; Li, 2012). These pose potential threats to China's economic prosperity if

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<sup>36</sup> See details at <https://data.worldbank.org/indicator/SI.POV.NAHC?end=2017&locations=CN&start=2010&view=chart> (Accessed 23 January 2019).

not properly handled. Not to mention that China, now eager to become involved in and benefit from globalization, is forced to interact with nations worldwide. Under such circumstances, if it is to maintain its legitimacy by boosting the economy further, the CPC government faces bigger challenges.

### **3.5.3.2 External Goal: Be involved in and benefit from Internet-Facilitated International Trade**

The external goal, in line with China's agenda of economic prosperity, is to become involved in and benefit from international trade, facilitated by the Internet. Such a goal is especially suitable as a benchmark to evaluate Internet-related policy because the Internet is one of the driving forces in business, especially internationally.

China's economic prosperity has been boosted by both the internal and global markets. The efforts to join the global market can be traced back to its Open-Door Policy in the late 1970s, when the CPC decided to gradually liberalize its economy and involve it in the global economy (Buckley et al., 2007; Shirk, 2007; Liang, 2007). For instance, early in the 1990s, internationalization was incorporated in the national economic policy, and the encouragement of outward direct investment, formalized in the name of *Going Global in the 10th Five-year Plan* (National People's Congress, 2008), was further enhanced in the *11th Five-year Plan* (Ding, 2000; Wu and Chen, 2001; Zhang, 2003; Yu et al., 2005). Behind the strategies was accession to *the World Trade Organization*, which was the milestone of its official involvement in the global economy.

Entering the digital age, use of the Internet has become a necessity, especially for international trade. By lowering communication costs, as well as strengthening the integration of societies, the Internet facilitates the most distinctive feature of

globalization: localized globalization of knowledge (Borcuch et al., 2012). The free flow of information and ideas not only enhances communication and competition in the global market and stimulates the development of technologies but also increases the demand for products and the movement of labour, thus promoting globalization and, hence, the Chinese economy (Stiglitz, 2004). As such, the present study focuses on whether China's Internet censorship policy hinders China's benefits from international trade facilitated by the Internet.

## **Conclusion**

With the macro-and-micro analytical frameworks constructed, this chapter sets up a bridge through which China's Internet censorship policy can be explained and evaluated.

Responsive authoritarianism, as a contextual theory, has been introduced as the macro framework. It explains why, though authoritarian in nature, the CPC manages to partly complement its absence of democratic mechanisms with restricted civil society by responding to public demands to maintain its basic legitimacy. The apparent contradiction between authoritarianism and responsiveness is built on the paradoxical or polarized nature of China's political culture: weaving centralization, hierarchy and order on the one extreme, and decentralization, rebellion, and disorder on the other, into a functional whole. Moreover, the micro McConnell framework has been introduced to evaluate the Chinese Internet censorship policy. To validate the applicability, in addition to justifying it, a version tailored to China has been generated. Most importantly, more than verifying the responsiveness of the Chinese government, the fragmentation between the CPC government and its agents has been explored.

Once combined, the two frameworks bring a new insight: since authoritarian responsiveness is rather limited and functions to gain only basic legitimacy, the CPC must accomplish the twin goals of stability and prosperity to gain/maintain its legitimacy further. Therefore, the following two benchmarks: the internal goal is to maintain social stability and the external goal to become involved in and benefit from Internet-facilitated international trade. The benchmarks are in line with both the authoritarian nature and basic principles of development of the CPC government. Both aim to ease the social tensions China faces and thus strengthen the legitimacy of the CPC.

The next chapter discusses the methodology and methods used to explore this subject. It is expected that the macro-and-micro frameworks, along with the methodology, will verify the validity and reliability of the collected data so that, in Part II of this thesis, light can be shed on the questions of whether and why the policy is a success or failure.

## Chapter 4 Methodology

### Introduction

This chapter proposes and justifies the research paradigm and the methodological approaches. Described in the first section is the methodology, the main aims of which are: 1) describe and analyze China's Internet censorship policy within a macro-and-micro framework, 2) present the scope of the research, 3) ask underlying questions, and 4) outline the research philosophy and arrangements of both the research and data. In the following sections, the methodology is completed by exploring, not only design, validity, reliability, and the difficulties and counter-strategies for each method adopted (in-depth interviews, surveys, documentary analyses, and case studies) but also strategies and approaches for analyzing the data.

### 4.1 Bird's-eye-view of the Methodology

#### *4.1.1 Aim and Scope*

This research aims to provide a coherent description and analysis of how China's Internet censorship policy is made and implemented and how the policy influences the legitimacy of the CPC government within the Chinese context. It is conducted in line with three dimensions of public policy: process, programme, and politics (McConnell, 2010a). Firstly, the focus of the research is to examine the formation of *the National Internet Security Law* (ISL), which is the legal basis of the policy. Moreover, presented are the struggles between different stakeholders during the policymaking, which are also seen in other legislation of the policy. In the second dimension, investigated are, not only how policy implementers understand and practice censorship to meet the government's requirements but also how those being censored react to the

implementation. Lastly, the study focuses on the political effects of the policy by referencing the comparison between how the policy was designed and implemented, influence of the policy on the policy targets, and attitudes of them toward the policy.

This study is based on data collected through a combination of in-depth interviews with different stakeholders, an online survey of ordinary Chinese netizens, and other documents. Specific cases of both the process and programme are also introduced to show 1) efforts in balancing the policy goals, and 2) differences in implementing the same policy. As McConnell (2010b) points out, a public policy can be both a success and a failure in terms of different dimensions and criteria, which indicates the analyses and the evaluations must be made separately, abiding by the three dimensions.

Therefore, the following questions are important empirically:

- Who is involved in making the Chinese Internet censorship policy and how do they contribute to it? (process)
- How is the policy implemented to comply with the requirements of the government, if at all? (programme)
- What are the effects of the policy on sustaining the current system in China? (politics)

#### ***4.1.2 Research Methods***

This study focuses on the reflections of policy stakeholders. As Nye (2014:7) suggested, to evaluate Internet governance of a nation, “what is the most effective form of governance in each specific context” should be a key determinant. Therefore, an evaluation is made, and can only be made, with reference to policy stakeholders’



subjective experiences, as well as their understanding and attitude toward the policy within the context in which they live.

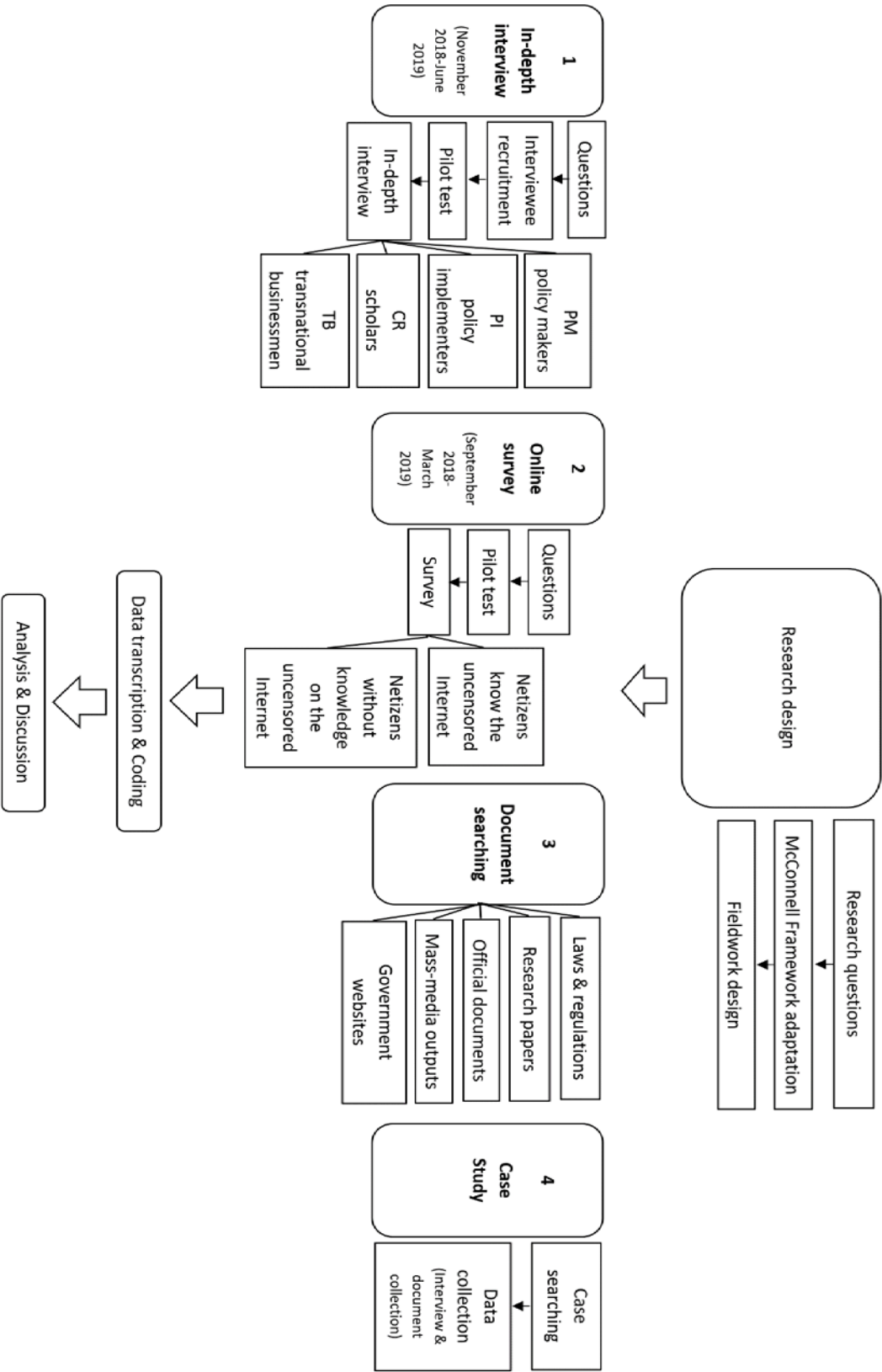
Hence, the multiple approaches. In-depth interviews are the primary method this research employed. With the “detailed focus on everyday interactions and exchanges, it can make a unique contribution through illuminating aspects of social processes that other methods cannot access” (Barbour, 2014:19). Beside this, and because interviews might be insufficient to capture fully the policy, a quantitative survey of Chinese netizens was conducted. On the one hand, quantitative approaches provide data that qualitative approaches cannot (e.g. the general attitudes of netizens toward the policy), thereby expanding the findings. On the other hand, qualitative analyses shed light on the quantitative data (e.g. why they are for/against the policy). A survey identifies statistically significant relationships between variables, such as whether netizens know of the uncensored Internet vs. whether they support the policy. Hence, to provide a fuller picture of the reasons behind the policy success and failure, such an issue must be qualitatively analyzed further to explain the transition from ‘macro’ (e.g. whether the participants know the uncensored Internet) to ‘micro’ (e.g. how the participants are affected in terms of their life/work). In practice, the combination of the qualitative and quantitative approaches has often proved very effective (Barbour, 2014). Moreover, studies of the Internet indicate a hybrid approach is preferred, because integration helps to deal with research limitations caused by the nature and characteristics of the Internet (Jones, 1998; Schneider and Foot, 2004; Wright, 2005; Tsatsou, 2014). Other than that, data analysis and case studies are embraced also.

#### ***4.1.3 Research Arrangement***

The study is visualized in Figure 8. The survey, in-depth interviews, document, and case studies establish whether the policy satisfies the criteria from the micro

framework point of view. Pilot tests evaluate the feasibility and, hence, are used to improve the design. As is seen, the survey started two months prior to interviews. The time difference is intentionally designed to meet the schedules of the interviewees and make the interview questions more targeted and effective. With preliminary survey data collected from September through October 2018, the researcher managed to improve and focus some interview questions based on the preliminary survey results. Additionally, documents were analyzed, include pre-existing materials such as the laws and regulations in the policy, mass-media outputs about the policy, official documents, statistic reports, and research papers on the policy. The cases studied are either from existing documents (e.g. mass-media outputs), or interviews with individuals involved. Then, using NVivo and Qualtrics, the data are transcribed and coded before they are analyzed.

Figure 8 Research arrangement



#### 4.1.4 Data Arrangement

As shown in Table 5, based on the criteria of the micro framework, the thirteen questions are split into three specific clusters to answer the empirical questions to enable the study. Details of the approaches, such as interviewee differentiation, are discussed in the following sections.

**Table 5 Methods in addressing different research questions**

Empirical questions	Underlying questions	Methods Chosen
<b>Who is involved in making the Chinese Internet censorship policy and how do they contribute to it?</b>	Does the process help in preserving the policy goals (Internal & external)?	<ul style="list-style-type: none"> <li>• In-depth interviews (PM)</li> <li>• Existing data (Laws and regulations, official documents, mass-media outputs)</li> <li>• Case study (Regulation on the VPN service)</li> </ul>
	How is the policy made?	<ul style="list-style-type: none"> <li>• Existing data (Laws and regulations, official documents, research papers, mass-media outputs)</li> <li>• In-depth interviews (PM)</li> </ul>
	Who is involved?	<ul style="list-style-type: none"> <li>• In-depth interviews (PM)</li> <li>• Existing data (Laws and regulations, official documents, mass-media outputs)</li> <li>• Survey online (<i>cf.</i> Appendix 5)</li> </ul>
	Are there any disagreement(s)?	<ul style="list-style-type: none"> <li>• In-depth interviews (PM)</li> <li>• Existing data (Mass-media outputs, research papers)</li> <li>• Case study (Regulation on the VPN service)</li> </ul>
<b>How is the policy implemented to comply with the requirements of the government, if at all?</b>	How is the policy designed and implemented?	<ul style="list-style-type: none"> <li>• Existing data (Laws and regulations, official documents, research papers)</li> <li>• In-depth interviews (PM &amp; PI)</li> </ul>
	Who are the implementers? What are their responsibilities? Is there any loop in the implementation?	<ul style="list-style-type: none"> <li>• In-depth interviews (PI &amp; CR)</li> <li>• Existing data (Laws and regulations, official documents, government websites; research papers, mass-media outputs)</li> <li>• Case study (Different choices of two local governments when dealing influential negative online incidents &amp; Sina Weibo's case)</li> </ul>
	Is there any flexibility in the implementation?	<ul style="list-style-type: none"> <li>• In-depth interviews (PI &amp; CR)</li> <li>• Case study (Different choices of two local governments when dealing influential negative online incidents)</li> <li>• Existing data (Mass-media outputs, government websites)</li> </ul>
	Who are the target groups of the policy? Are they satisfied?	<ul style="list-style-type: none"> <li>• In-depth interviews (TB)</li> <li>• Survey online</li> <li>• Existing data (mass-media outputs)</li> </ul>

	Has the implementation been effective?	<ul style="list-style-type: none"> <li>• In-depth interviews (PI &amp; CR)</li> <li>• Survey online</li> <li>• Case study (Different choices of two local governments when dealing influential negative online incidents&amp; <i>Sina Weibo's</i> case)</li> </ul>
<b>What are the effects of the policy on sustaining the current system in China?</b>	What are the impacts of the policy on the government's reputation?	<ul style="list-style-type: none"> <li>• In-depth interviews (CR &amp; TB)</li> <li>• Survey online</li> </ul>
	Are there any approaches to ease the business of governance by means of the policy, and if so, are they effective?	<ul style="list-style-type: none"> <li>• Existing data (Laws and regulations, official documents, government websites)</li> <li>• In-depth interviews (PM &amp; TB)</li> <li>• Survey online</li> </ul>
	Does the policy promote the government's desired trajectory?	<ul style="list-style-type: none"> <li>• Existing data (Laws and regulations, official documents, research papers)</li> <li>• Survey online</li> <li>• In-depth interviews (PM &amp; PI &amp; CR &amp; TB)</li> </ul>
	Is there any dissatisfaction with the policy?	<ul style="list-style-type: none"> <li>• Survey online</li> <li>• In-depth interviews (PM &amp; CR &amp; TB)</li> <li>• Existing data (Laws and regulations)</li> </ul>

## 4.2 In-depth Interview

Known as the art of hearing data (Rubin and Rubin, 2012), the in-depth interview is designed to generate people's in-depth understanding of their daily activities, experiences, talks, relationships, and processes of social development, *etc.* (Yin, 2009; Bryman, 2016). According to Mason (2002b:64), if a researcher agrees "knowledge and evidence are contextual, situational and interactional", in-depth interviews should be the perfect choice for generating knowledge and evidence.

### 4.2.1 Design

Interviews in this study are semi-structured and conducted in a one-to-one manner. Semi-structured interviews help in collecting data as comprehensively as possible, for they allow researchers to adjust questions and even add sub-questions according to the reflections of the interviewees during the interviews (Adams, 2015). Because it was a

highly sensitive topic, if the participants did not ask for other arrangements, the interviews were conducted on a one-to-one basis (Crabtree et al., 1993). During the interviews, follow-up questions were asked according to reflections of the participants. The researcher always asked the interviewees to choose an appropriate place and time. Also, due to the personal schedules of some interviewees and considerations on money and travel time, some interviews were conducted via Skype, WeChat, and emails.

#### ***4.2.2 Participants and Sampling***

##### **4.2.2.1 Rationale for Selection**

Interviewees lie in the following categories:

Category 1: policymakers involved in China's Internet censorship policy process (PM).

Category 2: implementers of the policy (PI).

Category 3: Chinese researchers on Internet security and policies (CR).

Category 4: transnational businesspersons in China (TB).

The four categories are chosen according to the policy of study, the benchmarks of evaluation, and major stakeholders of Chinese public policies. Authoritarian governments tend to be mysterious about their governance, especially when public policy is involved (Nathan, 2003). Chinese Internet policy is rather opaque. What is read is only rough information about the policy (Ahrens, 2013). Therefore, the purpose of this research is to delve into the details, from the struggles and arguments in the process, the plans and actual implementation of the programme, to the supporters and critics and, hence, the political effects.

**Category 1: Policymakers.** China's Internet censorship policy is a system comprising the ISL and its supplements. Therefore, PM participants are those involved in different stages of the making of the laws and regulations. Policymakers are to answer questions from two aspects: policy formation and government evaluation of the policy politically.

**Category 2: Policy implementers.** Implementers of the policy are from inside and outside the government (e.g. human censors hired by Internet service providers). However, PI participants in this study include those from the government only. Due to the limitation of personal connections, the researcher failed to reach any implementers outside the government. PI participants are an important element in Internet censorship, as they represent how China monitors and filters information online. Data on their understanding and operation of the policy help to illustrate the flexibility, effectiveness, and flaws in the implementation. Therefore, distinctions between what the implementers were assumed to do and what they did are identified from knowledgeable insiders.

**Category 3: Researchers.** Of the four categories, researchers of Internet security and policies are the only ones with information about all three policy dimensions. Since CR participants are the ones studying the policy, their understanding is more comprehensive. Also, since they are either based in universities and research institutions or working as independent researchers, compared to those working for the government, CR participants are relatively less dependent on the government. Information from them is not only representative but also more objective and less biased.

**Category 4: Transnational businessperson.** Interviewees are also transnational businessperson from small private import and export enterprises to large multinational

corporations conducting business in China. It is assumed they are more likely to affect and be affected by policy from the perspective of China's external goal of involvement in and benefit from Internet-facilitated international trade. Responses from TB participants will 1) show if their businesses were hindered by the programme; 2) help to identify if the policy hindered China's involvement in the global economy; and 3) serve as important evidence in testing criteria for evaluating the programme and politics of the policy.

What is worth emphasizing is, when making the policy, the government invited some policy implementers to participate. Therefore, data from these implementers were treated as from both policymakers and implementers (see Table 6). It is hoped the dual identity of such might elicit a deeper understanding of the policy.

#### **4.2.2.2 Sampling**

The following sixteen people participated and provided valid data for this research: six policymakers, five implementers (of whom three are also policymakers), three researchers, and five transnational businesspersons. To guarantee representativeness, the choice of interviewees reflects the diversity and provides as much potential for comparison and analysis as possible (Mays and Pope, 1995). Interviewees are further differentiated as follows:

**Table 6 List of interviewees<sup>1</sup>**

Code	Description
Category 1 (PM)	

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<sup>1</sup> To protect the participants, all information irrelevant to the study, for instance, their personal information (gender, education, age *etc.*) are confidential. Other related information, such as the interviewees' occupations, duties and related personal experiences, is provided just for the accountability and reliability of this research.



<b>PM-1</b>	Expert in computer science and the Internet, member of the drafting team of supplements of the ISL.
<b>PM-2</b>	Expert in Internet governance and Internet policy, member of the drafting team of the ISL.
<b>PM-3</b>	Local level official, member of the drafting team of the ISL.
<b>PM-4</b>	Central level official whose duty is to coordinate in the making of laws and regulations of the Internet governance.
<b>PM-5</b>	Researcher hired by a government think tank, member of the drafting team of supplements of the ISL.
<b>PM-6</b>	An official responsible for propaganda and Internet control with both local and central experiences, had experience in coordinating in the making of laws and regulations of the Internet governance.
<b>Category 2 (PI)</b>	
<b>PI-1</b> (also PM-1)	Expert in computer science and the Internet, hired by the government to instruct, inspect, and evaluate the implementation of enterprises regularly.
<b>PI-2</b> (also PM-2)	Expert on Internet governance and Internet policy, hired by the government to instruct, inspect, and evaluate the implementation of government institutions and enterprises regularly.
<b>PI-3</b>	Local level official, part of his/her work is to coordinate with the local cyberspace administration in implementing the policy.
<b>PI-4</b>	Local level official worked in a provincial level cyberspace administration.
<b>PI-5</b> (also PM-6)	Local level official and a trainer for implementers at different levels, based on his/her previous experience in implementing the policy at the central government (e.g. representative of the government in communicating with the major Internet service providers in implementing the policy).
<b>Category 3 (CR)</b>	
<b>CR-1</b>	A researcher whose main area of study is China's Internet policies.
<b>CR-2</b>	A researcher whose focus is on China's Internet security.
<b>CR-3</b>	A researcher on Chinese politics, the Internet and the culture. He/she is also a former reporter and an online influential with over 1.6 million followers on Sina Weibo.
<b>Category 4 (TB)</b>	
<b>TB-1</b>	Owner of a medium sized private owned export enterprise.
<b>TB-2</b>	Owner of a small sized private owned export enterprise.
<b>TB-3</b>	CEO of the Chinese division of a transnational enterprise based on a democratic country with free access to the Internet.
<b>TB-4</b>	Manager of a large sized state-owned import and export enterprise.
<b>TB-5</b>	Employee of a large sized state-owned import and export enterprise.

Recruitment of interviewees was conducted via a snowball sampling strategy. Due to the sensitivity of the topic, it is extremely difficult to persuade people to talk about it in a recorded (at least documented) interview, especially when the interviewer is based in a western institution.<sup>2</sup> Needless to say, most potential interviewees, such as policymakers and implementers working for the government, are hard-to-reach. Most

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<sup>2</sup> At least 5 potential interviewees refuse to participate after recognizing the researcher is based in a western institution.

potential interviewees refused to participate, because previous experiences led them to believe their words were likely to be distorted or misinterpreted by western media, officials, and even researchers intent on attacking China. Snowball sampling is especially effective when recruitment involves gaining access to restricted communities where trust is of key importance (Harvey, 2011). By the same token, if the researcher's own cultural capital is shared, it can also be a strong factor in attaining resonance from potential interviewees and, hence, their agreement to participate (Mikecz, 2012; Bhutta, 2012). Therefore, interviews started by interviewing a family friend, who is a researcher on China's Internet security. When asked to use personal networks to help recruit other possible participants, he/she agreed. Meanwhile, to persuade people to participate, the researcher's identity as a Chinese student sponsored by a Chinese institution was repeatedly mentioned when connecting with potential interviewees. The number of participants was limited; thus, based on these interviews, the following two sections reflect further how far this study generalizes process, programme, and politics.

#### ***4.2.3 Validity and Reliability***

To guarantee the validity and reliability of the study, in this research, special attention is paid to the pilot test, language, the interview guide and ethical issues.

**Pilot test:** Before the pilot test, all interview questions were presented to two Chinese researchers working on similar topics for advice. Due to the limited availability of potential participants, four Chinese PhD students, majoring in politics, were invited to have mock interviews pertaining to the above four categories. Based on their feedback, some questions were deleted, improved, or broken down into more detailed sub-questions. For example, before the pilot test, one question to PI interviewees was

“What kind of information is more likely to be censored?” The question proved to be too broad, for it led to brief answers. In the improved version, interviewees were asked to provide a list of censored content based on what they censor in their daily operations (*cf.* Appendix 2).

Also, it was found that the mock interviewees lacked the interest to read through the information sheet, complaining that it was too long to read. Therefore, in actual practice, in addition to the information sheet, the researcher briefly introduced the research verbally over approximately two minutes while introducing the researcher’s personal information.

Besides, in the first two mock interviews, long silences were sensed after the first few questions. Such silences disappeared gradually when the researcher shared her personal experiences.<sup>3</sup> In the next two mock interviews, this sharing proved effective in eliminating the awkwardness talking about a sensitive topic with a stranger, resulting in more comprehensive data. Consequently, in actual practice, the researcher would arrive a little early (which, in China, is seen as an expression of respect and politeness<sup>4</sup>) to share some previously mentioned personal experiences before the interview.

Also, it was found that all mock interviewees, even after being assured of the confidentiality of the data collected, would become nervous when asked to sign the consent (*cf.* Appendix 3). Being informed caused them to be overcautious in answering the questions. Overcautiousness could be generated by the fact that ethical review, in

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<sup>3</sup> For example, personal experiences relating to the Internet censorship, especially difficulties in doing a China related research in UK. Information of this kind, according to the mock interviewees, makes the interview more like a ‘friends getting together sharing and gossiping personal stories, instead a serious and tense scholarly interview with a strange scholar.’ Which makes them more willing to talk.

<sup>4</sup> See details at <https://www.chinahighlights.com/travelguide/guidebook/etiquette.htm> (Accessed 10 October 2019).

natural or social sciences, is rare in China. Therefore, in actual practice, to guarantee the reliability of the data, if an interviewee showed signs of being nervous<sup>5</sup> when the researcher read the consent through to him/her, only a verbal consent would be asked before the interview. Signatures would be requested only after the interviews, when the interviewees were sure what was recorded was acceptable to them. If they were still reluctant to sign, verbal consent was required and recorded.

**Language:** The questions were designed in English. However, because the interviewees were either Chinese or speak Chinese fluently, the questions were translated into Chinese in actual practice. To guarantee the accuracy of the translations, both the English and Chinese versions were provided to two Chinese English teachers for revision, and before the interviews, further improvements were made based on their feedback.

**Interview guide:** The interview guide is the combination of an information sheet (*cf.* Appendix 4), and a list of interview questions. The interviews are structured based on the lists, and sub-questions are asked according to both the interviewees' responses to these topics and data collected in previous interviews.

**Research ethics:** Considering the sensitivity of the topic, the objectives and research procedures were stated repeatedly and clearly to the participants in the recruitment and before the interview. An information sheet was provided, and a consent signed to make sure the participants knew the following: 1) the data would be used anonymously; 2) the data would not be shared with anyone outside the research; 3) a record of the research would be made only after obtaining permissions; and 4) interviewees could withdraw at any time. To avoid misleading the participants, during interviews, except

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<sup>5</sup> For instance, kept asking questions about why a consent is needed, or hesitate when signing the consent.

for asking questions, the researcher acted only as the note taker and observer. After an interview, the researcher transcribed the records/notes within a week, returned it to the participant, and amended the transcript according to his/her feedback. Transcriptions and copies of signed consents are stored in offline encrypted files. The original consents are stored in a safe place and will be destroyed after the graduation of the researcher.

#### ***4.2.4 Difficulties and Counter Strategies***

When conducting interviews, the most difficult part is related to the sensitivity of this topic, hence the difficulty: how to persuade people to participate and talk about the Internet censorship policy? Even worse, the identity of PM and PI interviewees made recruitment more difficult.

As indicated, when dealing with the difficulties of interviewee recruitment, the snowball sampling method was adopted. To acquire more interviewees, when trying to obtain permission from potential participants, the researcher spent much time explaining the low risk of participation due to the anonymous nature of the study and the purpose of the research – evaluate the Internet censorship policy from the perspective of China.

Additionally, interview questions were carefully designed to not sound too sensitive or sharp (e.g. to use ‘normal practice in censoring’ instead of ‘techniques adopted when operating the censorship’). If necessary, fuzzy words, such as ‘information control’ instead of ‘Internet censorship’ were also adopted, especially when interviewing those working in or closely related to governments. The seeming gentleness, broad, and positive loading is a result of the following considerations.

Firstly, the interviewees were usually government employees. Clearly, the CPC government is unaware of letting people know how policy should be implemented (Nathan, 2003), especially when some operations are designed to make netizens think that the implementers are one of them (King et al., 2017). Therefore, sharp questions such as ‘do you think what you do in censoring the Internet hinders the Chinese netizen’s speech freedom?’ might provide the interviewees ample incentives to not comply with the researcher’s requests, or at least not to comply sincerely. Secondly, the Internet censorship is indeed related to China’s national security, especially after Edward Snowden confirmed that the U.S. is surveying other nations, including China, via the Internet (Murray, 2013). Thirdly, even with recommendations/vouching, the researcher is pretty much a stranger to most interviewees. Not to mention that she is from a western university, which makes it more suspicious. In conclusion, the aim is to elicit sincere answers and not to make the participants feel uncomfortable. Other efforts, such as using personal connections, to ask only verbal consent, and provide the transcription to the interviewees for double-checking were also adopted.

As can be seen, both the width and depth of the interviews are rarely seen in the literature with similar topics. Though limited, diversity of the interviewees is guaranteed by the various identities of the participants: policymakers in various backgrounds, implementers of different levels and regions, researchers of Internet policies, and transnational businessperson of different industries with businesses of different scales. Furthermore, every participant was promised a deeper, more comprehensive talk; as the research deepened, some even accepted re-interviews with follow-up questions, resulting in full analytic potential of the data. Nonetheless, given the limited number of interviewees, some might still question the validity of this research in general, especially when considering the scale and population of China. Since it is not the primary goal of any qualitative study to generalize, to better

generalize China's Internet censorship policy, online survey, document analysis, and case studies were adopted. It is hoped that the possibly incomprehensive data collected qualitatively and quantitatively would complement each other and further guarantee the reliability and intensity of this study.

### **4.3 Online Survey**

An online survey is commonly seen in social science research for it reaches "participants from a wide (even global) range of locations" (Tsatsou, 2014:185). Qualitative researchers sometimes adopt surveys to obtain attitudes, beliefs, perspectives, or perceptions of participants about certain issues (Harris and Brown, 2010). To acquire the understanding and attitudes of Chinese citizens towards the Internet censorship policy, an online survey was conducted.

#### **4.3.1 Design**

The survey was conducted via the Qualtrics platform using the system of the University of Warwick.<sup>6</sup> Four sections of questions were asked: demographic information, multiple-choice, degree, and specific questions (*cf.* Appendix 5). The participants' demographic information, their habits in using the Internet, preferences of online information, and understanding and attitudes toward policy were collected. These straightforward, user-friendly questions were either multiple choice, rank order, or Likert scale questions.

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<sup>6</sup> The original survey is closed so cannot be seen online. However, if interested, a sample version can be seen in [http://warwick.co1.qualtrics.com/jfe/form/SV\\_1RB3IMYWIIh3X4V](http://warwick.co1.qualtrics.com/jfe/form/SV_1RB3IMYWIIh3X4V). It is the same as the one used when conducting the survey.

The survey was designed with reference to previous studies on China's Internet censorship. Other empirical data, for example, CNNIC's statistic reports and especially questions concerning the demographic information of Chinese netizens, were also referred to.

#### ***4.3.2 Participants and Sampling***

##### **4.3.2.1 Rationale for Selection**

Chinese netizens (Mainland China only) were targeted in the survey. The survey intends to see if different experiences with the Internet would be of relevant consequence to them. By the survey, attitudes of netizens can be seen, hence their satisfaction with the policy.

The survey was conducted online, not only for the advantages such as low cost, speedy data, and higher validity of sensitive data but also for its nature in excluding Internet nonusers (Fowler, 2009).

Responses to certain questions help to classify the netizens into two groups: those with and those without experiences of the uncensored Internet (Table 7). The arrangement was made because previous studies hinted that ignorance of the censored content might influence a netizen's knowledge and attitude toward censorship (Yang and Liu, 2014; Wang and Mark, 2015). The two groups were designated the treatment group [T] and the comparison group [C]. The former refers to those who either bypass the censorship or currently live in regions with access to uncensored Internet or have experiences in using an uncensored Internet for at least a year; the latter consists of those who had no experience with the uncensored Internet. Furthermore, a subgroup with experience in bypassing Internet censorship was selected from the treatment



group. It was assumed their unique experience in moving in between might probably cultivate a timely and different understanding of the censored and uncensored Internet.

**Table 7 Selection of the comparative and treatment group**

The Question	Type of participants	[T]	[C]
	Responses Chosen		
<b>Q5 Do you have experiences living abroad for more than 1 year and with access to the Internet?</b>		Yes	No
<b>Q6 Where do you live now?</b>		Overseas; Hong Kong, Macao and Taiwan regions	Different regions of the Mainland China
<b>Q20 Have you ever bypassed the Internet censorship when in China?</b>		Yes	No

#### 4.3.2.2 Sampling

This survey was conducted from September 2018 to March 2019. Distribution was made mainly by posting the survey on 1) the popular Chinese social media website, Sina Weibo, and 2) the widely adopted Chinese communication App, WeChat. Each IP address/account was restricted to allow only one response, thus preventing repetitive participation.

In view of the sensitivity of the topic and the relatively long time to complete the survey,<sup>7</sup> the feedback rate was extremely low. Although they participated and even returned a result, a great number of participants dropped out midway through the survey. Also, there is no way to accurately determine whether some randomly selected answers without carefully reading the questions. To guarantee the quality of the survey, only feedback satisfying both of the following requirements was considered: 1)

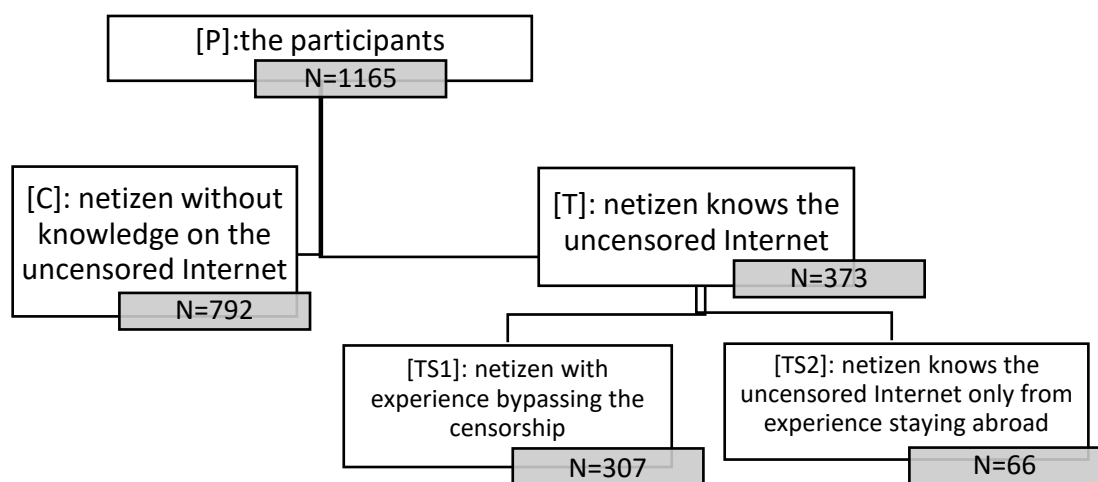
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<sup>7</sup> For younger people, the survey took about 5-10 minutes. However, for over 50s, it was about 10-15 minutes. Some even spent about 20 minutes.

participants spent more than eight minutes on the survey; and 2) over 80% of each questionnaire was completed.

Consequently, feedback from a total of 1,165 participants was valid [P]. Among that total, 792 belonged to the comparison group [C]: people who did not have access to the uncensored Internet; 373 were in the treatment group [T]: people who had/have access to the uncensored Internet, among whom, 307 bypassed censorship in China [TS1]; and 66 had access to the uncensored Internet only from their experiences living abroad [TS2] (Figure 9).

**Figure 9 The survey participants**



#### **4.3.3 Validity and Reliability**

**Pilot test:** Families and friends with different backgrounds (thirty in total) were invited to the pilot test using either the survey online or on paper. To evaluate the validity of the survey, feedback, including time spent, were returned to the researcher.

It was discovered that some of the proper nouns used in the survey, for example, ‘翻墙’ (crossing the wall, which refers to bypassing the censorship), were not as well-known as expected. Some were suspicious about the safety issues regarding their participation. Based on the feedback, explanations for proper nouns were added, and, for reference, an information sheet detailing security issues and solutions was attached at the outset of each survey. Some questions and arrangements were adjusted to ensure that most participants could finish the survey within fifteen minutes.

**Language:** As with the in-depth interview, the questionnaire was designed in English, then translated to Chinese during actual practice. The translation was double-checked as well.

**Research ethics:** At the beginning of each questionnaire, the researcher clearly introduced the nature and objectives of the project. Participants were asked to read the entire information sheet before starting. It was also made clear that the participation was anonymous; the data would not be shared with anyone outside the research, and the participants were free to withdraw at any time. Meanwhile, participants were told at the beginning that sending back the survey means they agree that their feedbacks can be used in this study.

#### ***4.3.4 Difficulties and Counter Strategies***

Firstly, it was difficult to elicit feedback due to the sensitivity of the topic. To counter this, the survey was conducted mostly online. “Given the current institutional and technological constraints in China, a nationally representative survey with stratified sampling will inevitably involve face-to-face interviews, which is problematic for many of the politically sensitive questions in the study about the Chinese government

and political system. An anonymous survey with online respondents is likely to receive more truthful answers” (Huang and Yeh, 2019:624). However, even online, distribution was not without a hitch. For example, the researcher once was ejected from a WeChat chatting group while distributing the survey. In addition to the researcher herself, when a good friend helped to distribute the questionnaire on a WeChat group, he/she received three formal calls from the group, warning about the sensitivity of the topic.

Given the very low sampling, how far can the researcher generalize any findings from these surveys? Although there was no assurance that the sample was representative of Chinese netizens, neither was there any evidence that it was biased. As shown by the survey results, the participants have diverse demographic backgrounds: they are of various age groups, educational backgrounds, and incomes, they are from all walks of life and from all regions across and even outside Mainland China. The demographic features are quite close to those of the general Chinese netizen (Appendix 6), especially in terms of age and occupational dimensions. Therefore, considering that there is no evidence to suggest the reactions of the survey participants were fundamentally different from other Chinese netizens with similar demographic backgrounds, they are representative of the general netizen. Furthermore, on average, the participants were better educated than the average Chinese netizen, hence, their opinions and responses deserve particular attention, because better-educated people have been proved to be more actively involved in politics (Wang and Mark, 2015; Wang, 2018; Huang and Yeh, 2019). Likewise, because the survey is only a part of many methods and is mainly to prove previous findings of netizen’s attitudes to the policy, chances of deviation due to the limited number of participants are low.

#### 4.4 Documents as Sources of Data

Often used in mixed methods research, document analysis is another approach used to further intensify and enrich research findings (Barbour, 2014). Document in this study, includes materials relevant to this study and are well preserved for analysis. They are of five types: laws and regulations, research papers, official documents, mass-media outputs, and information from government websites.

**Laws and regulations** form the legal bases of public policy. Also included for comparison are drafts of laws and regulations and their previous versions before Xi's term. The drafts provide a clearer picture of China's concerns regarding policies.

**Research papers** are studies of China's Internet censorship and Internet governance. Functions of these papers are mainly to help design the interviews and survey questions; in addition, they are used as references to further interpret and intensify the findings.

**Official document** refers to official documents other than the laws and regulations. China's Internet censorship policy attracts wide attention, not only from abroad but also from the Chinese themselves. Satisfying the need of Chinese citizens to acknowledge the policy and thus implement it smoothly, in addition to the laws and regulations, the government released many related official documents. Taking the formation of the ISL as an example, from November 2011 to May 2015, the NPC released documents regularly, detailing every step of the process.<sup>8</sup>

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<sup>8</sup> See details in [http://www.npc.gov.cn/zgrdw/npc/lfzt/rlyw/node\\_27975.htm](http://www.npc.gov.cn/zgrdw/npc/lfzt/rlyw/node_27975.htm) (Accessed 26 December 2018).

**Mass-media output** is information from newspapers, magazines, television programs, and other mass media sources. In this study, such information, like news reports on the efforts of international enterprises to deal with the policy, is included.

**Government websites** such as *the Cyberspace Administration of China (CAC)* websites,<sup>9</sup> are also sources of information. In recent years, to add stability and order to the governing process, China has been working on its system of e-governance, which includes the official website of all the government institutions (Kluver, 2005; Sodhi, 2015). Government websites and the official accounts on social media are of great value for obtaining information about the policy, especially its implementation.

#### 4.5 Case Studies

To better evaluate the policy, the following three cases were selected: 1) a case regarding the regulations of the VPN service (policy process), 2) different choices of two local governments in handling influential negative online incidents (policy programme), and 3) Sina Weibo's (non-government implementer) mis-implementation of the policy for profits (policy programme).

VPN "extends a private network across a public network and enables users to send and receive data across shared or public networks as if their computing devices were directly connected to the private network" (Mason, 2002a:7). The importance of the VPN service to Chinese netizens is not only revealed with reference to related literature but also by the online survey testing their understanding and usage of the VPN service. By exploring, between 2002 and 2017, different legislation directed

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<sup>9</sup> <http://www.cac.gov.cn/> (Accessed 26 December 2018).

toward the VPN service, the intent is to reveal the changing standards of China's VPN legislation. The researcher, during interviews, also discusses the legislation with some policy implementers. Unfortunately, not all of them knew the legislation well. Changes in the legislation reveal that the CPC government struggles to balance, not only the internal and external goals in the policy process but also the voices from the increasing participation of multi-stakeholders as well.

From the perspective of programme dimension, different reactions of two local governments (from Z and H province) when dealing with negative online public opinions and a case of Sina Weibo's practice of improperly censoring an issue of wide public concern (sudden death of actor, Geffrey Gao Yunxiang) are explored to show the differences in policy implementation due to fragmentation between the central government and its policy implementers. While collecting data for the cases, interviews were conducted with involved citizens.<sup>10</sup> Mass-media outputs, such as news reports and the social media accounts of involved citizens are also referred to.

The selection of the above cases follows the requirements of being either typical, extreme, or diverse (Gerring, 2008). The VPN case represents general practices in the process of forming the Chinese Internet censorship policy. Because the Internet censorship policy is a system consists by multiple laws and regulations, to show the change with time, it is appropriate to investigate a typical case. Whereas, for the programme, because there are no detailed and explicit instructions to follow, implementation varies among regions, circumstances, and even individual implementers. Therefore, the selection of cases abides by the requirement of being diverse: both cases of government and non-government implementers are included.

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<sup>10</sup> Except the topic of interviews, process, including the ethical issues of this interview is the same with interviewees discussed in section 4.2.

Lastly, it is hoped also that the contrasting behavior of the two local governments, when facing negative online public opinions, may reveal the extreme conditions of the success and failure of the programme and, therefore, highlight what is involved at both ends of the evaluation spectrum. Sina Weibo's practice of censoring information for profit is a typical case, indicating the critical situation the policy faces after introducing non-government implementers into the programme.

## **4.6 Analysis**

Data analysis is categorized into two types: qualitative and quantitative. The former is obtained from in-depth interviews, document searching, and cases. NVivo is used for thematic analysis. The latter, obtained by an online survey, is analyzed by tools embedded in the Qualtrics platform.

### ***4.6.1 Qualitative Data***

Texts and discourses make their own social meanings in different communities (Hofstede et al., 2010). Patterns exist when the same type of people talk about the same issues. "Through the relations of their discourse structures and rhetorical devices, through the conventional social relations of the actions and events constituted in part by the texts, and through the systems of relations of the thematic-ideational fields of the 'contents' of the texts" (Lemke, 1983:159), thematic analysis identifies, analyses, and interprets patterns of meanings ('themes') within the data (Braun and Clarke, 2006).

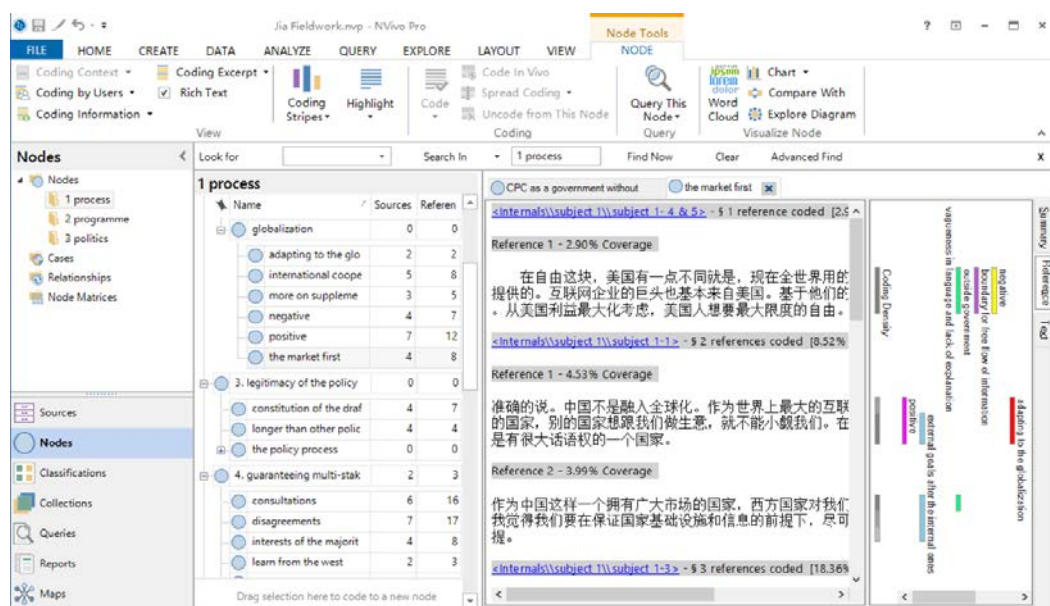
Before becoming familiar with all the data, the researcher immediately transcribed the interviews in the same week of the interview. The immediacy was to 1) improve



interviewing skills and look for sub-questions for the following interviews; 2) send back the transcript to the interviewees for double-checking. After the collection stage, all the data were uploaded into NVivo for analysis.

Themes were generated from codes throughout the data in thematic analysis (Guest et al., 2014; Allan, 2017). In this study, because the evaluation was made in three dimensions, the coding was also made with each dimension. Sources for data in different dimensions are shown in Table 5. The themes of each dimension are determined deductively, but with sub-themes defined inductively. Taking the process dimension as an example, at the early stage of coding, to fit the criteria of the McConnell framework, themes were identified deductively. Namely, the underlying questions were identified. Then, after all the data were coded inclusively under the themes, at the second stage of the coding the researcher identified the reoccurring information aligned with each theme and inductively located it as sub-themes (*cf.* Appendix 7 and Figure 10).

**Figure 10 Example of qualitative data analysis**



#### ***4.6.2 Quantitative Data***

Using the Qualtrics platform, the survey data were analyzed within each group and across all participants. The analysis was made separately in terms of the programme and political dimensions of the policy.

When analyzing the programme of the policy, basic descriptions of understanding, such as know/do not know, or yes/no, were adopted to obtain netizens' understanding and knowledge about the existence and contents of the policy and its implementation. Simultaneously, to study whether a censored Internet had exerted any impact on their online information acquisition, multiple choice and rank order questions were arranged to test netizens' online habits and preferences of information. To obtain the feelings/attitudes of the respondents about the policy, a 5-point-scale and net promoter score were used.

When analyzed within and across the groups, knowledge, online habits, preference for information and attitudes were further examined. Likewise, although the strategy of non-probability sampling was adopted during data collection, to increase reliability, the researcher managed to distribute the survey to as many people of different demographic backgrounds as possible.

#### **Conclusion**

From the perspective of the process, programme, and political dimensions of China's Internet censorship policy, multiple approaches were applied in this study to gather information from different stakeholders to guarantee that the data are thick and rich.

Throughout the design, fieldwork and analyses, efforts were made to ensure validity and reliability. Pilot tests served to reduce the difficulties in the collection of data. During fieldwork, ethical issues were inclusively considered and practiced within the context of China. Because of the sensitivity of the topics and the lack of ethical processes in the social science disciplines in China, consent was asked in multiple forms, where formal signing was not appropriate.

The next three chapters will demonstrate the findings by analyzing the data from the three policy dimensions. With due reason, the Chinese Internet censorship policy, whether a success or a failure or just in between, will be evaluated.

## **PART II DATA, KEY FINDINGS & ANALYSIS**

## **Chapter 5: The Process of China's Internet Censorship Policy**

### **Introduction**

This chapter explores the formation of China's Internet censorship policy. It focuses on each actor's impact throughout the process and answers the questions: 'who is involved in making the policy, and how do they contribute to it?'

At the legal level, China's Internet censorship policy is a system consisting of the main laws and their supplementary legal documents. In addition, the making of different laws and regulations might vary slightly since different legislation has its own conditions/context surrounding it. Thus, it would be more practical to study the process by focusing on detailed legal documents within the system, especially the main laws, and therefore, the ISL was chosen as a focus.

This chapter contains five sections. The first three evaluate the process according to the McConnell framework: whether it preserves goals and policy instruments (a success for the internal goal; between tolerable and conflicted failure for the external one); whether it secures legitimacy (success); and whether it guarantees multi-stakeholder participation without disagreements in the process (tolerable failure). The legislation of the VPN service as a typical case of the process forms the fourth section. The last section seeks reasons for the process failures by tracing the tensions within the responsive authoritarianism, which are divided into: deficient information for policymaking; lack of explanation and propagation; the problem-response approach; and the newness of the policy area.

This chapter tries to answer the following questions:

- How is the policy made?
- Who is involved?
- Are there any disagreement(s)?
- Does the process help in preserving policy goals?
- Is the process a success? What is the degree of the success/failure and why?

## 5.1 Preserving Goals and Policy Instruments

Overall, the ISL process preserves China's internal goal, hence a *success*, but *falls between tolerable and conflicted failure* in its external goal: whenever conflicts arise between the two goals, priority is given to the internal one. It is found that the priority is based on the belief/logic that once the internal goal fails, the external goal would end, and is thus rendered meaningless.

### 5.1.1 Changes and Amendments to the ISL Drafts

To evaluate, it is necessary to understand what the policy has gone through, especially the changes and amendments to the ISL drafts. The ISL was amended twice before it was approved. Significant amendments were made as shown in Table 8.

**Table 8 Comparison between drafts and the final version of the ISL**

Article	Changes	Intention/interpretation
<b>Added in the 2<sup>nd</sup> or 3<sup>rd</sup> versions</b>		
<b>5</b>	The state shall take measures to monitor, defend against and deal with Internet security risks and threats from both inside and outside the territory of the PRC. It is to protect critical information infrastructure from attack, intrusion, interference and damage. Moreover, it punishes illegal criminal activities on the Internet in accordance with the law,	Added in the 2 <sup>nd</sup> version. It emphasizes the responsibilities of the government.

	and maintain cyberspace security and order.	
<b>9</b>	Network operators in business should abide by laws and administrative regulations; respect social morality; observe business ethics; have good faith, comply with the Internet security protection obligation, accept supervision by the government and the public, and undertake social responsibilities.	Added in the 2 <sup>nd</sup> version. What is added are the responsibilities of the service providers if they are to run businesses in China.
<b>13</b>	The state shall support the research and the development of Internet products and services that are conducive to the healthy growth of the minors. It will legally punish the activities that damage the physical and mental health of the minors and provide a safe and healthy Internet environment for the minors.	The 3 <sup>rd</sup> version adds in the healthy and safe online environment for the minors.
<b>17</b>	The state shall boost the construction of a socialized service system for Internet security and encourage relevant enterprises and institutions to provide such security services as Internet security authentication, detection and risk assessment.	The 2 <sup>nd</sup> version delegates power to stakeholders outside the government.
<b>18</b>	The state shall encourage the development of technologies for network data protection and usage; promote the availability of public data resources, technological innovation, and social and economic development.  The state shall support the innovation of Internet security management methods and the application of new network technologies to enhance Internet security protection.	
<b>26</b>	Activities such as Internet security authentication, risk assessment and detection, release Internet security information relating to system bugs, computer viruses, network attack, and network intrusion to the public shall be conducted in accordance with relevant provisions of the state.	The 2 <sup>nd</sup> version repeats the role of the government in supervising the Internet although the power in implementing Internet governance has been given to stakeholders outside the government.
<b>6</b>	When carrying out their Internet security supervision and management duties, if provincial-level or higher-level governments find that relatively large security risks/incidents exist online, they may, according to the provided powers and procedures, conduct face-to-face talks with the statutory representative or the persons in charge of network operators. Network operators shall adopt measures, rectify the situation and eliminate danger according to requirements.	
<b>30</b>	Information obtained by the Internet governance and/or relevant departments when exerting Internet security protection duties, may only be used for the sake of Internet security, and shall never be used for other purposes.	The 3 <sup>rd</sup> version specifies that information from the Internet governance can be used only for protecting the security of the Internet.

<b>46</b>	Individual or organization shall be responsible for the use of the Internet. They shall not establish websites or communication groups to commit fraud, disseminate criminal methods, produce or sell prohibited goods or managed goods, or other such unlawful and criminal activities, nor to use the Internet to disseminate information concerning these behaviours or other such unlawful and criminal activities.	Added in the 3rd version is emphasis on the responsibilities of the individuals and the organizations in their use of the Internet.
<b>62</b>	Those who violate Article 26 of this Law will be ordered to rectify matters and be given a warning by the relevant governmental organizations. Wherever the rectification is refused or where circumstances are grave, a fine of 10.000 Yuan to 100.000 Yuan will be imposed, and the department in control is permitted to order the provisional cessation of business, cessation of business for rectification, closure of websites, cancellation of relevant business permits or revocation of the business license; directly responsible persons in charge and other directly responsible persons are subject to a fine of 5.000 Yuan to 50.000 Yuan.	Added in the 2nd version are the specific penalties for those who violate Article 26.
<b>67</b>	Those who violate Article 46 of this Law without constituting a crime will be detained by public security bodies for five days or less, in addition to a fine between 10.000 to 100.000 Yuan. When violation is serious, violators should be detained for five days or more but less than fifteen days with a fine of 50.000 Yuan or more but less than 500.000 Yuan.  Whenever an institution acts as stipulated in the previous paragraph, public security bodies would impose a fine of 100.000 Yuan or more but less than 500.000 Yuan. Moreover, punishment would go up to personnel directly in charge of the violators and other directly responsible personnel according to the provisions of the previous Paragraph.	Added in the 2nd version are the specific penalties for those who violate Article 46.
<b>71</b>	Acts violating the provisions of this Law will be published and documented into the violators' credit files according to the provisions of relevant laws and regulations.	Added in the 2 <sup>nd</sup> version is the degree of punishment for the violation of the law.
<b>75</b>	Whenever foreign institutions, organizations or individuals are engaged in attacks, intrusions, interference, destruction and other such acts damaging the critical information infrastructure of the PRC and resulting in grave consequences, they will be prosecuted according to the law. The State Council public security and relevant departments have the rights to freeze the assets of said institutions, organizations or individuals, or take other necessary punitive measures.	Added in the 3 <sup>rd</sup> version is the proposal on how to punish overseas organizations and individuals who attack the Chinese Critical Information Infrastructures (CII).



Adaptation in the 2 <sup>nd</sup> or 3 <sup>rd</sup> versions (code: as added or deleted)		
Article	The Adaptation	Changes
3	The state shall lay equal stress on Internet security and information-based development, follow the guidelines of positive use, scientific development, legal management and security guarantee, promote the construction of network infrastructure and <b>interconnection</b> , encourage the innovation and application of network technologies, <b>support the cultivation of Internet security talents</b> , establish and improve the Internet security guarantee system, and enhance the capability to protect Internet security.	The adaptation reflects the need for cultivating the talents and for the interconnection of the infrastructure construction.
12	<p>The state shall protect the rights of citizens, legal persons and other organizations to use the network in accordance with the law; promote the popularity of network access; provide better network services; provide the public with safe and convenient network services and guarantee the orderly and free flow of network information in accordance with the law.</p> <p>Any individual or organization using the Internet shall comply with the Constitution and other laws, follow public order and respect social morality, and shall not endanger Internet security, nor use the Internet to conduct any activity that endangers national security, <b>honor and interest</b>, incite to subvert the state power or overthrow the socialist system, <b>incite to split the country or undermine national unity</b>, advocate terrorism or extremism, propagates ethnic hatred or discrimination, spread violent or pornographic information, fabricate or disseminate false information to disrupt the economic and social order, or infringe upon the reputation, privacy, intellectual property rights or other lawful rights and interests of any other person.</p>	The adaptation reflects the recognition of the potential danger of the Internet to national honour and interest and the unity of the nation.
4	<p>Any individual or organization shall have the right to report the conduct that endangers Internet security to the cyberspace administration, telecommunications department, public security authority, and other departments. The department that receives the report shall handle such a report timely in accordance with the law, or transfer the report to the competent department in time if it falls outside its responsibility.</p> <p><b><u>The government shall keep confidential the information of the informant, and protect the informant's lawful rights and interests.</u></b></p>	The adaptation reflects that the government realizes the importance of personal information (all netizens instead of Chinese only), including the preciseness of it online. Thus, the regulation of the behaviours of the network operators in relation to the netizen's personal information.
41	Network operators should collect and use customers' personal information abiding by the principles of legality, propriety and necessity: <b><u>disclosing their rules for its</u></b>	The change from the

	<p><b>collection and use</b>, explicitly stating the purposes, means and scope for collecting or using information, and obtaining the consent of the person whose data is gathered.</p> <p>Network operators should not gather personal information unrelated to the services they provide. They should not violate the provisions of laws, administrative regulations or bilateral agreements to gather or to use <del>citizen's</del> personal information but follow the provisions of laws, administrative regulations or agreements with users to process personal information they have saved.</p>	<p>“Chinese” to “individuals, persons” also reflects the change in demographic composition: more foreigners are living in China, thus it is a more internationalized country.</p>
42	<p>Network operators must not disclose, distort, or damage <del>Chinese citizens'</del> personal information they collect, without the agreement of the person whose information is collected. <del>Chinese citizens'</del> personal information may not be provided to others. Except those who has been processed in such a manner that it is impossible to distinguish a particular individual and cannot be retraced.</p> <p>Network operators shall adopt technological and other necessary measures to ensure the security of <del>Chinese citizens'</del> personal information collected, and to prevent information leakage, damage or loss. When information leakage, damage or loss occurs, or might occur, they shall promptly take remedial measures, timely notify the users and report to the executive department.</p>	
43	<p>Where an <u>individual</u> <del>Chinese citizens</del> discovers network operators have violated the provisions of laws, administrative regulations or bilateral agreements in collecting or using his/her personal information, he/she has the right to request the network operators to delete their personal information; when it is found that personal information gathered or stored by network operators contains errors, an individual has the right to request the network operators to correct. <u>Network operators are obliged for deletion or correction.</u></p>	
15	<p>The state shall establish and improve the standards of the internet security system. The standardization administrative department of the State Council and other relevant departments of the State Council shall, according to their respective functions, be in charge of its formulation and revision at appropriate time, including national and industry standards relating to Internet security administration and the security of network products, services and operations.</p> <p>The state shall support enterprises, <u>research institutions, institutions of higher learning</u>, and network-related industry organizations in participating in the formulation of</p>	<p>The adaptation reveals that the government realizes that it is beyond the experience of the government institutions and the enterprises to provide Internet security standards. Therefore, more researches are needed from the research institutions and the universities.</p>

	national and industry standards on Internet security. <del>Also, the state encourages enterprises to set up industry standards even stricter than the national ones.</del>	
31	<p>On the basis of the tiered Internet security protection structure, the State emphasizes the protection of critical information infrastructure in important sectors and areas such as <u>public telecommunications and information services, energy, transportation, irrigation, finance, public services, e-government, etc.</u>, as well as other critical information infrastructure, for once destroyed, the internet may either be invalidated or encounter data leaks, gravely endangering the security and the economy of the country, the people's livelihood and the public interest. The concrete scope of the critical information infrastructure and security protection rules are formulated by the State Council.</p> <p><u>The State encourages network operators outside of critical information infrastructure to voluntarily participate in the critical information infrastructure protection system.</u></p>	It reflects that the government understands or is clearer about the sections crucial to national security. The government also distributes the responsibility and offers the opportunity to outsiders capable of participating in solving problems endangering national security.
49	<p>Network operators shall establish network information security complaint and reporting systems, publicly disclosing information such as the methods for making complaints or reports, and promptly accepting and handling complaints and reports relevant to network information security.</p> <p><u>Network operators shall cooperate with Internet regulation and relevant departments in monitoring and investigating works according to the law.</u></p>	It is emphasized that though the power in implementing Internet governance has been given to stakeholders outside the government, these stakeholders are still supervised by the government.
58	<p>Temporary emergency measures, such as restricting network communication in certain regions, may be taken to protect national security and to maintain social order, to respond to serious social security incidents, with the approval or by the decision of the State Council, <del>or provincial-level governments</del><sup>2</sup>.</p>	To withdraw the executive power over the restriction of the Internet reflects that the central government realizes the potential problems if the provincial governments shut down the Internet in cases of emergency.
63	<p>Those who, in violation of the provisions of Article 27 of this Law ... where it does not yet constitute a crime, will have their unlawful income seized by public security bodies, and are subject to five days or less of detention, a fine of <u>50,000 10,000 to 500,000 100,000</u> Yuan may additionally be imposed; where circumstances are relatively grave, they are to be punished by five to fifteen days of detention, and may be additionally be subject to a fine of <u>100,000 50,000</u> Yuan</p>	The revision reflects that previous punishment failed to function its due role. So are the adaptations of Articles 64 and 73.

	<p>to <del>500.000</del> <b><u>1.000.000</u></b> Yuan.</p> <p>Where work units commit acts as is mentioned in the previous paragraph, the public security body is to confiscate the unlawful income, imposes a fine of 100.000 to <b><u>1.000.000</u></b> <del>500.000</del> Yuan, and imposes the directly responsible person in charge and other responsible persons according to the provisions of the previous Paragraph.</p> <p>Individuals violating the provisions of Article 27 of this Law, especially those receiving public order management punishments, are not allowed to engage in Internet security management work or occupy crucial positions in network operations for five years; <b><u>those receiving criminal punishment, may not be engaged in Internet security management work or occupy crucial positions in network operations for the rest of their lives.</u></b></p>	
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Aside from the ISL, changes to the policy were also made in its supplements and supporting measures, among which, some are still on the way of being accomplished.<sup>1</sup> In terms of a complete Internet censorship policy, China still has a long way to go. Taking Articles 12 and 30 (Table 8) as examples, the vague expressions used leave much room for misinterpretation. To address these issues, supplements and supporting measures are urgently needed. As PM-2 said when talking about the scope of information filtering,

Until today, we do not even have a legislation specifying the scope of information filtering in details... Policy implementation is mostly based on the interpretation of the implementer over the policy.

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<sup>1</sup> See details: <http://www.cac.gov.cn/xzfg.htm>. A list of supplements will be provided in Table 13 (cf. 7.2.1.1).

### ***5.1.2 The Internal Goal***

#### **5.1.2.1 Preserving the Internal Goal**

Among major changes and amendments made to the ISL, Article 5 was added to stress the responsibilities of the government while recognizing the potential danger of some online activities to national interests, including the unity of the nation; Article 12 forbids online activities from endangering the national interest, such as incitement to divide the country or undermine national unity. These activities would lead to social unrest. Both articles are directly in line with the preservation of the goal.

Amendments were also on the further delegation of power in Internet governance (Articles 15, 17, 18, 31); and personal information protection by restricting powers of the government (Articles 13, 14, 30, 41, 42, 43). Though seemingly irrelevant, they do help making the ISL more operational, thus gaining sufficient support by making tolerable concessions, and easing the workload of the government. Additionally, what is enforced is the role of the Internet to provide sources of responsiveness through specifying the need for regulating network operators' behaviours (Articles 4, 41, 42, 43); the restriction of the power to execute emergent measures to severe Internet incidents at national level (Article 58); and further specification of the responsibilities of stakeholders accompanying the rights they enjoy (Articles 9, 26, 46, 49), which gains the authorities enough time to deal with potential triggers of social unrest. Meanwhile, Articles 62, 63, 67, 71, and 75 empower policy instruments directly (with increased degree of punishment over behaviours violating the Law) or indirectly (e.g. the cultivation of talents) – all helps to preserve the policy instruments. Worth mentioning is, although amendments to Article 58 withdraw the power to execute emergent measures in relation to severe Internet incidents at the provincial level, thus possibly reducing the efficiency in dealing with such incidents to a certain degree, it

shows the caution the CPC takes in decreasing chances for misconduct at the local level.

#### **5.1.2.2 The Problem-response Approach**

As one of the guiding principles for the ISL process (Lang, 2015), problem-response means that policies should be made to solve existing problems. The strategy is seen not only in the existing literature, but also from the interviews with policymakers (PM), when it was repeatedly emphasized. For example, some mentioned the present severe policy was partially out of worries over the US-developed Internet technologies. Once in need, the US might use them to endanger China's Interests. In response, the researcher asked 'If China had its own Internet techniques, would free Internet be possible?' PM-2 replied: when technology advances, new problems would pop up though they might be less politically relevant. Noted that not just China but the whole world faced similar challenges, PM-6 used e-payment as an example: although China takes the lead in this area, there are still potential problems that may be generated as the Internet develops. For example, online scam.<sup>2</sup> He/she also pointed out that everything online was changing fast. Therefore, most efforts, including that of Internet censorship, should be on responding to problems that pop up.

To explain further, PM-6 mentioned the government's reaction to the Didi Hitch<sup>3</sup> Incident. Didi used to require drivers to register with the company only by uploading their drivers' licenses, after which they could take calls from customers. In August

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<sup>2</sup> As was emphasized in section 2.3.2, in China, online scam is regulated and controlled by multiple laws and regulations, among which, the Internet censorship policy functions to detect, block, or filter related information, or enforce real-name registration to make such crimes more traceable.

<sup>3</sup> Didi (滴滴) is a Chinese private enterprise providing services for taxi hailing, private car hailing, social ride sharing, bike sharing, and food delivery to users via a smart phone application. It occupies most of the shares of businesses in this area.

2018, a girl was raped and killed by a Didi driver, barely three months after a similar case. The girl looked for help from her family after she sensed the danger, and the family immediately called Didi who promised to report to them about where the driver was within an hour. However, for more than two hours the family heard nothing. They called the police, and again, Didi refused to provide any information by saying

You should wait for our feedback.

How do I know if you are the police?

It takes us time to check your identification paper.

Didi even tried to mislead the police by lying, saying that the girl had cancelled her service that day (*Pinganwenzhou*,<sup>4</sup> 2018; Daily Mail, 2018). Aside from the enterprise's protection of its own interests and its irresponsible procedures in examining the qualifications of its drivers, this case exposed the lack of effective connections between the service providers and the police in dealing with such emergencies. After this incident, a supplemental measure was taken: 'ONE-BUTTON-CALL'. It offers customers a channel to call the police by adding a new function to Didi's App, which allows the police to detect the customers' position without Didi's acknowledgement.

PM-6 remarked:

Before the incident, ONE-BUTTON-CALL wouldn't be added even Didi had thought of it, for this involves issues such as the old mindset when facing something new, in terms of the ethics, the law, and the policy, *etc.* Also, even if the measure had been taken, it might be suspected as an improper manipulation of public resources in helping Didi's development.

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<sup>4</sup> *Pinganwenzhou* (平安温州/Safe Wenzhou) is the official account of the Wenzhou (a city in Zhejiang Province) police department on social media websites.

### ***5.1.3 The External Goal***

#### **5.1.3.1 Contradictions between Internal and External Goals**

Information online is various and diverse. Some might facilitate China's involvement into the world economy, others could trigger social chaos (Creemers, 2015). In the case of the Internet censorship policy, there is a tricky balance between social stability and economic prosperity. Hence the question: how to balance the external and the internal goals in the policymaking?

Sensing the possible unequal position, the researcher asked PM participants 'if contradictions existed between the goals.' If they answered *yes*, the followed question was 'the principles used in handling the contradictions.' In case the interviewees did not recognize the sharpness of the contradictions, the researcher would mention the international enterprises in China for follow up questions, for example: 'Did the process take foreign enterprises' worries<sup>5</sup> into consideration', as they contributed much to China's economic growth. The rationale is if the policy exerts negative effects on them, it would naturally hinder China's ability to gain economic benefits.

In answering the questions, some acknowledged directly that there were certain levels of contractions between the goals (PM-1, PM-3, PM-4, PM-5). When facing a choice, priority would always go to maintaining social stability, instead of "bringing more convenience to these enterprises" (PM-6). The logic followed is without inner stability, there would be no room for China to participate in the world economy, let alone gaining benefit from such participation (PM-1, PM-6).

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<sup>5</sup> For example, both the localization of sensitive information and the security review aroused complaints and even defence from major International enterprises (Hu, 2018; Wagner, 2017).



While trying to move into the global market, China also realizes that the Chinese market is highly attractive. To international enterprises, it would be fine if the attraction outweighs the possible losses caused by Internet censorship policy. Therefore, China is increasingly confident in dealing with potential contradictions between internal and external goals. Hence, when asked whether worries of foreign enterprises were considered in the process, some interviewees offered similar but seemingly irrelevant feedback: China has a huge market with enormous benefits waiting to be distilled (PM-1; PM-3; PM-6). To elaborate further, they confidently replied that it was impossible for the foreign/foreign-funded enterprises to ignore or give up their enormous interests in the Chinese market merely because the Internet in China is controlled. Quoted from PM-6,

I am sure that there will still be foreign investments even if there was no VPN in China. The essence of business is seeking profit.

Similarly, PM-3 said, “They are businessmen, they will do the math”.

The claim from PM-1 is worth considering: “To be precise, China is not involved in the world unidirectionally”. What is not said but clearly implied is: as a powerful actor of globalization, China may change the existing rules. Similar feedback was provided by CR-1 when asked to describe the impact of the policy on China’s external goals:

Globalization requires the free flow of various elements. However, there should be a limit to this openness and freedom. The key is what the boundary is. I think it is unnecessary [for China] to copy standards set by the US or any other Western countries. Globalization itself means the equal participation of all. This could be guaranteed only by mutual respect and the integration of standards of different participants.

Stepping into the global market is both an opportunity and a challenge. On the one

side, it brings about the opportunities and resources for development. On the other, inequality in international trades might enlarge the gaps between developed and developing countries (Staggenborg, 2011). As an essential tool for China's involvement in the global market, the Internet also brings with it various ideas/perceptions and cultures which are regarded as invasions that make it harder to maintain the sovereignty, culture, and even identity of the state (Osland, 2003; Skonieczny, 2010; Borcuch et al., 2012). Confrontations between the internal and external goals show China's willingness in joining the global market and enjoying its benefits. Nevertheless, accompanying the rapid development are problems that are internal as well as external (*cf.* 3.5.1). Thus, the CPC worries that even a small accident might trigger devastating social chaos and, in terms of the Internet censorship policy, maintaining social stability is always prioritized over China's economic prosperity. However, when the contradiction is not serious enough to shake the leadership of the CPC, measures exist to balance it. Regulation over the VPN service – discussed further later in this chapter – is a typical case that shows the struggle between the internal and external goals. Once the internal goal maintains, the policy is to support the external goal as much.

#### **5.1.3.2 Preserving the External Goal**

This study shows although there are measures to preserve the external goal, compared with its internal goal, which is achieved with fully 'active' strategies, the external goal is preserved indirectly, by a combination of a 'passive' and an 'active' strategy: it is mainly not to hinder China's international businesses, under the condition that the internal goal is promised.

During the interviews, the researcher asked PMs: ‘What is the impact of this policy on China’s involvement in international trades?’ To stress the possibilities and its criticality, she reviewed with the interviewees China’s efforts in becoming involved in the world economy in recent years through the Internet. To draw them back to the censorship policy, a follow up question was asked: ‘In the process, are there any exceptions to keep China involved and benefiting from such trades?’

Taking the localization of sensitive information as an example: in response to worries (mainly from multi-national enterprises) that the sensitive information kept in China might be stolen, passed on to competitors, or used by the authorities themselves, several Articles were added/amended in the second and the final draft of the ISL to further restrict the power of the government in the collection, use and storage of sensitive information (Table 8). Transitional measures were also taken before and after the law was implemented. Apart from publishing the ISL drafts and their explanations to prompt stakeholders as preparatory measures before the final version, China also waited for six months before the ISL was officially put into practice.<sup>6</sup> Furthermore, at the initial stage, the law was implemented gradually. When talking about the delay of the (full) implementation, PM-2 admitted that it was partially to give different stakeholders, especially foreign enterprises, more time to prepare, comply and thus to better assess their rights and responsibilities.

Such efforts could also be seen in supplements of the ISL. Taking VPN access as an example, both PM-2 and PM-3 mentioned supplements such as the *Notification of the MIIT on the Standardization of the Market for the Internet Access Service* (MIIT, 2017) were issued to clarify that VPN was lawful after being reported and approved by the government, which allowed enterprises in need to circumvent the censorship legally.

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<sup>6</sup> The ISL went public in November 2016 and came into effect in June 2017.

Efforts were also made in other policy areas to decrease the ISL's potential negative effects on external goals. For example, *the Special Administrative Measures (Negative List) on Foreign Investment Access*<sup>7</sup> was shortening overtime to attract more foreign investment. In its 2018 version, for the first time, foreign enterprises were welcomed to take part in some areas of CIIs, for example, agriculture, railways, and new energies (Ministry of Commerce, 2018).

The passive strategy is generated by China's confidence in its market and its understanding of economic globalization: there exists a protocol of economic globalization that should satisfy the needs of all participants on their way to development. These needs derive from their understanding of what economic globalization means. Quoted from CR-1, "It's globalization, not 'Westernization'". The active strategy is due to China's realization of the importance of being involved in the global economy. To exploit the opportunity to boost its economy, China must keep its market open to the world. Therefore, efforts such as the work-related VPN have been legalized. Moreover, other than the economy, the pursuit of political mutual respect was mentioned in international cooperation, as presented in Article 7 of the ISL (*The NPC Standing Committee*, 2016 *The NPC Standing Committee*, 2016). All reveals that China is embracing and benefiting from the global market and is confident over the attraction of its market: the censorship would not scare away stakeholders like international enterprises. However, the policy is becoming more active and flexible regarding global competition, international cooperation, and development in the long run.

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<sup>7</sup> Issued jointly by the National Development and Reform Commission and the Ministry of Commerce,, *the Special Administrative Measures (Negative List) on Foreign Investment Access* is updated annually by listing industries that foreign investors are not allowed (or are restricted) to invest.

## **5.2 Securing Legitimacy**

ISL secures its legitimacy because a policy secures the legitimacy when it is produced through lawful procedures and recognized by different stakeholders (McConnell, 2010b). Additionally, the legitimacy is enhanced also because CPC government secures its basic legitimacy through its responsiveness to society.

### ***5.2.1 Formation of the ISL***

As has been discussed previously, normally, a legitimized Chinese public policy would go through two stages: the initiation and the formal procedures. The latter stage contains five steps: initial drafting; getting on the agenda; getting revision and comment; approval; and finally, interpretation (*cf.* 3.3.2).

In the in-depth interviews, to gauge whether the ISL is legitimized, the researcher asked PM interviewees to describe its formation.<sup>8</sup> Since some also participated in the formation of other policies, the researcher also asked ‘if there was anything unique about the ISL in comparison with other policies.’ The researcher also referred to official statements, related documents, and reports to complete the picture of the whole process.

#### **5.2.1.1 Stage One: Policy Initiation**

Generally, during the first stage, policy ideas came from two sources: the government and researchers/experts outside the government. For the ISL, the policy idea was

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<sup>8</sup> The researcher did not mention the legal procedures of policymaking intentionally in case interviewees unconsciously made the division and skewed the data.

produced almost simultaneously by the government and several researchers through the *Standing Committee of the NPC* (PM-1). The government then passed the idea to the researchers. As the ‘initiation agent’, the researchers were asked to verify the feasibility of the idea. To initiate the policy, the initiator(s)/agents first studied relevant policies from Internet powers such as the European Union. Then, by conducting social investigations, the initiators combined their research with the actual needs of China to judge whether the law was needed. Next the initiation was dispersed to draw attention to and reach consensus with other scholars and governmental officials before it was sent to the NPC, for decisions. It was mentioned that representatives of the stakeholders from all walks of life were asked for suggestions (PM-1; PM-2; PM-3; PM-6; Lang, 2015).

At that point, the initiative had no other purpose than to provide a direction for the policy (PM-1). The idea was first put forward by the *2013-2017 Five-year legislation plan* (Cui and Wang, 2013). And was further studied until the *Annual Legislation Plan 2015* decided to push the plan into its formal procedures (*The NPC Standing Committee*, 2014).

#### **5.2.1.2 Stage Two: Formal Procedures**

##### **Initial Drafting**

The drafters worked within and outside the government, in different departments, at local and central levels. Taking the study’s interviewees as an example, PM-1 is an expert in computer science and Internet policy, PM-2 is an expert in Internet-related legislation, PM-3 and PM-6 are local level officials, while PM-4 and PM-5 are officials at the central level. When it was decided to proceed with crafting the law, the

CAC<sup>9</sup> cooperated with the *Legal Affairs Committee of the NPC Standing Committee*<sup>10</sup>, and jointly they organized and led the drafting group. Several teams worked under the group (PM-1; PM-3; PM-5; PM-6; Lang, 2015). Members of the teams were of three types: scholars, experts, and government officials (local and central). Scholars and experts came from government think tanks, universities and research institutions or China-based Internet enterprises and other stakeholders (scholar-expert-member). Local officials usually had educational backgrounds strictly linked to the policy area and/or had worked in that area for several years. Officials from the central government held determinant powers. Though they all took part in producing the drafts, each had specific duties: scholars, experts and local officials were mainly in charge of drafting, while the central officials directed the drafting and made decisions. This ensured that the draft was operational and that the process was legally valid.

To shoulder its responsibilities, the drafting group was first split into multiple teams through consultations, seminars, and fieldwork to collect information and determine what rights were of greatest concern to the major stakeholders, and to seek balance between the control and the protection of their rights. Consultations were carried out both within the period before drafting and at regular intervals during the year. Before the drafting, several rounds of consultation to related governmental institutions were carried out to see how the law could be made to facilitate the governmental work in Internet governance; operators of critical information systems such as banks, communication and electricity companies were also consulted about how to create the law and to protect and promote the existing systems of them; seminars with major Internet enterprises such as Sina and IBM China were organized to distil their needs and suggestions; and fieldwork was conducted in regions including Beijing, Zhejiang,

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<sup>9</sup> CAC is the SLG guides and supervises the formation of the Internet censorship policy. In programme of the policy, it is also the body that supervises policy implementation and change.

<sup>10</sup> The Legal Affairs Committee is the division responsible for legislative affairs in the *NPC Standing Committee*.

and Guangdong. The drafting group dug deeply into critical issues around Internet censorship. In addition, feedback also came in a continuous stream: schools, think tanks, non-governmental organizations, media, and individuals, during which it was routine that forums with different kinds of stakeholders were regularly held. For example, the annual meeting with online influential individuals (PM-2; PM-6).

While drafting the bill, according to PM-1, priority was given to domestic interests. Once the domestic needs were satisfied, those from the outside would be taken into consideration, such as the interests of foreign enterprises in China and the policies of other countries, to leave room for future international cooperation. With the information collected, the drafting group first came up with the basic ideas and structure, then fed these into the preliminary ISL draft.

### **Getting on the Agenda**

Once on the agenda, the preliminary draft was handed to the CAC and discussed with the SCLAO, the MIIT, and *the Ministry of Public Security* (MPS) consecutively. With feedback from the discussions, the preliminary draft was improved into a consultative draft (Lang, 2015).

### **Revision and Comment**

The consultation draft was then sent to CAC, *the Office of the Central National Security Council*, and more governmental institutions. Further improvements continued before it was presented to *the NPC Standing Committee* for approval (PM-2; PM-3; PM-5; Lang, 2015).

### **Approval**

To approve the law, once in operation, the *NPC Standing Committee* conducted the



reading for ISL three times. The first reading was on 24 June 2015, when Lang (2015), Deputy Director of the *Legal Affairs Committee of the NPC Standing Committee*, introduced the bill at the first meeting of the 15<sup>th</sup> session of the 12<sup>th</sup> *NPC Standing Committee*. On 26 June 2015, group meetings were held to scrutinize the bill. During the meetings, it was commonly agreed that the draft needed further improvement, for it was necessary that more voices should be heard. In addition, very specific knowledge was needed in the legislation of the issue, both legally and technically (Wang, 2015). To make up for deficiencies raised in the first reading, from 6 July to 5 August 2015, the first draft was published for public consultations.<sup>11</sup> Meanwhile, in search of as many opinions from stakeholders as possible, consultations, hearings, forums with experts, scholars, local governments, and major enterprises were held after the first reading (Figure 11).

**Figure 11 Photograph taken during a consultation session (China Law Society, 2015)**



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<sup>11</sup> See details at [http://www.npc.gov.cn/npc/flcazqyj/node\\_8195\\_4.htm](http://www.npc.gov.cn/npc/flcazqyj/node_8195_4.htm) (Accessed 17 December 2018).

One year later, the second reading began. In the first meeting of the 21<sup>st</sup> session of *the 12<sup>th</sup> NPC Standing Committee*, held on 27 June 2016, Deputy Director of *the National People's Congress Law Committee* (NPCLC), Zhang Haiyang, reported the progress of the second draft (Mao and Wang, 2016). According to Zhang, the second draft further stressed the importance of Internet security by strengthening measures of counter Internet attacks in and outside the state; protections over CIIs from attacks and intrusions; and punishments over all criminal activities online (*ibid.*). Accordingly, ten categories of improvements were made (Xiang, 2016). The next day, group meetings were held to discuss the second draft. It was agreed that the draft did not give enough consideration to the rights of the public. For example, the policy should emphasize not only the national safety and development but also the rights and the obligations of individual netizens. Furthermore, it was suggested that measures over online crimes should be tougher (Luo, 2016). To further improve, the second draft was again published for public consultations from 5 July to 4 August 2016.<sup>12</sup>

On 31 October 2016, the NPCLC announced the results of the second reading, thus the third draft was presented at the first session of the 24<sup>th</sup> meeting of *the 12<sup>th</sup> NPC Standing Committee*. The draft not only specified further the scope of CII, strengthened punishments over both online criminal activities and overseas organizations and individuals attacking the Chinese CII, but also added new chapters supporting Internet security-related education, including the protection of psychological and physical well-being of minor netizens (Shen, 2016; Zhu and Li, 2016). On the same day, group sessions were held. Without major disagreements raised, the third draft was proposed to the full house of *the NPC Standing Committee* for a vote. In the final meeting of *the 24<sup>th</sup> session of the 12<sup>th</sup> NPC Standing Committee*, on 7 November 2016, with 154 affirmative votes and one abstention, the ISL was

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<sup>12</sup> See details at [http://www.npc.gov.cn/npc/flcazqyj/node\\_8195\\_3.htm](http://www.npc.gov.cn/npc/flcazqyj/node_8195_3.htm) (Accessed 17 December 2018).

approved. It was announced that the law would be implemented on 1 June 2017.

### **Continuous Improvements (The Interpretation)**

As the bedrock of all Internet security related legislation in China, the ISL experienced improvements even before it was implemented, mostly represented by supplements. PM-5 stated that there were two kinds of supplements: planned and unplanned. The former was scheduled as early as the initial drafting stage of the ISL. The latter was generated to solve unexpected problems when implementing the policy. The regulations defining CIIs mentioned by PM-5 was a case in point: when further specifying the scope of CII in the third draft, the NPCLC appointed *the State Council* to stipulate the specific scope and protective measures in detail (Shen, 2016). By July 2017, the draft *Regulations on the Protection of the Security of CII*<sup>13</sup> was issued and posted online for public consultation (Ip et al., 2017). Ever since the ISL was in practice, improvements continued regularly and intensively through public opinion analysis, regular fieldwork research within and outside the government, performance evaluations and enforcement inspections (PM-1; PM-2; *Chinese Academy of Cyberspace*, 2017).

The popularity of the Internet not only made space for new legislation such as the ISL, it also more or less invalidated existing legislation, especially their legal enforcement on Internet-related issues. Hence, a new task was to make up for inadequacies through amendments and judicial explanations of existing legislations. For instance, Article 246 of *the Criminal Law of the PRC* stipulates:

Those openly insulting others using force or other methods or those fabricating stories to slander others, if the case is serious, are to be

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<sup>13</sup> See <https://www.huntonprivacyblog.com/wp-content/uploads/sites/28/2017/07/Regulations-on-CII-Security-Protection-Comment-DraftEnglish-translation.pdf> (Accessed 18 December 2018).

sentenced to three years or fewer in prison, put under criminal detention or surveillance, or deprived of their political rights (NPC, 1997).

In 2013, *the Supreme People's Court and the Supreme People's Procuratorate* issued *The Interpretation on Several Issues Regarding the Applicable Law in Cases of Using Information Networks to Commit Defamation and Other Such Crimes*. It extended the definition of 'fabricating stories to slander others' to 'behaviours that fabricate/falsify, and (or instigate others to) spread stories online that damage others' reputation'; and specified 'seriousness' as: (1) the same defamatory story is clicked on or browsed more than 5,000 times or is forwarded more than 500 times; (2) causing derangement, self-mutilation, suicide or any other serious consequence to the victim or their family; (3) the person spreading the story is a recidivist and has been punished for similar things within the last two years; and (4) other serious circumstances.

### ***5.2.2 A More Complicated and Time-Consuming Process***

To ensure the legal procedures, the process of the Internet censorship policy was even more complicated and time-consuming than other Chinese public policies. It took four years (2014-2017) before the ISL was finally put into practice. To date, its supplements are still under construction. Taking the parts relating to personal data and their regulations as an example, PM-5 explained that although they were vague in the ISL, the following supplements would make them clearer: in relation to the issue of privacy, the supplement says that data relating to individual privacy is not targeted by the censorship:

Yes, we collect personal data. Nevertheless, this is not to censor any individual netizen. For example, who I am, what I say or do on and offline, or where I go today are nothing important for the government. Data of

1,000 or even 10,000 netizens are also of little importance. However, when the data have accumulated to the extent of representing the persona<sup>14</sup> of the whole society, it becomes critical. For example, data related to travelling. Where I go everyday means nothing to the government. However, the everyday travel data of all the people living in Beijing is of great importance. Once controlled by hostilities, say, someone planning a terrorist attack against Beijing. With the persona showing where and when the crowds would be in detail, can you imagine how destructive the attack would be?

Moreover, the process is not only more complicated and seriously treated, it moves on progressively, for the two stages of policymaking are repeated more than once before it is finally settled. Although the initiation began in 2014, as early as 2002, government-led seminars were already being conducted to discuss the availability of a similar policy (PM-3). At that time, those working in this domain, within and outside the government, were invited to Beijing to discuss the feasibility of an Internet security policy in terms of technology, politics, and economics. The discussion brought about an in-house policy manual implemented within the government. According to PM-3, it can be seen as the origin of the ISL.

### **5.3 Guaranteeing Multi-stakeholder Participation Without Disagreements in the Process**

In the ISL process, great importance is given to multi-stakeholder participation.

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<sup>14</sup> Personas were originally used in marketing to represent a group or segment of customers so that the company can focus its efforts on making popular products (Jansen et al., 2017). For this study, personas within society can be pieced together to show details about how the country functions – if controlled by hostile forces, they could have catastrophic results.

Nevertheless, different stakeholders were of differing importance, and disagreements still exist. As the policy fails to satisfy the needs of all, its process is a *tolerable failure*.

### 5.3.1 Participation of Multi-stakeholders

#### 5.3.1.1 Non-governmental Stakeholders

Major ISL non-governmental stakeholders include China-based netizens, research institutions and think tanks, and interest groups such as Chinese and international enterprises or business and industry associations in the area.

To find out whether and how they participated in the process, the question asked during the interviews was: ‘are voices outside the government heard and taken into consideration in the policy process?’ If *yes*, considering the government’s limited responsiveness, the follow-up questions were: ‘when and how are their voices heard? How much weight is given to their demands/interest in the formation of the policy?’

It was found that non-government stakeholder participation can be observed throughout the whole process. Table 9 highlights the time and channels of participation before the draft was sent to *the NPC Standing Committee*.

**Table 9 Non-government stakeholder’s channels for participations in the ISL process**

Stage	Channel for Participation	Source
<b>Policy initiation</b>	To demonstrate the feasibility of the policy idea, researchers would conduct social investigations when opinions and needs of all stakeholders were heard and considered <i>etc.</i>	PM-1, PM-2

<b>Initial drafting</b>	Those referred to were the drafting group whose members were of various backgrounds; consultations; seminars; fieldwork, annual meetings with online influential individuals. Policies from other countries were also referred to.	PM-1; PM-5; PM-6; Lang, 2015
<b>Approval</b>	Two rounds of public consultation; other consultations, hearings, forums, and the CPC Standing Committee sessions etc.	PM-2, Lang, 2015; Wang, 2015; Luo, 2016
<b>Continuous Improvements</b>	The establishment of the supplements, implementation examinations etc.	PM-1; PM-2; PM-3; Zhou, 2016b; Shen, 2016

The best illustration of non-government stakeholders' involvement are the two public consultations in the approval stage. They attracted attention worldwide and received over 100,000 feedback and suggestions from netizens, enterprises, non-governmental organizations, Chinese officials, and even officials of other nations (PM-2):

I am sure the Chinese government has never participated in the policy process of other nations. However, in the ISL's process, Western industrial organizations, associations, companies, and even governments and officials all participated through our public consultation... That is why it takes us so long to put the ISL into practice. We were struggling during the years to study different voices, trying to balance and satisfy as much as possible all kinds of interests within the scope of our national interest.

PM-2 then mentioned the process of German *Information and Communication Services Act* (IUKDG)<sup>15</sup> in terms of the feedback collected: 30 opinions and suggestions were collected and presented by local senators. Before this, anyone could make suggestions. When similar suggestions accumulated to a certain level, the senators would sort them and pass them along to the next level up. In PM-2's opinion,

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<sup>15</sup> The German IUKDG represents the first piece of legislation related to Internet governance worldwide. For the content of the act, see <http://www.jus.unitn.it/users/pascuzzi/privcomp97-98/documento/firma/de/iukdgebt.html>

China's consultations have the similar function as the German model: even without a local senator, anyone could feedback via the consultation system.

#### **5.3.1.2 Confrontations inside the Government**

Unlike democratic nations with different parties competing for the ruling position, confrontations within the Chinese government derive from the obligations of its two levels of governance, both horizontally and vertically.

Horizontally, each department has its own unique responsibility, thus has its own 'interest' in terms of a better way of doing its work – contradictions occur among competing departmental obligations. This can be seen from the constant in-government consultations and negotiations in the ISL process (PM-2; PM-3; PM-5; PM-6; Lang, 2015).

Vertically, the structural fragmentation between the central and local governments (*cf.* 3.3.3) leads to confrontations. The central government focuses more on the preservation of – more abstract – policy goals, while the local governments prioritize easy governance. Moreover, local governments protect the interests of the area they govern and sometimes even their personal interests, such as promotions. Hence, lower-level officials would sometimes modify their messages when communicating to their higher-level officials in the process (PM-3; Liu et al., 2018).

#### **5.3.1.3 Power Reduction among Stakeholders**

Power was unevenly distributed among stakeholders when forming the ISL.



*Stakeholders inside are more important than those outside the government.* The government stakeholders take a larger share and the lead. For example, during the process there were more in-government consultations before the drafting. Meanwhile, the public consultation was not as well-known as expected. According to the survey conducted (Q18), less than half of those surveyed (33%) knew that the ISL had been online for public consultation before its official delivery.

*Inside the government, higher-level government stakeholders, especially those from the central government have more say than those from the lower-level governments, especially those at the local level.* A typical example is the division of labour between semi-members (local level officials) and official-members (central level officials) in the ISL drafting team: the former were to create the document under the guidance and supervision of the latter. As observed by Araral and Amri (2016), local governments had limited roles to play in the process of China's public policy.

*Outside the government, priority is given to Chinese stakeholders rather than their foreign counterparts.* For example, between Chinese and foreign enterprises, special channels were established for the normalization of communication between major Chinese Internet enterprises and the government. A typical case is *the China Network Social Organization Federation* which sets up a strong tie between Chinese enterprises and the government. It is established jointly by 300 Chinese Internet enterprises and associations. Moreover, in recent years, Chinese entrepreneurs have begun to participate in direct policymaking themselves: the pioneering figures of the industry such as Ma Huateng, CEO of Tencent, Robin Li, CEO of Baidu, and Zhou Weihong, CEO of 360 are members of either the NPC or the Chinese People's Political Consultative Conference with the right to generate bills and vote for policies such as the ISL.

*Among foreign stakeholders, power reductions also exist in terms of the stakeholder's connection to the policy.* For example, between international enterprises having business in China and foreign government and officials, although China accepted advice from both groups, no evidence showed that China actively asked for feedback from the latter. But it did consult with major China based international enterprises.

### **5.3.2 Feedback from the Stakeholders**

#### **5.3.2.1 Disagreement inside the Government**

Departments within the government may disagree with each other due to their given duties. For example, at the central level, *the Publicity Department of the CPC Central Committee*<sup>16</sup> (PDCPCCC) and the MIIT disagreed with each other on whether to use version 4 or version 6 of the Internet Protocol (IP).<sup>17</sup> The problem originated from the dilemma the Chinese government faced. As a latecomer to the Internet, China did not have a say on the use of IPv4 as it was already under the US monopoly. The situation was different with IPv6, as it was still new. There was an opportunity to be an 'early bird', as was the vision of the MIIT. However, without core technologies, current measures in Internet censorship such as *the Great Firewall* would become invalid with IPv6. Therefore, when related policies were created, to guarantee control over the Internet, the PDCPCCC insisted that China should stay in the IPv4 (PM-3).

To satisfy different government stakeholders, except for consultations and

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<sup>16</sup> PDCPCCC is an internal division of the CPC in charge of ideology-related work and its information dissemination system (Brady, 2008).

<sup>17</sup> The Internet Protocol is the principal communications protocol in the Internet protocol suite for relaying data grams across network boundaries. Its routing function enables Internet working, and essentially establishes the Internet. Currently, the dominant Internet working protocol in use is its 4<sup>th</sup> version (IPv4) and its successor is IPv6. See details at <https://www.sciencedirect.com/topics/computer-science/internet-protocol> (Accessed 12 January 2019).

negotiations during the process, there were also other channels for opinions and demands of stakeholders before and even after the process (PM-5; PM-6). For instance, in dealing with confrontations aroused by the structural fragmentation between the central and local level governments, PM-6 mentioned that there was an annual forum for cadres of Internet regulations around the nation. Apart from exchanging experiences and solutions to problems faced, the forum was for negotiation and compromise, thus forming a bridge connecting the central and local governments.

### **5.3.2.2 Disagreements outside the Government**

Disagreements outside the government were obvious. Anytime and anywhere disagreements could be sensed when asked to describe non-government stakeholders' participation during the process. For example, both PM-2 and PM-3 remembered being questioned by representatives of enterprises or citizens when doing fieldwork for the draft. PM-3 even joked that he/she would not participate in the policymaking again if the ISL was to be amended in the future, for it was so hard to settle disagreements.

Major opposition mostly came from Western-based stakeholders. For example, in June 2016, Premier Li Keqiang received a joint letter signed by over 50 transnational enterprises from the UK, US, German and Japan and others, worrying that the ISL might impede foreign entry and investment. PM-5 shared another dispute over the ISL:

We never forbid the transmission of information across the border. What the ISL requires is 'the ordered, free flow of information under the law'. However, what Western stakeholders want is the free flow of data without any limitations. That is impossible.

It reminds the researcher of the interviews when very often mentioned were the disagreements from misunderstandings/misinterpretations of the policy, because of the vague language of ISL. Wagner's (2017) interpretation of the ISL are good examples to test the assumption. To Wagner (2017), the vague provisions such as Article 9<sup>18</sup> of the ISL, and the undefined concepts like "national security" and "public interest" all aim to increase the government's power in data access to eliminate political risks to the CPC. While security checks over Internet products can be "initiated at the request of the government or trade associations, meaning domestic competitors could request spot-checks on foreign firms" (para. 1).

The researcher discussed with PM-1 and PM-2 to verify whether the worries came from misinterpretation. Both interviewees confirmed it for priority in data localization was to protect data related to the government and the persona of the whole society while security checks were placed on all products, including Chinese enterprises' (Table 10).

**Table 10 Tests of Wagner's (2017) worries**

Ref.	Message
PM-1	<p><b>Researcher: So, the localization of personal data is to protect the rights of the netizen, instead of collecting their data for the purpose of investigating them at the government's will?</b></p> <p>PM-1: Of course. Data protected are firstly those arising from governmental management and secondly the netizen's personal information. Thus, data security entails the security of the rights and interests of the people. They are bound closely.</p>
PM-2	<p><b>Researcher: Does the product security check treat enterprises within and outside China equally?</b></p> <p>PM-2: [I admit] we do not explain the policy enough. Hence some foreign enterprises would misunderstand the security check as targeting at them only. In fact, we do treat all</p>

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<sup>18</sup> Article 9 reads: Network operators... must obey social norms and commercial ethics, be honest and credible, and perform obligations to protect, accept supervision from the government and the public, and bear social responsibility.

	enterprises equally. Personally, I think we [the government] are the ones to blame for not explaining in time, thus causing more misunderstandings.
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Opposition was also generated for other reasons. A case worth mentioning was a letter to Xi Jinping in 2016. Seventy-eight well-known Chinese academics submitted a joint letter regarding unblocking the Internet in academic domains. They claimed that Internet censorship hindered academic communication and sharing of achievements, thus slowing down the scientific development of China (Xiao, 2016).

### 5.3.2.3 The Overall Agreement

Seen from the intermediations between the stakeholders, the process gained more support than disagreement as it “promised the rights of the majority” (PM-1; PM-2; PM-6).

PM-3 framed the overall agreement to the censorship policy within the status quo of the Chinese majority: in the last few years, with the rising living standards, the Chinese, especially those at the bottom, were convinced that China was well developed. Such a mindset echoed that of the people in the Qing Dynasty when *the Hundred Days’ Reform*<sup>19</sup> took place.

The question asked at that time was: Why reform? We are already the ‘Celestial Empire’. Today, you hear the Chinese ask similar questions over the uncensored Internet. Some activists, or people like you, who have studied abroad, might agree with an uncensored Internet. However, for the majority, especially those at the bottom, the current Internet is more than good enough for them. It is the very means that they talk to their

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<sup>19</sup> In response to weaknesses exposed in the First Sino-Japanese War, the *Hundred Days’ Reform* was a failed 103-day national, cultural, political, and educational reform movement in the late Qing dynasty.

families in the rural mountainous areas far away. The very means they make themselves known to the public as small potatoes of society. As for the uncensored Internet? What do you mean? What is it? Is this more important than the stable and peaceful life I have? (PM-3)

Stakeholders in the process were fighting for certain rights and interests. Data revealed that the interests (needs) existed on three levels: at the bottom were the general ones everyone should enjoy, for example, a safe and stable society; above the bottom were group needs. Divisions for groups varied between geographic locations, state or private-owned or international enterprises, living standards, social status, and occupation, *etc.* Taking international companies as an example, one of the needs was to reduce costs in data transfer: they preferred to store data directly in their own places instead of China. The third level concerned individual needs, for instance, some demand online discussion about certain topics, some demand up-to-date information in their domains, others demand entertainment. The three-level of needs may sometimes conflict: personal needs; needs of a small group and those of the majority in a society.

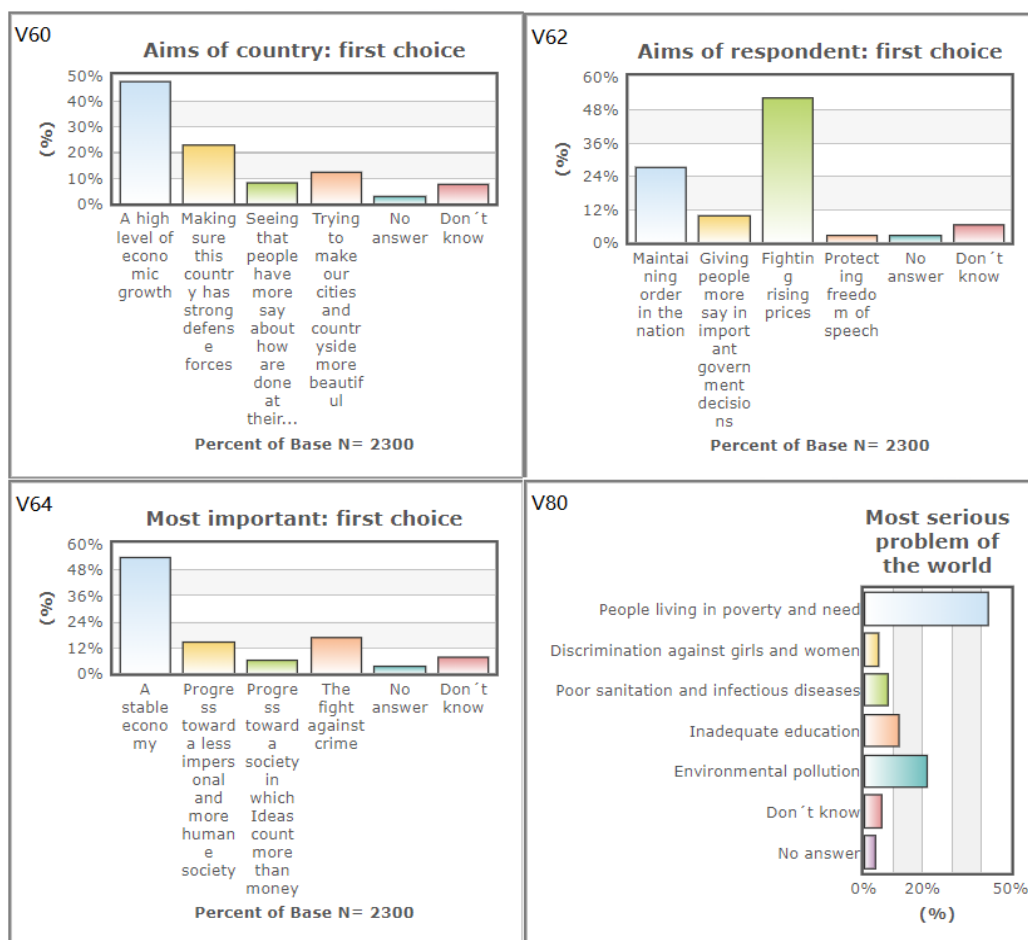
For the government – as emphasised by PM interviewees – the process aimed to protect the rights and interests of the majority and hence to maintain the smooth operation of society. Alongside data from the interviews, *the 2014 World Value Survey*<sup>20</sup> on China also showed that most Chinese citizens considered a stable social environment and the economic growth as their aims (Figure 12). It was also recorded that 47.2% of participants chose as aims: “A high level of economic growth”; 22.8%, “Making sure this country has strong defence forces”, and only 7.9%, “to have more say in work and life” (Inglehart et al., 2014, V60). Answers to a similar question: “what

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<sup>20</sup> See details of the project at <http://www.worldvaluessurvey.org/WVSContents.jsp> (Accessed 25 August 2018).

is the most important thing in life” revealed 27.2% chose “maintaining order in the nation”, while only 2.5% opted for “protecting the freedom of speech” (*ibid.*, V62), the least chosen one. The survey further verified this mindset among the Chinese worldview: 42.5% of Chinese regarded “people living in poverty and need” as the most serious problem the world faces.

**Figure 12 Results of the 2014 World Value Survey on China (Inglehart et al., 2014)**



**Questions:**

**V60:** People sometimes talk about what the aims of this country should be for the next 10 years. On this card are listed some of the goals which different people would give top priority. Would you please say which one of these you consider the most important?

**V62:** If you had to choose, which one of the things on this card would you say is the most important?

**V64:** Here is another list. In your opinion, which one of these is most important?

**V80:** I am going to read out some problems. Please indicate which of the following problems you consider the most serious one for the world as a whole?

The reason behind the practice of encouraging multi-stakeholder participation in the process was to get to know the needs of the majority (*ibid.*). Consequently, if contradictions arose, priority would go to a stable society, the essential condition for further development. As a result, the needs of the minority, such as the costs of international enterprises and the freedom to discuss some topics online, were to be sacrificed if necessary.

#### **5.4 A Case Study: China's Regulation on the VPN Service**

Echoing the evaluations above, legislation on the VPN service is a typical case revealing efforts made in making the process a success: during the process, China not only manages to balance between the internal and external goals and guarantees legitimacy, but also involves participation of multiple stakeholders.

As part of China's Internet censorship policy, the regulation of VPN service is composed of a series of legal documents (*The State Council*, 2000a, 2000b; *the Ministry of Information Industry*<sup>21</sup>, 2003, 2004, 2006; MIIT, 2016, 2017). On the one hand, the VPN service is legally allowed. On the other hand, with the internal goal prioritized in principle, the service is controlled so that its use comes with preconditions. Only authorized enterprises, organizations and individuals were entitled to provide VPN services in China, and the service must be carried out through *the Bureaus of International Communications Gateway Exchanges* (MITT, 2017). Also, qualified operators should report to the authority when new services are to be provided (*the Ministry of Information Industry*, 2002). Although not specified in the legislation, according to PM-2 and PM-3, for netizens, a VPN is applicable legally

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<sup>21</sup> Predecessor of MIIT that existed from 1998 to 2008.



only if it applies to and is permitted by the government. As the researcher knows, other than enterprises with international businesses, most universities in China are permitted to use VPNs for academic purposes.

The legalization of VPNs moved forward gradually. It started with Article 17 of *the Telecommunications Regulations of the PRC* (The State Council, 2000a), stipulating that “Major telecommunications operators shall not reject interconnection requests from other telecommunications operators and private network operators”. In 2002, Article 19 of *the Procedures on The Administration of Bureaus of International Communications Gateway Exchanges* (the Ministry of Information Industry, 2002) allowed the commercialization of VPN services. Then, under *the Notification on Organizing the Commercial Trial of Three Telecommunications Services, Such as Domestic Multi-party Communication* (the Ministry of Information Industry, 2003) and *Notification on the Continue of The Commercial Trial of Three Telecommunications Services, Such as Domestic Multi-party Communication* (the Ministry of Information Industry, 2004), the trial on the commercialization of the VPN service was conducted from August 2003 to August 2005. After that, in January 2006, with the release of *the Notification on the Two Telecommunications Services and Domestic Multi-Party Communication* (the Ministry of Information Industry, 2006), VPN services were legalized and commercialized in China.

Over time, it has become harder to find comprehensive information on the processes of documents from the early 2000s. However, according to PM-2 and PM-3, *the Notification of the MIIT on the Standardization of the Market for the Internet Access Service* (MIIT, 2017) was achieved with the participation of stakeholders within and outside the government. Unlike the ISL, it was only a departmental regulation from the MIIT. Therefore, it was drafted and passed by the MIIT only. However, even

without online public consultation and the three readings by *the NPC Standing Committee*, a similar process was undertaken when stakeholders outside the government were consulted and fieldwork was conducted beforehand. While for stakeholders inside the government, suggestions from different departments and government at different levels were also sorted. The MIIT even held meetings with different stakeholders to explain its purpose, targets, and work arrangements. Later, in a press conference the MIIT chief engineer specified that the notice and the measures would not affect the normal operation of foreign trade enterprises and multinational enterprises, but to better regulate the behaviour of China's VPN market:

We will only target unregistered businesses and individuals providing VPN services for cross-border use... (for unregistered providers) lack sufficient protection (and) will be huge risks for VPN users (Xinhua, 2017a).

## **5.5 Reasons for the Process Failure**

Failure in the process can be traced to the tensions within the responsive authoritarian system in terms of the deficit of information for policymaking, the lack of explanation/propagation, the problem-response (reactive) approach, and the newness of the policy area.

### ***5.5.1 Deficient Information within a Top-down Authoritarian Structure***

#### **5.5.1.1 The Tension**

The primary factor causing the failures is the deficit of information for policymaking. That is, facts from the bottom are not sufficiently transferred to the decision makers.

Such an inadequacy is of two types. First, the lack of a commonly known and legitimized platform to transmit multiple stakeholders' voices. Second, out of personal/local/departmental interests, lower-level officials might ignore problems or beautify realities.

The absence of a commonly known and legitimized platform for multi-stakeholder voices is the natural result of China's limited civil society: the responsiveness is only oriented towards earning CPC the minimum legitimacy (*cf.* 3.1.1). To illustrate this, we return to the interview with PM-2 who compared the ISL with the German IUKDG (Table 11). It was obvious that the vitality of the two civil societies differed a lot: the German one was vibrant and generated full participation in the IUKDG process from bottom to top. Although only 30 opinions and suggestions were presented, collected level by level, they included suggestions by as many stakeholders as possible and were highly detailed. The approach represented multi-stakeholder participation under a typical civil society of democratic systems, for the 30 bottom-up items were crystalized. While for the ISL, although there were 100,000 or more, one can hardly say the bigger the number of responses, the more representative they are. Chinese civil society is active but not vibrant, one could hardly guarantee all stakeholders were included by the groups that exerted influence on policymaking. This might partly explain why the Chinese seemed to have less interest in political participation when compared to the Germans (Inglehart et al., 2014, V84). For example, even among those surveyed by this project, which only took a tiny part of the Chinese population, less than half knew about the consultation mechanism. Not to mention respondents were also more likely to be better educated and thus more passionate about political participation than the greater population (*cf.* 4.3.4).

**Table 11 Comparison between the two legislations**

	<b>The ISL</b>	<b>The IUKDG</b>
<b>Political operation</b>	Top-down	Bottom-up
<b>No. of suggestions</b>	Over 100,000	Around 30
<b>Channels for participation</b>	Social research, fieldwork, public opinion solicitations on and offline, direct consultations and forums with different stakeholders, etc.	Collected and sorted by local level senators
<b>Public sense of political participation</b>	Weak	Strong

The deficiency also comes from lower-level officials' ignorance or modification of the facts. The tendency is the result of the promotion mechanism: Chinese officials are promoted by their superiors based on their performances (*cf.* 3.1.1.3). First, since many opinions and suggestions are collected by lower-level governments,<sup>22</sup> where fragmentations exist between the local and the CPC government (*cf.* 3.3.3), such a practice leaves room for local governments/officials to manipulate reality either to reduce their workloads or to beautify their performances. Moreover, even without the tendency, limited by personal experiences, information transformed level-by-level may not be identical. Even with slight misinterpretation, level by level, information would be distorted greatly when it reaches the supreme, making it difficult for the decision makers to generate a comprehensive policy. Also, the unequal distribution of power among stakeholders should not be lightened for power decreased level by level among stakeholders. Government stakeholders are more important to the process than those outside the government. As such, feedback from local governments with the intention of easing the implementation carries more weight than voices from non-government stakeholders, who are the real targets of the policy. The results embarrass the CPC government. To maintain legitimacy, it must satisfy the people, but distorted

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<sup>22</sup> Firstly, local level officials are members of the initial team. Then, while doing fieldwork for the formation of the policy, most is carried out locally as it needs cooperation from local governments.

information twists the intention and efforts.

To remedy possible negative effects, efforts were made, such as to engage scholar-expert-members and semi-members into the drafting group; solicit public opinions; and consult directly with different stakeholders. Nonetheless, strictly speaking, voices from various stakeholders, especially those outside the government, are still filtered. Although not obvious now, as time passes the negative effect accumulates: once the policy fails to comprehensively preserve the rights of the majority, it damages the responsiveness and gradually erodes the legitimacy.

#### **5.5.1.2 Source: Eligibility of Top-down Governance**

Whether responsive or not, China is authoritarian in nature, hence governs with a top-down model, under which the public tends to respect and obey authority and does not take public political participation for granted. Or more precisely, inherited from the traditional state-society relations in China's political culture, both the Chinese and the CPC government, are not yet accustomed to political participation.

As noted, the Chinese state is seen as a ubiquitous 'father'. On the one hand, it distances the state from the people, thus the moral criteria of being solid with its virtue and suitability, which is crucial for the state to hold onto its absolute power. Meanwhile it contains a hidden contract: the state must be respected and obeyed when and only when it satisfies the needs of the people: a typical mode akin to the small-farmer economy, which has long been the economic base of China. In an agricultural society, farmers depend on an authority to provide armed protection and the large works of defence against the nomadic tribes (Fei, 1988:181-182). In exchange, farmers are

willing to worship and obey and thus be ruled by the government. Traces can be found, for example, from the relics of *The Great Wall*.

Roots of such a state-public relation are extraordinarily deep. Most Chinese are still accustomed to trusting and following the government. And the government is still not accustomed to listening to the public. Hence a suppressed Chinese civil society for those from outside, is of its own soil. To the Chinese, it is a way of life: the Chinese are used to following and appealing to the authorities if needed. Thus, although recent years have seen the establishment of procedures with a democratic mindset – for example, the hearing system, which started in 1996 (The NPC, 1996), in practice, the government consult more from those within the government, and many Chinese do not know about the system, or even if they knew, they do not care so much about it, as in shown in the survey (Q18, Q18-1). As is borrowed /learned instead of having naturally evolved in democratic nations, it will take time before the hearing system is assimilated into the Chinese philosophy of governance, within which it is the authority who decides. With its cultural heritage, there is still a gap between what is established as a form and the awareness of the Chinese of its existence and function, let alone the basic knowledge about how to use it. Hence, you can lead a horse to water, but you can never make it drink: it is harder to cultivate the Chinese to use the form for active political participation overnight. Therefore, on the surface, the Chinese are less active in political participation and live quite comfortably without a commonly known and legitimized channel for articulating ‘multiple’ voices.

### ***5.5.2 Lack of Explanation and Propagation***

#### **5.5.2.1 The Tension**

China’s governance is often run opaquely, which may generate misinterpretations, thus

policy failure in the process. Such a deficiency is more fatal when the CPC intends to show its responsiveness by inviting multi-stakeholders into the process. A vague policy without sufficient explanations and propagation is not ‘user-friendly’, especially for stakeholders outside the government, let alone international enterprises with limited knowledge of the Chinese system and culture.

If compared with, for example, the British *National Internet security Strategy 2016-2021*, the ISL is featured by vague expressions with no specific measures for implementation. Also published in 2016, the *National Internet security Strategy 2016-2021* put forward its implementation plan with detailed wording, such as

the UK will always have political control over those cryptographic capabilities vital to our national security and, therefore, the means to protect UK secrets (*HM Government*, 2016:51).

Further, each objective is followed with approaches such as to:

Select the means that allow us to share information effectively with our allies and ensure that trusted information and information systems are available, when and where required. Working closely with other government departments and agencies, GCHQ and MOD will together define sovereign requirements, and how best to meet those requirements when suppliers must be domestic. This will be delivered through a new joint framework for determining requirements for operational advantage and freedom of action (*HM Government*, 2016:52).

In contrast, China’s ISL was delivered with only one sentence elaborating on the purposes, without any other information as to who, when, where, how and to what extent its purposes could be achieved:

This Law is developed for the purposes of guaranteeing Internet security,

safeguarding cyberspace sovereignty, national security, and public interest, protecting the lawful rights and interests of citizens, legal persons, and other organizations, and promoting the sound development of economic and social informatization (*The NPC Standing Committee*, 2016, Article 1).

China has also done little to propagate its policy. For example, as a policy with international enterprises as one of its main stakeholders, the researcher was unable to find an official English version, two years after it was published. The unofficial translations are full of language mistakes and even misinterpretations. Comparatively, UK's *National Internet security Strategy 2016-2021* has been published in seven languages.<sup>23</sup>

Chinese legislation is often vague and is not widespread for three reasons: to intentionally leave room to “allow for wide variation in application” (Corne, 2002:374); with the traditional state-society relation that the people are to obey and to follow, it is unnecessary for the ruler to explain its operations to the public; and, China is a nation with a high-context culture, which is implicit in communication and relies heavily on context (*cf.* 3.1.1.4). Research shows that the cognitive process – “the ways people know the world” (Nisbett et al., 2001:291) – is cultivated by the divergence of cultures and the differences in social systems (Wundt, 1916; Shweder, 1991; Nisbett et al., 2001; Nisbett and Norenzayan, 2002). Therefore, differences exist between nations with different cultures. Communication in China relies more on the context, hence implicit and holistic instead of explicit and analytic. (Hall, 1976; Ross, 1977; Nisbett et al., 2001). Comparatively speaking, people with lower-context culture, for example,

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<sup>23</sup> See <https://www.gov.uk/government/publications/national-cyber-security-strategy-2016-to-2021> (Accessed 27 December 2018).



the Britons, would provide mass and detailed information in the explicit code, while for those with high-context culture, “little has to be said or written because most information is either in the physical environment or supposed to be known by the persons involved, while very little is in the coded, explicit part of the message” (Hofstede et al., 2010:109).

Nevertheless, things are changing. With China’s involvement in the globalizing world, international demands cannot be avoided when China communicates with nations of lower-context cultures. Moreover, demand also rises inside China in terms of Internet governance, for there is a lack of experience in how to handle it properly since it transmits information with a way never experienced in terms of speed and scope. Therefore, continuous supplements after the ISL have been issued. It is time for the CPC to explain the policy to both its people and the world, if not make the policy more explicit.

China has always known about its distance from other advanced countries, among which, the lack of propagation/explanation of its policy is included. Therefore, in the making of the ISL, relevant policies from the major Internet powers were studied. Different actions were taken in broadcasting and explaining its own ideas about Internet governance: publicizing Internet police and open public accounts on social media to interact with the public; holding annual *World Internet Conference*; and increasing the number of supplements when required. However, China is still struggling to figure out how to make up with a better and more effective way in making its policy more understandable. For example, the newly enacted *Provisions on the Governance of the Online Information Content Ecosystem* (The CAC, 2019a, enacted 1 March 2020) details the ISL and provides the implementers with more references to follow, especially in defining the target groups and in tailoring content restrictions.

Nonetheless, as per *China Law Translate*'s (2020) critique, it reads like something “trying to articulate clear rules for the student paper... (but) would really prefer to just say ‘stop all the bad stuff, do more good stuff’” (The New Rules, para. 2).

#### **5.5.2.2 Source: Inability to Recognize Divergence in the Cognitive Process**

This study finds that both the lack of propagation and the difficulty in explaining the policy are generated from the inability to recognize the divergence (or at least how divergent it is) in the cognitive process between China and the rest of the world.

As is the case that international intercultural competence – the capacity to interpret the meanings of culturally different societies – is generally weak (*United Nations Educational, Scientific, and Cultural Organization*, 2013), the impact is felt in the interviews with PM-4 and PM-5. They were co-workers, of similar age, both highly educated, and became civil servants immediately after graduation. The only difference was that PM-5 was educated in UK<sup>24</sup> while PM-4 had no experience of living abroad. In their cases, when discussing the deficiency (vagueness and lack of propagation) of the policy, the researcher randomly selected three words: safety, reliability and stability (安全性, 可靠性, 稳定性) from a ISL supplement familiar to PM-4 and asked ‘Could you explain immediately the exact meaning of safety, reliability and stability? How do you measure if a legislation is safe, reliable and steady?’ Both paused and admitted that they could not. Many Chinese, including the researcher, would reply with the idiom “The subtlety is beyond description, though it can be sensed”. However, only PM-5 realized why the vagueness would bring about misunderstandings and thus the failure of the process. Like the researcher, PM-5

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<sup>24</sup> The UK has a lower context culture than China. However, compared to countries such as the US and Nordic nations, it is a county of high-context culture (Inglehart et al., 2014).

understood the gist of the questions, as it brought him/her back to those days in UK when he/she struggled to explain ‘everything explicitly’ in thesis writing. It was joked after the interview that such writing would be criticized as being overly redundant if presented to a teacher in China, because “I am writing what ‘everyone knows already’”.

The international intercultural competence of most Chinese could be lower for it is “only after the experience of contacting with the outsiders (who are ‘not our people’) for some time that they will develop a recognition of the entity they live in and a sentiment otherwise called ‘national consciousness’” (Fei,1988:177). Although Chinese today have more chances of multi-cultural communication than before, compared with developed immigrant countries, such chances are still far from enough. It is also deeply linked to the Chinese conception of race in its traditional political culture. As is mentioned, the Chinese share a strong sense of cultural identity, accompanied with pride and self-confidence in the superiority of their own race and culture. Though beaten and suppressed in its contemporary history, which leaves many still adoring the West or the foreigners, Chinese inner superiority lingers until today (*cf.* 3.1.2.1). Thus, although China today is willing to learn, to change, even adapt some Western experiences into its own governance, at its heart stands the sense of superiority. This is clearly revealed in the instinctive responses of some PMs to the question of ‘whether the process had taken foreign enterprises’ worries into consideration’: such as “They will do the math”, meaning it was *their* business only. What struck the researcher the most was the over confidence in the tone and in the facial expression, which set her thinking that it would be much better if most of the Chinese could have recognized earlier the importance of transmitting meanings in a way appropriate for mutual understandings, instead of feeling either blindly humble or superior in relation to the international world. When it comes to Internet policy, more efforts are needed to propagate and explain the message, or explaining it based

on recognizing differences in our cognition or understanding of the world we share.

### ***5.5.3 The Problem-response Approach***

#### **5.5.3.1 The Tension**

The problem-response (reactive) approach leaves room for sluggishness in the process, which also leads to failure.

The problem-response approach started with Deng Xiaoping when China opened its door. Completely new at this initial stage, China's economic reform had no example to follow, thus the strategy of constant practice and timely summary of experiences was implemented. Highlighted as 'cross the river by feeling for the stones on the riverbed' (摸着石头过河), a commonly seen strategy in testing a newly invented reform approach is: to extend it if it works in the tested areas or, to abandon it immediately if it fails. The 'ONE BUTTON CALL' after the Didi Hitch incident is also an example, which illustrates how the reactive approach facilitates change through generating and improving policies gradually.

Problem-response policing does facilitate development: it saves time and resources; moreover, it shows the responsiveness of the government, thus maintain the CPC's legitimacy. It contributes greatly to the achievement of China, especially as a latecomer in the international world. Nevertheless, one should not ignore the damage it has brought about, particularly that which is irreversible, like the devastating blow to the families who lost their only child in cases like Didi Hitch. Therefore, even though the policy continues to be amended, it is still seen as a failure. It seems that what used to function well, at least before the digital age, is no longer enough. To put it another way, the problem-response approach in policymaking used to be pragmatic

for problem-solving when China had little to lose before the reform or when China first entered the digital age. However, as China develops, it has achieved much but has also accumulated potential dangers home and abroad. It is high time that China tried to predict and to prevent.

#### **5.5.3.2 Source: Holistic Ways of Thinking**

Problem-response policing is the by-product of China's aspiration for further development, especially economic development. It is enhanced by and in alignment with the holistic ways of thinking from its high-context culture.

As is mentioned, both the CPC government and the Chinese prioritize economic prosperity, especially through the Internet (*cf.* 2.3). The strong desire for economic prosperity and rapid development left no room for China to prevent, hence the strategy of problem-response.

The problem-response policing and experience-based problem-solving approach can be traced further to holistic ways of thinking (cognition) ingrained in the high-context culture of China. The Chinese reason holistically (Nisbett and Norenzayan, 2002; Norenzayan et al., 2002): “an orientation to the context or field as a whole, including attention to relationships between a focal object and the field, and a preference for explaining and predicting events on the basis of such relationships” (Nisbett et al., 2001:293). To solve problems, the Chinese rely on experience-based knowledge instead of abstract logic. In life, they are keen on recognizing contradictions, and understand the world from multiple perspectives, and the ‘Middle Way’ between opposing propositions (*ibid.*). In terms of policy making, people from lower-context cultures are more likely to reason analytically by focusing on “attributes of the object

to assign it to categories, and a preference for using rules about the categories to explain and predict the object's behaviour" (Nisbett et al., 2001:293). The analytic cognition process involves the "practice of decontextualizing structure from the content, the use of formal logic, and the avoidance of contradiction" (*ibid.*). In contrast, policymaking in China is more knowledge based, dialectical, relying on individual cases at a particular time and without fear of change (Hsee and Weber, 1999; Nisbett and Norenzayan, 2002). Hence, the problem-response policing and the experience-based approach.

#### ***5.5.4 The Newness of the Policy Area***

It has been 26 years since China put its first Internet censorship regulation into practice. Nevertheless, it is still a new area as far as proper Internet governance is concerned – the Internet is still relatively new and continues to change due to the advancement of technology.

##### **5.5.4.1 A Developing Policy System**

Firstly, China's Internet censorship policy is still taking shape. For example, the ISL keeps on being supplemented. As an incomplete 'prescription' is far from enough to cure 'diseases' online, hence the current approach is weak in satisfying the criteria in the process.

The idea that the policy still develops came to mind when the researcher read Lang's (2015) report, which noted that the ISL left 'interfaces' for future supplements: if the legislation was perfectly made, why the need for the 'interfaces'? The answer came during the interviews when some interviewees talked openly or obscurely about the

policy being immature or at least, a comprehensive system was still in the shaping. For example, PM-2 mentioned the absence of a detailed stipulation on what content should be censored (*cf.* 5.1.1); both PM-1 and PM-5 said that the policy was still progressing (*cf.* 5.3.2).

Evidence of the developing policy is also shown in the timing of the ISL. As the cornerstone of China's Internet censorship policy, it was published in 2016 – 19 years later than the *IUKDG* of Germany, 15 years later than *the Information Security Doctrine of the Russian Federation* (Russia Federation, 2000), and 13 years later than the *US National Cyber Strategy* (*The White House*, 2003).<sup>25</sup> China's Internet legislation before the ISL was vague and random, incapable of reflecting the motives behind it. China began to regularize and formalize Internet governance in 2012 when Xi first came to power (Herold, 2018), hence the beginning of its Internet policy, including its Internet censorship policy with the purpose of normalizing the Internet “by a comparatively transparent government (with respect to the Internet)” (Herold, 2018:52). Most actions taken before Xi were not motivated by the policy but ad hoc, usually reacted to online activities with public attention (Qiu and Wei, 2013; Herold and Seta, 2014).

#### **5.5.4.2 Advancing Technology**

Facing the ever-changing new gadgets, the government was, more or less, at a loss as to how to handle problems generated online. When reporting in front of *the NPC Standing Committee* about the ISL draft, Lang (2015) used “a more complicated network security environment” to describe challenges brought about by the Internet.

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<sup>25</sup> For Internet policy of other countries, see <https://ccdcoe.org/strategies-policies.html> (Accessed 23 December 2018).

Similar worries were also reflected during the interviews. For instance, both PM-2 and PM-6 looked worried when the problem-response strategy was discussed (*cf.* 5.1.2.2). To control or not, the whole world is facing similar risks with the changing Internet (Creemers, 2015). Take e-payments as an example: ten years ago, it was beyond imagination that people might lose all the money in their accounts because of a stolen cell phone. Regulations to address such impacts of the Internet need to be made. With the greater problems that come along with the advancing technology, how to keep up with the changing Internet is vital for policies on Internet governance.

## **Conclusion**

This chapter scrutinized and evaluated the process of China's Internet censorship policy. It is found that the process is both a failure and a success. For reasons for policy failure discussed above, apart from the newness of the Internet as a problem for all (Nye, 2014), the rest are generated from China's responsive authoritarian system, such as the deficient information from the bottom:

Chinese civil society is bound to be restricted and therefore, limited in reflecting public needs. Since interests of different groups may not be identical, the government worries that an active civil society might increase connections between dissatisfied groups and hence the potentiality to trigger uprisings endangering the regime. The worry grows with the increase of internal social tensions and external pressures because of the fast development of China. However, it must be realized that deficient information might also wear down the government's capital (responsiveness) and hence endanger its very legitimacy. Therefore, the need to diagnose the deficiencies earlier so that tailored measures can be taken to keep the policy in line with public needs in the process. In this sense, the problem does not lie in the democratic or authoritarian system but in



the capacity of the CPC in coping with the challenges. Properly diagnosed, the responses could be more accurate even with its limited civil society. Therefore, the potential of the Internet in bringing both stability and prosperity needed for the CPC to gain its full legitimacy.

Before that, it is necessary to evaluate the policy programme according to whether the implementation is in line with the policy objectives, whether the target groups are benefited, whether the programme satisfies criteria highly valued in the policy domain, and whether it has gained support.

## **Chapter 6: The Programme of China's Internet Censorship Policy**

### **Introduction**

This chapter elaborates on 'how policy is implemented to comply with the requirements of the government, if at all' by considering the censors and the censored through their words, beliefs, feelings, and behaviours.

Within the micro frame, the first four sections evaluate: whether the implementation is in line with the policy objectives; whether it achieves the desired outcomes; whether the target groups benefit; whether the criteria highly valued in the policy domain is satisfied; and whether the programme has attracted public support. Results from the present study over these criteria show: conflicted failure; tolerable failure; a conflicted failure for Chinese netizens and a tolerable failure for enterprises; conflicted failure; and success.<sup>1</sup> The final section analyses the reasons behind, failure or success. The failure comes mainly from CPC's out-of-date mindset in handling up-to-date issues; the fragmented interpretations of the essence of social stability among the central government and its agents; and the contradiction between the irreplaceability of non-government implementers and their poor performances in implementing the policy. Whereas success comes from flexibilities within the system of severe control, through which the government responds more effectively. Moreover, the lack of interest of Chinese netizens in censored information contributes to its success – such interest is further decreased by the government's control over censored information. Therefore, the success is solidified further in the long run.

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<sup>1</sup> As section 3.2 introduced, tolerable failure, the second-best result a policy can achieve, is the policy result that "does not fundamentally impede the attainment of goals that proponents set out to achieve, and opposition is small and/or criticism is virtually non-existent" (McConnell, 2015:237). On the other hand, for a conflicted failure, "the achieved goals are fairly evenly matched with the attainment of goals, with strong criticism and strong defence in roughly equal measure" (McConnell, 2015:237).

The underlying questions explored are:

- How is the policy designed and implemented?
- Who are the implementers? What are their responsibilities? Are there any loopholes in the implementation?
- Is there any flexibility in the implementation?
- Who are the target groups of the policy? Are they satisfied?
- Has the implementation been effective?
- Has the programme been a success? What is the degree of the success/failure and why?

### **6.1 Implementation in Line with the Objectives**

Policy objectives are “more concrete and specific in how the goal will be achieved” (Baker, 2012:1). This section focuses on the internal goal as this is prioritised over the external goal if the internal goal is threatened (*cf.* 5.1.3).

Among previous literature of China’s Internet censorship policy, those with a liberal position detected two possible objectives. One is to repress disagreement with the state and/or its leaders, another, to decrease collective activities. Though each refuses to acknowledge the other – both assume the CPC is with unlimited power capable of manipulating its implementers (*cf.* 2.2.1). Nevertheless, exploration of the design and the implementation shows the policy objective weighs more on the latter. However, with the fragmentations between the central government and its agents (*cf.* 3.3.3), in practice, the programme not only decreases the collective activity but also suppresses dissent towards the state, to some degree. Therefore, answers to the alignment of the

implementation with the objectives are: it is partially so, with some success. It also brings results unexpected and controversial, thus *a conflicted failure*.

### ***6.1.1 The Designed to Be Implementation***

#### **6.1.1.1 The Guiding Principles**

According to Article 1 of the ISL, the law is formulated to

ensure Internet security, safeguard cyberspace sovereignty, national security, social and public interests, to protect the lawful rights and interests of citizens, legal persons, and other organizations, and to promote the healthy development of the informatization of the economy and the society (*The NPC Standing Committee*, 2016).

The interviewees were asked about ‘the main principles policy implementers had to adhere to in the implementation’. Answers from both policy implementers (PI) and researchers (CR) were the principle of maintaining social stability, national security, and the CPC’s ruling position, hence the security of all the Chinese.

PI-1 prioritized data security, which was related directly to national security. PI-4 mentioned the basic principle was to protect China’s interest because

The fundamental interests of China and Western countries such as the US are completely different... Basically, the logic behind our principle is there would be no national security unless the Internet is secured. And if there is no informationization there will be no modernization. Overall, what is done is to strengthen the CPC’s leadership.

The logic “there would be no national security unless the Internet is secured” makes sense when online attacks targeting at China are considered. For example, evidence showed the US had hacked China through the Internet (Abad-santos, 2013). More recently, a report released by *360 Core Security* (2020), a China-based think tank of online security, showed that the US had conducted online operations attacking and spying on China’s critical industries for over 10 years. Whereas researchers found a large amount of anti-CPC automation on Twitter published in simplified Mandarin, presumably targeted at Chinese netizens having access to the uncensored Internet (Bolsover and Howard, 2018).

Returning to the fundamental principle, PI-5, CR-1, and CR-3 all said that to protect the interests of the majority, social stability was an essential precondition, thus it was prioritized. Since there would be several stages to reach the final goals, it is crucial to reduce destructive collective activities that may endanger the very existence of the current government and the social security the Chinese enjoy.

#### **6.1.1.2 Content to be Censored**

Though sharing the same responsibility and following the same rules, PI interviewees understood the content to be censored differently. When asked to ‘think of a list of censored content based on what they censor in their daily operations’ – though with some overlap, each provided a list mostly in line with their working experiences. For instance, PI-1 said: *Falungong, terrorism, rumours, information that violates others’ privacy, and fake news/information*, whereas PI-2 believed the list should include *anything with the potential to trigger social unrest, terrorism, rumours, discrimination against others, and pornography*, while PI-3’s list included *content with the potential to trigger social unrest, online fraud, rumours, and all other information violating the*

*law*. PI-5 concluded that, when implementing the policy, all implementers should abide by and take reference to *the Nine Forbids* and *the Seven Base Lines*, the official expressions categorizing what is proper online. The former forbids any content that

- is against the basic principles of the Constitution;
- impairs national security, divulges state secrets, subverts state sovereignty or jeopardizes national unity;
- damages the reputation and interests of the state;
- incites ethnic hostility and ethnic discrimination or jeopardizes unity among ethnic groups;
- damages state religious policies or that advocates sects or feudal superstitions;
- disseminates rumours, disturbs the social order or damages social stability;
- disseminates obscenity, pornography, gambling, violence, homicide and terror, or incites crime;
- that insults or slanders others or that infringes their legal rights and interests;
- that is prohibited by laws or administrative regulations.

(The State Council, 2000c)

*The Seven Base Lines* are the baseline of

- laws and regulations;
- socialist system;
- national interests;
- citizens' legal rights and interests;
- public order;
- morality;
- information accuracy.

(Herold, 2018:55)

CR interviewees were required to jot down a word list of what should be censored as well. Across many items listed, nothing was related to dissent/criticism of the CPC, the Chinese government or leaders. The closest item enlisted is drawn from *The Nine Forbids*, which says “Content damaging the reputation and interests of the state is forbidden”. But one could hardly say that damage to government reputation is equal to dissent/criticism of the CPC. Therefore, to verify, the researcher asked directly ‘whether critiques of the CPC, the government, or its leaders are to be censored’. Interviewees responded that although there was a time when such words were strictly forbidden in China, at present, they would not be censored unless they had the potential to trigger (contentious) collective activities (PI-1; PI-3; CR-2; CR-3). PI-3 admitted that even if China wanted to, it was technically impossible to block all information of this kind. Moreover, room would be intentionally made for criticisms:

We would simply ignore those who criticize or even curse the government or the leaders if they do not lead to mass incidents nor hinder the routines of life. To be honest, there are too many netizens cursing the government online. Occasionally statistics are collected just to keep the government informed of public opinions. If it does lead to troubles, it is likely we would trace the sources. One should be responsible for what one says, even online (PI-1).

As PI-3 said,

China has always been criticized for having no speech freedom. It is wrong, considering that the Chinese enjoy more freedom of speech now in comparison with what it used to be. It is not an abrupt issue of YES or NO but a matter of degree. We cannot afford for the Western type of free speech overnight, but to approach our speech freedom step-by-step according to our own pace. The only criterion in the

process is if it strengthens instead of weakening China. Overall, we are progressing, though still with a long way ahead. For example, back in the 1970s, whoever joked about the government would be denounced or even imprisoned immediately. Now, anyone can make fun of the government at their own will. Actually, the Internet is the social valve for dissatisfaction releasing of all kinds. Many complain online. They post online whatever they have in mind, even to the degree of violating the law. Nevertheless, no one gets punished or censored if what is said does not lead to social gatherings and the society remains in order. Through the Internet censorship policy, i.e. the constant surveillance of online information, some complaints are even collected and taken seriously as criteria for the government to evaluate its performance.

#### **6.1.1.3 Normal Practices for Censorship**

PI interviewees were also asked about ‘the normal practices for censorship.’

Before answering, both PI-3 and PI-5 mentioned that China was looking forward to techniques capable of identifying/detecting attempts that may trigger collective activity, so that they could take immediate measures either to guide or to control public opinions online. However, without such technology, they could do nothing but mend whatever (possible) holes they found when handling the glut of online information. Therefore, the major approach used was to block all information with dangerous (collective) potential. ‘Blocking’, in PI-2’s words, involves the blockage of dangerous information from abroad, deletion or suppression of such information to prevent its spread inland.



What we are doing is purely defensive, nothing but passive. Metaphorically, it is like the strategy: you suffer from headache, and you will have your head cut; if you feel pain in your feet, your feet would likely be cut. We just react by cutting them all. In addition, if netizens say this is too tight, we will lose it a bit the next time or vice versa (PI-3).

PI-3 mentions the ‘cut-them-all’ strategy, addressed as a ‘find-it-and-fix-it’ approach, an analogy to superficial treatments in traditional Chinese medicine<sup>2</sup>: poor doctors could only treat the patients superficially by healing where it pains, which is joked about as 头痛医头脚痛医脚 (treat the head if one gets a headache, the foot when the foot aches). In contrast, experienced doctors may say 头痛医脚 (treat the foot for headaches). Traditional Chinese medicine starts by figuring out the causes of the pain through diagnosing blocks within the circulation of the body holistically.<sup>3</sup> An ache in the head may come from a block in the foot metaphorically, so the treatment aims to restore the balance.

Clumsy as it is, the ‘cut-them-all’ approach to censorship is so far the commonly adopted one in terms of efficiency, although it does bring about huge collateral damage. Take academic censorship in China as an example. Perhaps the most shocking incident in the researcher’s own area of study is the temporarily blockage<sup>4</sup> of over 300 research articles and reviews of *the China Quarterly* during August 2017. Scrutinizing the censored and the uncensored papers in the incident, Wong and Kwong (2019) found that the banned list was probably decided by ‘keyword censorship’ like ‘the Cultural

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<sup>2</sup> From the *Yellow Emperor's Internal Canon* (黄帝内经), which documented ancient views on human health and body.

<sup>3</sup> Disease arises when the balance of gold (lung), wood (liver), water (kidney), fire (heart) and earth (spleen) in the body breaks.

<sup>4</sup> Amid the ensuing outcry home and abroad, the decision was reversed a few days after it was made (Wong and Kwong, 2019).

Revolution’, ‘Falun Gong’, ‘Tibet’, and ‘Tiananmen’, instead of examining the content of the articles. This led to the wrongly deletion of articles containing the censored keywords but with content not necessarily violating the censorship policy.<sup>5</sup> All CR interviewees said that with cases like this, a lot of useful and harmless information is blocked, making it difficult for them to communicate with scholars of the world, or to keep tracking on the most recent research in their domains. They worry that the aftereffect will delay the development of the country in the long run.

PI-3 compared the measures to the ancient Chinese legend of *The Great Flood of Gun-Yu* (鯀禹治水). *Gun* and *Yu* are both mythological figures known for their efforts in controlling *the Great Flood*. To handle a flood continued for more than two generations, *Gun*’s approach was to block by damming the river flow with dikes and embankments. This only had a temporary effect. As the water levels rose, damage was caused. Therefore, *Gun* ended in failure. A few years after, *Yu*, *Gun*’s son, decided to continue his father’s cause. By studying Chinese river systems, *Yu* dredged the riverbeds and devised a system of flood controls consisting of irrigation canals. This relieved the floodwater by diverting it into fields<sup>6</sup> and turning the natural disaster into an advantage. PI-3 believed that China is now at the stage of *Gun*, *blocking* (堵) is just temporary. When it is time (after the study of the river system), China will progress to the *Yu* stage and start *dredging* (疏通).

In conclusion, the policy objective is to decrease collective activity. The programme should be a success if its implementation is in line with it. Nonetheless, risks of failure are high since it is also found that censorship is only a choice when there are no other

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<sup>5</sup> Some articles filtered are even with “apparently ‘favorable’ information” (Wong and Kwong, 2019: 290). For example, articles on the subsidies and investments from the CPC to Tibet were censored because it contains the keyword ‘Tibet’.

<sup>6</sup> See details about *The Great Flood of Gun-Yu* in [https://en.wikipedia.org/wiki/Great\\_Flood\\_\(China\)#Shun\\_in\\_power](https://en.wikipedia.org/wiki/Great_Flood_(China)#Shun_in_power) and [https://en.wikipedia.org/wiki/Yu\\_the\\_Great#Great\\_Yu\\_controls\\_the\\_waters](https://en.wikipedia.org/wiki/Yu_the_Great#Great_Yu_controls_the_waters) (Accessed 19 December 2018).

choices. Inwardly, China expects a replacement of the current censorship to embrace a freer Internet sooner or later. Nevertheless, as will be seen below, in practice, the ‘cut-them-all’ strategy worked awkwardly and with collateral damage. A typical problem comes from the vagueness of the language, which leaves room for different interpretations. Consequently, content censored is based not on the fixed notions but the interpretations of the implementers. That not only explains why each implementer interviewed offered a different list of what should be deleted, but also shows the potential dangers of poor interpretations. For example, the implementation should cut off sources of instability. But with the instability poorly defined, though the CPC’s view of instability is appropriate (to prevent the chaos by satisfy the public needs and not to hinder the development), as is assumed in section 3.5.2.3, it could be differently interpreted when some implementers are paranoid. Therefore, it is necessary to diagnose the problems, especially from policy implementers, for they are the decisive factor that leads to the success or failure of the implementation.

### ***6.1.2 Implementation in Practice***

This section untangles the hierarchical structure of the implementers, their identities, and elaborates further on the principles they follow, the content they delete, the actions they take, and most importantly, the mis-implementations they practice.

To this end, the researcher asked PI interviewees to ‘describe efforts made over the regulations on online information; name those who make these efforts; and reflect on whether the implementer put enough energy into implementing the policy’. To verify the responses, the researcher asked the CR interviewees to ‘list the most important implementers of the policy, their duties, and the limitations in implementation’ based on their studies and their own experiences.

Previous work assumes that implementation involves human censors who work in a hierarchical structure (*cf.* 2.2.2), which is verified by this study. The implementers are hierarchically arranged from the top, the middle, to the bottom. They are of various types and at various levels. The government prefers to regulate the information through the joint efforts of the government by the rule of the law; the enterprises would like to run by the autonomy of the platforms; and the public are to be responsible for not to violate the policy, and to report illegal behaviours.

### **6.1.2.1 The Implementers**

#### **Government Institutions**

Within the government there are cyberspace administrations at all levels, the Internet police, and other government institutions.

The purpose of the CAC is to regulate, assign, supervise and inspect all implementations of the policy (PI-4; PI-5). The local (provincial/city/county) cyberspace administrations are to cooperate with the CAC to implement the policy within its own territory. Their responsibilities can be split into three: to control/guide public opinions online<sup>7</sup>; to guarantee the security of the Internet; and to facilitate informatization – the first two are mostly achieved through censorship (PI-4).

The difference among regional cyberspace administrations can be seen by comparing those in different locations of China – such as Wuhan and Yan'an.<sup>8</sup> Of the eight divisions of *the Wuhan Cyberspace Administration*, four are related to censorship: *the*

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<sup>7</sup> For a typical example of online public opinion guidance, see King et al. (2017), or section 2.2.2 of this thesis.

<sup>8</sup> Yan'an (延安) is a city in Shanxi province, located in north-west China.

*Online Propaganda Division* (网络宣传处), *the Internet Management and Public Opinion/Emergency Division* (网络管理与舆情处/应急处), *the Division of Internet Security* (网络安全处), and *the Information Centre* (市信息中心). When distilling the responsibilities related to Internet censorship, it is found that<sup>9</sup>:

*The Online Propaganda Division* is to guide public opinion online and the implementation of policies and overall plan from either the provincial or the central authorities...; to construct regulated key net news stations to maintain ideology security and to handle crisis triggered by public emergencies through guiding the public opinions...; to guide and to cultivate qualified online commentators through related training.

*The Division of Emergency* is responsible for

making municipal policies and regulations to govern the Internet through censoring and blocking harmful information; checking for and punishing behaviour that violates either the regulations or the law; locating illegal online information, seeking for and gathering online information when crucial emergency occurs and other issues which are either sensitive or of great public concern before submitting them to relevant departments.

*The Division of Internet security* mainly aims to offer technology support and to facilitate cooperation in relation to Internet security.

*The Information Centre*, other than technical support, also conducts public opinion research and monitoring. It is through the research-based monitoring that public opinion is regulated.

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<sup>9</sup> See <http://www.whwx.gov.cn/zhgl/jgsz/> (Accessed 18 March 2019).

*The Yan'an Cyberspace Administration's* webpage does not feature descriptions of its responsibilities that are as clear as Wuhan's webpage. It is difficult to work out whether some of the responsibilities are genuinely distinctive from each other (e.g. responsibilities 6 and 7 below).

... 2. organize the drafting of the developing strategy, the annual plan, and all the other major policies over the city's Internet security...; be responsible for supervising their implementation... 6. be responsible for the regulation of online information... organize the online publicity and public opinion guidance, maintain ideology safety, supervise the implementation of the online information control, censor as well as block harmful information online, investigate and handle behaviours and websites in accordance with relevant laws and regulations, check the sources of online news, and guide works of online commentators; 7. guide and coordinate online public opinion, including gathering, analysing and managing public opinions; tracking their dynamics; and standardizing the city's Internet public opinion service market according to the law... (*The Cyberspace Administration of Yan'an*, 2017)

It was found not all local level cyberspace administrations have official websites. Among those that do, they differ with regards to user-friendliness, clarity in identifying their responsibilities, and frequency in updating information. For example, Wuhan has an independent official website with clear categories of different responsibilities: routine operations, related policies and guidance for those applying for Internet related licenses and a link to online application forms.<sup>10</sup> However, as part of the governmental website of Yan'an, webpage of *Yan'an Cyberspace Administration* shows no clear categorization, thus it is less friendly and functional.

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<sup>10</sup> See <http://www.whwx.gov.cn/> (Accessed 18 March 2019).

Under the *Public Information and Internet Security Supervision Bureau* (PISSB), the Internet police is a special police unit to supervise and guarantee the safety of the computer network and Internet systems. It has jurisdictional power, regulates activities and detects crimes online (Chen and Ang, 2011; Wu, 2009). For example, to warn and punish those who spread rumours; to cooperate with other departments to investigate information with potential to trigger collective activities or terrorist attacks; or to filter information of online scam or gambling (MPS, 2015).

Meanwhile, China's police force falls under the *Public Security Bureau* (PSB) system.<sup>11</sup> Usually, a PISSB is run as a subunit of the local PSB. The PISSB holds the Technology Divisions and the Cyber Police Divisions. The former is for data collection, technical support, and China based online behaviour monitoring. Whereas the latter, is to analyse and execute (Zhao, 2015).

The Internet police is also responsible for online public opinion guidance and control. In recent years, government institutions have been asked to 'communicate directly' with the public to be more transparent and more aware of public need (Hille, 2010; Denyer, 2013). A noteworthy case is the "*Jiangningpopo*" from Sina Weibo,<sup>12</sup> the account of Officer Haiding Wang, an Internet police in Nanjing. With over 4.6 million followers, *Jiangningpopo* responds to critical issues of public concern (detected and collected according to the Internet censorship policy) with immediate announcements or official information. He also regularly teaches prevention strategies against crimes both on- and offline (Miu, 2016). The account functions to make Nanjing police (and

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<sup>11</sup> A public security bureau (公安局) in China refers to a government office acting as police station or local police. Administered by the MPS, the PSB system handles policing, public security, social order, and internal and external migration matters and is present in each province and municipality.

<sup>12</sup> Sina Weibo (新浪微博) is a Chinese micro-blogging website, the most popular social media platform in China.

sometimes even the police of other regions) appear more responsive and therefore increases the trust of the public in the police force and decreases potential crisis from collective activities (Wang, 2016).

Although not specialized in implementing the policy, some other government institutions would join the implementation if needed. As PI-5 pointed out: “Public opinion’s online management could be visualized as a complicated system. The governance of it spares no single governmental institution”. Since each case is unique the degree of involvement of institutions varies, which will be discussed in section 6.1.2.3.

### **The Enterprises**

Service providers are also obliged to operate the censorship as well. Such enterprises are run within the framework of the laws and regulations, such as *The Provisions on the Administration of Internet Forums* (The CAC, 2017b). To supervise, Chinese government would gather experts in the area for regular evaluations to enterprises’ works. PI-1, for example, was such an expert. If unsatisfied, the CAC or the local level cyberspace administrations would arrange an ‘interview’<sup>13</sup> with the offending enterprise. If there was no sign of improvement within the given time, the enterprise would be punished. According to PM-2, as the severest measure, the government may withdraw the enterprise’s service license.

### **The Public**

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<sup>13</sup> ‘Interview’ refers to a unique mechanism in China conducted by higher-level governmental organs to their subordinate organizations. By learning related policies, analyzing and evaluating the current works, the interview is made to correct and standardize behaviors or works of the subordinate organizations. It would also be triggered if enterprise’s mis-implementation of the censorship aroused great social concerns. For example, Sina Weibo was interviewed and punished in June 2020 for censoring one of Alibaba’s higher-level manager’s affair scandal (Zhao, 2020).



China has also established a report system in mobilizing netizens to join the programme. It is widely used to get netizens involved in reporting any forbidden information and illegal activities online. For example, the CAC established a website<sup>14</sup> and a hotline<sup>15</sup> for netizens to report information they believed to be inappropriate. The Internet police sets up its own page<sup>16</sup> to facilitate the reporting mechanism through its website, and related departments routinely share feedback monthly (The CAC, 2019a).

The enterprises also regard netizens as channels for implementing the policy. A typical case is Sina Weibo's *Community Convention*. Under this convention, Weibo users can file reports against any Weibo (post) they believe to violate the law and/or others' rights, while those being reported have the right to appeal within a given time. Both the report and the appeal would be sent to a group of experts hired by Sina. If more experts in the group confirm the violation, the reported post would be either deleted or forbidden from being forwarded, commented on, or linked to. In severe cases, reported users would be prohibited from posting, being followed, or even have their account shut down. Sina Weibo also reports statements about the implementation of the convention monthly (Sina Weibo, 2019).

As is seen, the hierarchical implementation system reflects the decentralization of power in the programme. Although it is still the government who controls and supervises, today those who push the 'delete/filter' buttons are the censors and experts hired by enterprises. With the information explosion online, implementation of the policy involves more human resources than many other policies. As PI-5 said,

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<sup>14</sup> <http://www.12377.cn> or <http://www.cac.gov.cn/jbzx.htm> (Accessed 2 April 2019).

<sup>15</sup> The hotline is: +8612377.

<sup>16</sup> <http://www.cyberpolice.cn/wfjb/frame/impeach/chooseImpeachAnonymous.jsp> (Accessed 2 April 2019).

Internet governance should not be the business of the government only, but everyone else as well. The whole society should be mobilized. Therefore, it is almost beyond us to imagine the lengthy time needed to train those working in the area. It would be endless, especially when newcomers [non-government implementers] are considered. To be frank, it will take a very long time to raise the awareness and the competence of the implementers on a large scale.

#### **6.1.2.2 Mis-Implementations**

The present study categorizes mis-implementations of the policy as over/under-implementation and mal-implementation. The former relates to unintentional practice because of poor interpretations, like some implementers' paranoid view of instability, whereas the latter, to errors intentionally made for personal/organizational reasons.

#### **Government Institutions**

Inside the government, the vague policy causes problems along its top-down implementation due to: 1) the uneven distribution of information and information attenuation (over/under-implementation); 2) incompetent officials (over/under-implementation); and 3) consideration of personal interests (e.g. promotion, corruption) (mal-interpretation).

The first problem comes from the unequal distribution of information and information attenuation because of the distance between the central government and its local agents. With limited information, those at lower-levels may wrongly interpret the policy, causing inconsistency in the long top-down process of policy implementation (PI-3; PI-4; PI-5). For example, as a local level official, PI-4 takes it for granted that

compared with those at the central level, it is only natural that local level officials could hardly know real intentions and expectations of the policy thoroughly.

We [local level implementers] focus on the execution of the policy only. Some of us do not know how and why the policy is made nor the expected effects of its origin. The governments at different levels play different roles. The central government's role is to organize and to coordinate. As local ones, we are to put it into real practice. At different levels, government officials differ in their understanding of the implementation.

The second problem is generated by the shortage of competent implementers. Both PI-3 and PI-5 showed concern about the variation of official performances. For example, PI-5 found the only solution for some local officials when dealing with rumours was to delete them instead of providing explanations to the public.

When communicating with local level implementers, we have repeatedly told them they must stop deleting all the information they believe to have the potential in causing social chaos. For example, we elaborate on the better ways of dealing with rumours, such as offering trustworthy official evidence instead of deletion only. While for emergencies such as serious conflicts between the police and the civilians, instead of deleting all the critiques online, it is much better to explain the causes, the process, the results, and the damage as clearly as possible. The more you hide, the more suspicious netizens could be, thus more rumours. Moreover, in case the government misbehaved, it is best just to apologise, to fix that, and to punish the one who is responsible for it. That is more effective. However, to date, some still choose to delete all the queries online regardless of the enormous efforts needed, which makes it even harder to govern the Internet (PI-5).

Personal consideration such as corruption or promotion is another handicap. PI-5 told the researcher the story of an ex-co-worker who is now in prison for corruption. Back in the days when the policy was vaguer than it is today, the man used to be very powerful and could judge by himself whether service providers violated the policy and to what extent he would punish them. Being bribed, he would even ask service providers to delete certain information online. CR-3 related a similar anecdote: his/her Weibo account had been banned from posting for six months for he/she refusal to delete a photo with traces of corruption by an official. CR-3 resumed the account only after the official was put into prison.

Since the implementation is carried out in layers, some implementers, especially those at the lower-levels, may seek personal profits under the big umbrella of the policy. They may delete what they want to while ignoring what they should... This leaves rooms for bribery and lays traps for those in charge: tempted, they may manipulate to turn their duty into a privilege (CR-3).

Also, as was pointed out in section 3.1.1.3, Chinese officials care more about what their superiors say than what the public want for they are appointed or dismissed by those higher in rank. To be promoted, some would cover their misconduct by deleting anything exposing problems within the government, hence generating the feint that they are good at governance (PI-3; PI-5; CR-3).

### **The Enterprise**

Implementation by enterprises has inherent weaknesses out of profit-seeking, incapable employees, and loopholes in the censoring technologies.

Censorship is usually carried out by human censors with the help of technology (PI-1, PI-5, CR-1, CR-3). ‘Keyword filtering’ is the most widely adopted approach to control information at present (Ruan et al., 2020). Therefore, it was used as an example to elicit from both PI and CR ‘whether there were any weaknesses in real implementation.’

It was found that flaws do exist and the first and unavoidable issue is profit. Instead of following the laws strictly, enterprises would filter some information for profit (mal-implementation). For example, Sina Weibo has a list of trending topics updated timely and it is possible to pay to be on or removed from it (Wen, 2018; Zhao, 2020). In some circumstances, Weibo would filter topics that was initially allowed for profit, as if the topics violated the censorship policy. This can be achieved by changing the keyword in censorship (PI-5; CR-3). Taking actor Godfrey Yixiang Gao’s sudden death while filming the TV show *Chase Me*<sup>17</sup> as an example, in this incident, the show’s production team was broadly criticized as they paid to have related topics removed from the trending topic list (Yeo, 2019; SNS datamining, 2019). As was revealed through *Zhiwei Data*, the event influence index<sup>18</sup> of the incident on Sina Weibo was 81.2, 98% higher than all the other incidents documented by the platform.<sup>19</sup> Figure 13 shows the new Weibo posts related to the incident on the day Gao died. It starts at 5:53 a.m. when a Weibo user posted that Gao lost consciousness while recording the show and might be dead. It was reposted immediately six times,<sup>20</sup> then broadcasted at a tremendous speed and listed on the trending topic. The first peak of public

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<sup>17</sup> *Chase Me* is a reality TV show where participants are pursued by professional athletes through a series of obstacles designed to test their strength, endurance, and speed. It pushes participants to their limits physically. Gao suffered a heart attack early on the morning of 27 November 2019 while filming an episode of the show. According to videos shot on the scene, it lacks proper preparation for immediate emergency treatment (Hernández, 2019; Tseng, 2019).

<sup>18</sup> Based on data from all social media and online media, the event influence index is an indicator created by *Zhiwei Data* characterizing the online effects of individual events. See detail algorithm from <http://ef.zhiweidata.com/#!/description>.

<sup>19</sup> See details at <http://ef.zhiweidata.com/#!/event/8c03ae95447c738c10024381/profileV2> (Accessed 30 November 2019).

<sup>20</sup> Only the original posts on Weibo counts here.

attention arrived at 8:42 a.m. when Weibo user *Sina News* posted pictures of an on-the-spot ambulance. At this moment, Gao's death was still not confirmed. More than 350 related Weibo posts were online, either praying for Gao, or accusing the show of being too aggressive and exposing the lack of immediate emergency treatment. Concern over the issue reached a second peak at 11:11 a.m. when Gao's death was confirmed. At this point, 2,313 new Weibo were made. Netizens began to say 'NO' to the show. They requested that *Chase Me* be cancelled (Yeo, 2019). At this point, 高以翔去世 (Yixiang Gao Passed Away) were at the top of the trending topic list. However, not long after the second pick, new posts about the incident declined, as if concern by netizens about the issue suddenly stopped. Soon, all related topics vanished (SNSdatamining, 2019).

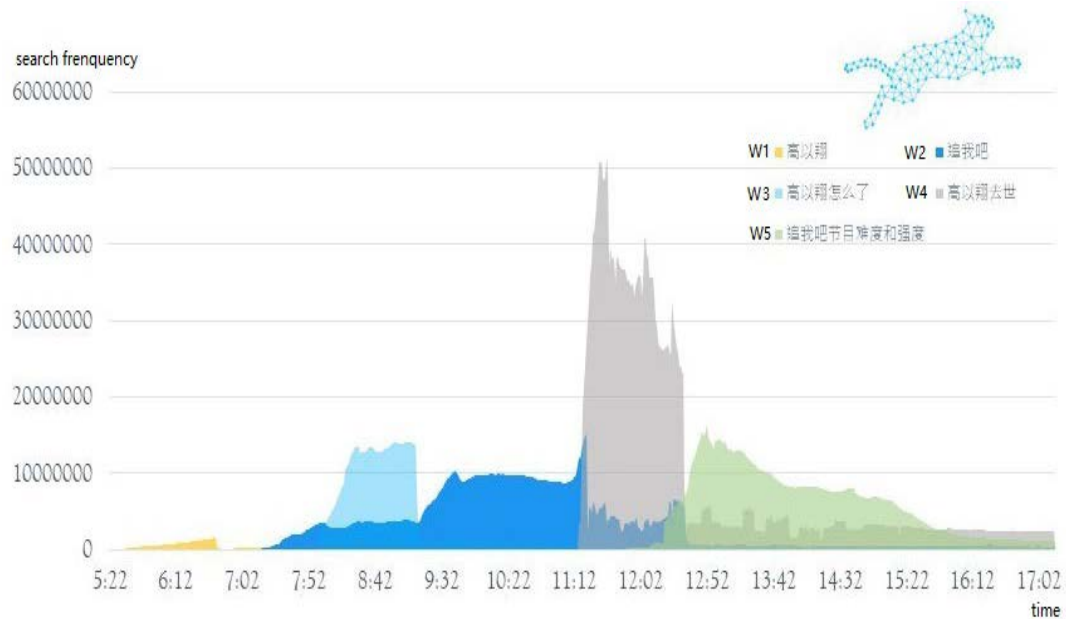
**Figure 13 Broadcasting tendency of Gao's incident in Sina Weibo on 27 November 2019<sup>21</sup>**



<sup>21</sup> Adapted from <http://ef.zhiweidata.com/#!/event/8c03ae95447c738c10024381/profileV2> (Accessed 30 November 2019).

To verify that it was the *Chase Me* producers who paid to remove the topic, *SNSdatamining* (2019) calculated the search frequencies of five listed phrases of that day on the list: 高以翔 (Yixiang Gao, W1), 追我吧 (Chase Me, W2), 高以翔怎么了 (What happened to Yixiang Gao, W3), 高以翔去世 (Yixiang Gao passed away, W4), and 追我吧节目难度和强度 (the intensity and difficulty of *Chase Me*, W5) (Figure 14). Upon its first appearance, the searching frequency of W1 rose slowly. It reached 1.5 million at 6:42 a.m. However, a minute later, the frequency fell to less than 400,000, a drop of up to 75%. The same story was repeated with the search frequency of W2, W3 and W4: all dropped dramatically in a sudden. For W5 there was no sign of the dramatic drop as it did not include Gao's name. It was clear that the former four were censored because Gao's name was listed as sensitive to be deleted. No evidence suggested that Weibo censored the incident because it violated the policy. Even more drastic was that the disappearance of the above phrases irritated the Chinese netizens. Therefore, in the following days, no other related words were removed from the list. Also, though disappeared online, more media (including official media such as *China Central Television* [CCTV] and *People's Daily*) turned their attention to the story. Thus, it is reasonable to blame the *Chase Me* for requesting the deletions. In fact, seven months after Gao's incident, Sina Weibo got caught by CAC while it reapplied the same trick: it was bribed to delete all relevant posts regarding the affair scandal of a higher-level manager of Alibaba. Commented by CAC while responding to its punishment to Sina, service providers should not manipulate the power of censorship to interfere with the normal information flow and online communication (Zhao, 2020).

**Figure 14 Search frequency of phrases related to the Gao incident<sup>22</sup>**



Another weakness of the enterprise implementation lies in the implementer enterprises employed. The policy relies on their interpretation of the keywords, for the filtering starts without a clear and official notice as to what a ‘keyword’ refers to – implementers might have different understandings of keywords. Consequently, with so many implementers involved, there must be days when information is deleted incorrectly, and no one knows who should be responsible (over/under-implementation, PI-3; PI-5; CR-1; CR-3). CR-3 even described this as his/her “biggest headache”:

In China, the human censors are usually young, mostly far less educated than you<sup>23</sup> [the researcher]. To make the right decision is beyond them. Thus, how can they be ideal implementers [the one who knows the policy so well that he/she could keep in line with its original goals]? In practice, the censors were just provided with a list of keywords. Taking the phrase ‘*Falun Gong*’, which is taken as a cult thus forbidden in China, as an

<sup>22</sup> Adapted from SNSdatamining (2019).

<sup>23</sup> Due to the dilemma of a heavy workload and light payment, people behind the censorship are usually new college graduates (Hui and Rajagopalan, 2013).



example. As “*Falun Gong*” is partially a homophone to the phrase *Falun* [the golden wheel of Buddha], whatever you say, be it “to turn the *Falun*”; “the turning of *Falun*”; for or against the turning of *Falun*; to turn the *Falun* around or against the clock, it would be filtered. To avoid making mistakes, they just ‘cut-them-all’. This is sometimes ridiculous.

### **The Public**

Public mobilization has its own problems as well. For example, PI-5, a policymaker, a policy implementer, and a senior Weibo user, has himself/herself fallen victim to the immature *Weibo Community Convention*. He was reported ‘millions of times’ by those spreading rumours or posting other improper information on Weibo because he/she criticized such activity openly. As an implementer and a policymaker, it is reasonable to assume that PI-5 knows more about what should be censored than those experts behind the Convention or human censors hired by Sina. However, thanks to the design feature of the Community Convention, he/she was blocked from posting anything online temporary on several occasions (mal-implementation).

I just pointed out that they were wrong. Nothing improper. I did it in a very calm way, no dirty words, no curses, except the perception of mine over the issue. They had me reported just to release their anger and annoyance. It is nonsense that Sina agreed to have my account blocked for that (PI-5).

### 6.1.2.3 Cases from Z<sup>24</sup> and H<sup>25</sup>: Regional Differences in Implementation

As is emerging, implementation of the policy, including mis-implementations, varies. Below are two cases that illustrate how differently implementations can be when local governments deal with negative public opinions.

#### Case A

Case A originated with *Haifengjun*<sup>26</sup> (CAS1), a we-media correspondent on political issues. One of his reports about a county court in province Z aroused public attention. The court refused to temporarily freeze assets in a case of a private enterprise in deep debt to many and being sued by the lenders. The court insisted on “the recently delivered policy which prioritizes the protection of the interests of private enterprises. Under this policy, we cannot sign” (Haifengjun, 2018a). The dilemma was that both those in deep debt and the lenders were private owners and should be protected by the same policy – whether the court froze the assets or not, it would violate the policy. *Haifengjun* criticized harshly at the end of his article:

Experiences from years of political news writing teaches me unique lessons about local governments. As a routine, amendment of rules and regulations is accompanied with subtractions along its way of being implemented downward. Thus, the policy may end ultimately in shell only... Therefore, sometimes policy ends with over mis-implementation, sometimes, only ridiculously insane.

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<sup>24</sup> Z is one of the developed provinces in China, along the east coast of China.

<sup>25</sup> H is a city in N, a province in central south China which is less developed than Z, but better than those in western areas.

<sup>26</sup> *Haifengjun* (海峰君) and his team own a WeChat blog known as the *Seabees intelligence* (海蜂情报) majoring in the field of public policy. According to their own introduction, the blog focuses on the impact of the policy “on Chinese enterprises and helps businesspeople understand Chinese policies better.”

The report quickly attracted public attention and the original article, posted on *Seabees Intelligence*, had over 100,000 readers within a day, excluding those being forwarded to other social media platforms. Discussions over the local governments' poor performance were heated. Then, a day after the article, staff from the Z Provincial Higher People's Court, which oversees all courts within the province, contacted *Haifengjun*. After a detailed inquiry into the case, the problem was solved within a day. *Haifengjun* was also told that the Z Provincial Higher People's Court had already notified all courts in the province to learn lessons and avoid similar mistakes. Hearing this, *Haifengjun* asked if he should delete his report. To his surprise, the staff only asked him if he could make a follow up report over the case and reassured him that it would be better if the original report could be preserved (Figure 15).

**Figure 15 Screenshot of requests from the Z provincial Higher People's Court (Haifengjun, 2018b)**



Later, *Haifengjun* commented:

I used to be a political reporter and met with many governmental institutions and officials. Though not working in the traditional media

now, I am still paying close attention to current affairs [politics]. The open and rational way in dealing with the online public opinion of the Z Provincial Higher People's Court, as far as I am concerned, is rare to see. It is beyond my imagination.

### **Case B**

Not all local governments have the courage to face their maladministration. On 24 November 2018, when invited to a speech at a governmental institution in a city (H) of Province N, CAS2 had his wallet stolen while getting off a train. Though reported to the police, he/she left H without getting any feedback. Long before the incident, the train station in H had been notorious for its poor management, which was reflected in the doggerel: 'It is easy to take the train but difficult to go across H'. CAS2 posted his story online. In the post, CAS2 specifically referred to Case A in contrast to criticize and raise the consciousness of the local government. The post immediately attracted wide public attention and was forwarded or quoted many times.

One day after, CAS2 received several calls from the institution that had invited him/her to speak, asking if he/she could delete the post:

They just would not stop calling me. I cannot do anything at all. So, I told them that I would rather receive a call from the local police [explaining the situation] (CAS2).

Later that day, a call came from a police officer of the H city Railway Police. After talking over the case, the police apologized, promising that the local police would improve the management over the train station. Finally, the officer asked whether the post could be deleted. CAS2 took the apology as sincere and was impressed by the promises, so he/she deleted the article. However, in the same day, the Cyberspace Administration of H ordered operators of a social media account that forwarded the

article to delete it, with the excuse that “CAS2’s words are not true”, which irritated CAS2.

To fight back, CAS2 reposted the article the next day. Discovering this, the officer was immediately sent to the city CAS2 worked, asking if they could meet in person. CAS2 replied by suggesting the officer go directly to the train stations of Hangzhou, Ningbo, and Yiwu to learn “the right way in managing the station and protecting the passengers’ property”.

The local police continued calling him/her after that, trying to persuade CAS2 to delete the article. Meanwhile, it was said that the deputy mayor and the director of PSB of the H city held a joint meeting, claiming the city was going to rectify the chaotic train station with harsh measures: “What they discussed in the meeting were full of empty words and without detailed countermeasures”, noted CAS2. After the meeting, a higher-ranking officer of the H Railway Police called CAS2, apologized again, offered to find his/her stolen wallet, and again asked if the article could be deleted. Meanwhile, another social media account that reposted CAS2’s article was blocked.

The interview with CAS2 took place one month after the incident. When asked if the local government kept its promises in finding the stolen property and addressing the issues at the train station, CAS2 said,

They never bring my lost property back. As for the train station, I want to go back to see, but I dare not to.

When asked if he/she were threatened by the local government for the refusal, CAS2 replied,

They will not threaten me. However, another speech I was invited to by a local university in H is cancelled.

When asked if the university did that under the governmental pressure, CAS2 said,

The university never say so. But I am pretty sure it is. You know [in China], a region is like an independent kingdom.

At the end of the interview, CAS2 observed,

How can local governors learn to face their flaws directly and accept the supervision of the public, to face criticisms online, and correct their mistakes according to the laws and regulations?

### ***6.1.3 A Partly Achieved Objective***

Regarding the achievement of the policy objective, the implementation is a mixture of success and failure. As a programme, the policy plays its due role in preventing the potential of disruptive collective activity. Nevertheless, the negative impact from the mis-implementations should not be ignored. By filtering critiques to misconduct of the state, its agents, and officials, it cuts off the sources of the responsiveness, thereby weakening the regime's legitimacy.

Detailed exploration of the implementation verifies the co-existence of the “suppress dissent” and the “collective activity potential” for the policy is only partially implemented as designed. While implementing the policy as designed, critiques of the CPC, the government, or its leaders are not within the scope of deletion. The policy even asked the information about such to be collected as sources of authoritarian responsiveness in mending government flaws precisely and timely (PI-1). However, agents of the CPC discussed above might differ in determining what information is unfavourable, especially when information causing the ‘instability’ is imprecisely defined. Furthermore, taking the two cases discussed above as examples, even in a

widely acknowledged successful example like Case A, its influence is overshadowed by cases like that of Case B. As is the old Chinese saying, ‘A good deed goes unnoticed, but bad news spreads fast’. Also it is because examples like Case A are relatively rare. This, from another perspective, answers the question of why both the suppress dissent and collective activity potential interpretations are supported with a great volume of empirical evidence among existing works of China’s Internet censorship policy.

## **6.2 Achieving Desired Outcome**

To guarantee the regime’s legitimacy, the programme is to achieve the twin goals: internally to guarantee social stability (by response and repress); and externally to facilitate economic prosperity (through Internet-facilitated international trades). To evaluate whether the desired outcomes have been achieved, the two goals are evaluated separately. For both, the programme is so far within the scope of a *tolerable failure*. For the former, even it has been prioritized and is now promised, it might turn out to be less successful in the future if mis-implementations continue. Moreover, other than being considered after stability issues, the policy guarantees the latter only indirectly. Some measures have been taken in practice since they do not subvert the internal goal, but they still have flaws. The evaluations are based on the deviation between the goals and the implementation, which is understood in relation to what has been achieved and what is missing/unsettled (*cf.* 6.1.2). Before everything else, what worth mentioning is that flexibility has been designed and operated to further guarantee the achievement of the desired outcomes.

### ***6.2.1 Flexibility in Implementation***

The vague policy means that flexibility specifically designed to further assure delivery of the desired outcomes. To probe deeper, the researcher asked both PI and CR interviewees ‘if there were any exceptions when implementing the policy.’ The flexibility is reflected through the role of the Internet as ‘a valve’ and a public opinion detector to detect and defuse public discontent; the different levels of censorship in terms of different conditions; and the censorship implemented differently in relation to space and time.

#### **6.2.1.1 The Internet as a ‘Valve’ and the Public Opinion Detector**

While implementing the policy, the Internet’s function as a valve is not being hindered but guaranteed. That is, through this channel, netizens could express themselves and release their anger or dissatisfaction, including blaming the government without being censored and/or punished (PI-1; PI-3; PI-5). According to CR-3, there exists a trade-off between the restrictions and freedom of speech online in China. Many netizens cross the line without being punished or even traced, which would encourage people to push further. Facing mass information online, the promise of stability is also achieved through the responsiveness – China prefers to regulate and filter information partially instead of blocking the whole Internet.

Uncensored dissatisfaction could function as detectors of public opinion. Implementers are asked to detect, collect, and report public criticisms/dissatisfactions, especially that of the government through the censorship technology, to the authorities. Even more, according to PI-1, China would sometimes post information of a certain topic to collect public grievances based on its feedback. The government chases issues of great concerns to identify and dissolve social dissatisfaction before it grows into



triggers of collective activities. For example, on 7 December 2019, a video clip appeared online of an airport ambulance picking up passengers in *Shanghai Pudong* Airport with its emergency lights flashing. It drew over millions of comments overnight, sparked public outrage for the private use of public resources. Detecting the incident, an investigation was launched immediately. On 10 December, the Airport Authority delivered a statement on its social media page,<sup>27</sup> announcing that an official working for the airport asked for the deployment of the ambulance to pick up his family. After the investigation, nine people involved, including the official, were either fired or punished. The authority admitted their misconducts in special vehicle management and apologized to the public (Yang, 2019). Without the Internet censorship policy to detect the incident, the quick response could not be achieved, at least not on such a timely basis.

#### **6.2.1.2 The ‘Green Light’**

The phrase ‘green light’ was used to refer to exceptions given for the sake of facilitating China’s external goal. Typical measures include open access to some Western websites, such as the *Financial Times*<sup>28</sup> (PI-3), since it is less politically related and carries valuable financial information. Nevertheless, the website is frequently blocked whenever politically sensitive issues arise in China: events like the *Jasmine Revolution*.

Another example is the ‘loosen control’ over the VPN service in China. With the growing need to become involved into globalization, control over VPN service is less of a day-to-day concern in areas like education and business. Today, in most Chinese

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<sup>27</sup> See the statement at <https://m.weibo.cn/status/4448058349360577> (Accessed 10 December 2019).

<sup>28</sup> See <http://www.ftchinese.com/>.

universities and enterprises having transnational businesses, VPNs are permitted (PI-2; PI-3; PI-5; CR-1). A most recent case, facing the large number of Chinese international students now studying online in China due to the Covid-19, access to the uncensored Internet is provided by *China Mobil* to keep their study and connection internationally.<sup>29</sup>

Quoted from PI-3,

The policy is to facilitate, not to hinder the development of China. Once stability is guaranteed, real implementation leaves enough room for flexibility. The flexibility should be in step with the changing market and the dynamics of world politics [stability first, going global second].

### **6.2.1.3 The Differences in Terms of Space and Time**

Other than findings in previous literature about geographical differences in implementation (*cf.* 2.2.1), this study finds similar temporal differences. Besides the incompetent implementer, other actors leading to these differences include the facilitation of either regional development, or to satisfy unique local needs. Once they understand the gist of the policy, the implementers may derive greater benefits from the policy based on their sensitivity to the subtleties of the environment and their responsibilities.

Taking geographical location, as an example, the degree of control differs between economically highly developed areas<sup>30</sup> and other regions. Also, in provinces where

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<sup>29</sup> See details at

[https://global.cmlink.com/store/item?id=I\\_200403023958\\_2165&currencyCode=156&country=%E4%B8%AD%E5%9B%BD&LT=cn](https://global.cmlink.com/store/item?id=I_200403023958_2165&currencyCode=156&country=%E4%B8%AD%E5%9B%BD&LT=cn).

<sup>30</sup> Especially those with many transnational enterprises or those whose pillar industries were import and export.

the Han people dominate, hate speech against lifestyles of minorities, such as the Muslim, without attracting wide attention, is likely to be ignored. However, for example, in Qinghai Province where almost one fifth of the populations are Muslim, similar speech posted online may be filtered for “inciting ethnic hostility and ethnic discrimination or jeopardizing unity among ethnic groups” (PI-5). In regions where the CPC’s rule is challenged, such control is much more severe, for example, the Xinjiang Province where terrorists are highly active (CR-2).

Differences in time also exist – the degree of strictness and focus of attention in censorship varies in different periods. Typical cases are the Internet cutting-off in the entire region during the 2009 Xinjiang Riots, and Beijing’s loosely Internet control during the 2008 Olympic Games. At present, the Internet in Xinjiang is under stricter control (for social stability) than in other regions. Whereas during the 2008 Olympics Beijing loosen the control online: blocked websites like *Amnesty International* and *Human Rights Watch* were visible during the period of the Olympics (Branigan, 2008).

### ***6.2.2 The Internal Goal: Broadly Sustained with Deviations***

It has so far shown that implementation of the Internet censorship policy matches the internal goal by gaining the desired outcome, although with minor shortfalls.

On the one hand, although the design is vague, to the interviewed implementers, it was clear that they should delete content with the potential to trigger social unrest. With this objective in the minds of all implementers, it was prioritized in practice with multi-mechanisms. As a feature of the digital age, communication (including communication to propose/organize collective activity) is inseparable from the Internet. Consequently, the censorship policy guarantees the internal goal simply because the Internet offers

the government a channel to directly know what public concerns are so that proper measures can be taken before the potential activities ferment into chaos.

PI-5 mentioned an anti-Japanese protest that revealed further how the policy functions. The protest was suggested in a QQ group discussing over the *Diaoyu Island Dispute*. During that time, anti-Japanese sentiments continued to grow. Therefore, when one randomly suggested an anti-Japanese protest in front of the Japanese Embassy, most members agreed. The news soon spread, more and more netizens decided to join in. Since similar, previous protests in other cities had ended with riots, detecting this discussion online, apart from installing more police to ensure the safety of both the protestors and the Japanese Embassy, Beijing government sent liaison officials to negotiate with several protestors who seemed to be influential during the protest. By calming them down, the officials persuaded them to talk with the others to get them to leave. Therefore, although filled with furious protesters, unlike anti-Japanese demonstrations in other regions, this demonstration did not turn into a riot.

In a few extreme cases, Internet censorship can even prevent collective activities (contentious ones) from happening. The 2011 *Jasmine Revolution* is an example: it was suspected that the US government was behind this movement, trying to collapse the rule of the CPC (Tan, 2011; Weisman, 2011). During that time, anything including the word ‘Jasmine’ would be filtered. Therefore, it was inconvenient to organize related collective activities via the Internet. Offline, it was suggested that college students should not leave the campus on the nominated protest days.<sup>31</sup> Furthermore, although there was an absence of obvious protestors, large contingents of security

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<sup>31</sup> The researcher was an undergraduate when *the Jasmine Revolution* started, and the university happened to be in one of the cities where it was conducted. Despite the fact the Chinese were not passionate about participating, the university did suggest that students should not leave the campus at weekends. Out of curiosity, a test was done by posting on different Chinese social media with the word ‘Jasmine’: all attempts failed, thus proving the efficacy of the censorship.

personnel were reported in and around the locations of the expected collective activities (Blanchard, 2011).

On the other hand, though with more successful cases, an important factor is that individual implementers vary greatly in policy interpretation, thus there are implementations of various kinds. When mis-implementations are made, negative impacts are generated. They may not be crucial at the beginning but could become fatal if accumulated, which would lead to the failure to maintain the internal goal.

As section 6.1.2.2 shows, mis-implementation of the policy can happen intentionally (mal-implementation) and unintentionally (over/under-implementation). The former comes from protecting ‘the interest’ of the CPC’s agents or individuals, within and outside the government, such as Case B (*cf.* 6.1.2.3). In such cases, information is wrongly deleted in the name of the internal goal. The unintentional mis-implementation comes from the incompetency of the implementer whom view the ‘instability’ paranoidly, as was the case of CR-3 that all information containing the phrase *Falun* would be censored, no matter one is relate to *Falungong* or not (*cf.* 6.1.2.2). Such distorted interpretation is enhanced when one considers the sharp contrast between the little pay to the human censors and the huge workload involved. Whether intentional or not, as CR-3 says, the side effects could hardly be ignored – it could intensify conflicts between the government and the people. During the interviews many said that mis-implementations were exceptional, yet Case A suggests not: if they were exceptional, why was the reporter so impressed by the timely error correction measures of the provincial court? The accumulation of too many exceptions could cultivate the potential dangers the policy is supposed to prevent and thus might eventually endanger the regime’s legitimacy.

### ***6.2.3 The External Goal: Broadly Sustained but with Flaws***

This study finds the external goal has been achieved indirectly by not letting the censorship to hinder the Internet's function as an economic accelerator – mainly through flexibility in implementation via the 'green light' and differences in space and time. However, flaws exist when implementers are over-obsessed with the internal goal and overlook the external one.

Until now, the 'green light' has been the most effective measure, exemplified by VPNs used in international enterprises and research institutions. Plus, as is seen, the Internet censorship usually do not target at content which is business related. However, it is also seen that the external goal is only considered after the internal one is promised. One cannot help wondering about the necessity of maintaining the internal goal at the expense of the external goal. If China stops its connections with the international world, how long could it maintain the internal goal? Why are implementers so obsessed with the internal goal – would it not be better to find a balance? What measures should be taken to maintain a balance?

Unfortunately, to date the CPC has not found this balance. The achievement of the external goal has always been hindered by the over implementation of the policy. Blocking the *Financial Times* website whenever politically sensitive moments emerge is a case in point. To the programme, the safest measure to ensure the internal goal is to shift the 'green light' to the 'red light', as if the external goal was only decoration, which is similar to the trigger of Case A, where "to protect the interest of private owners" was over-implemented to become a problem.

Even worse are the repeated assertions from implementers of many kinds and at different levels claiming that China should take a different stance in handling its

connection with the world: “we have listened to the others for too long. It is time for us not to, or at least, not as we had in the last 30 or more years”. The self-conceit from the achieved prosperity is screening them from recognizing the benefits from the interconnection of China and the world. A typical case worth mentioning is related to reactions of some local level officials, even researchers, when discussing how to preserve the stability without hindering China’s Internet-facilitated international trade. During the interviews, both PI-4 and CR-2 remarked that, since China developed rapidly, there was no need to be humble, although the other PIs – especially those working at the central level – thought it was necessary to take other strategies to facilitate international trade. As PI-4 said,

Currently, we have reached the stage where our interests should be considered first. In terms of the Internet, it is high time we had our voices heard. It is high time we spoke.

The logic here is that China develops quickly, so whether censorship hinders its external goal is not a problem. However, to facilitate international trade has been the goal since China opened its door 40 years ago, thereby, such a logic is inconsistent with this goal. Limited within their own cognition of the censorship policy, implementers are bound to interpret the policy in a skewed way. Such a mindset can be traced to the personal experiences of both PI-4 and CR-2, for their daily jobs and lives are less related to issues of China’s international trade. Both live inland and in less developed areas where few foreign enterprises consider locating their businesses.

Mindsets of such regardless of the real intention of the policy at any moment is binding the foot of China with cloth, a very backward measure that can do nothing but delay China’s development. Therefore, although only a tolerable failure, to achieve the desired outcomes, one has to change the mindset: with China’s involvement in the rest

of the world, it needs to find a balance between its internal and external goals: to seek a win-win approach instead of cutting down its connection with the world whenever political sensitive issues arise.

### **6.3 Benefiting Target Groups**

This section introduces two target groups – Chinese netizens and the enterprises doing international business. It is showed that the programme is a *conflicted failure* to Chinese netizens since although they have partially benefited, these benefits are far from what the policy envisioned. To enterprises, the programme is a *tolerable failure*: although it has a few shortfalls, it broadly preserves their interests.

#### **6.3.1 The Netizens**

This study categorizes information censored in China as the POLICY-POSITIVE and the POLICY-NEGATIVE. The former refers to information that should be censored according to the policy, usually politically sensitive and has the potential for collective activity (e.g. a wide-spread rumour fabricating government misconduct, or the fraud/pornographic information); while the latter relates more to people's everyday lives that poses no threat to both internal and external goals of China's Internet censorship policy (e.g. a discussion of social injustice, the accusation of government misconducts). Information of this kind, according to the policy, should not be censored. Nevertheless, when implementing the censorship, they are censored out of policy mis-implementation. The programme is evaluated as a conflicted failure in terms of benefits to Chinese netizens. For one thing, netizens' demands on the POLICY-POSITIVE is low and the deletion/filtration does protect netizens' rights, and/or



safeties their needs. However, with the POLICY-NEGATIVE blocked, the remaining information online fails to do so.

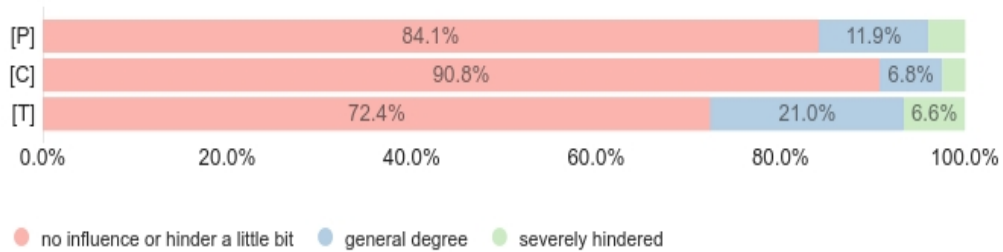
#### **6.3.1.1 Relevance of Censored Content to Real Needs**

The survey shows that *although the Internet is an essential tool for everyday life, much of the information sought online is usually politically irrelevant*. Over 95% of participants surfed the Internet every day: 44.3% use it for 2 to 5 hours and 37.8% spend more than 5 hours online daily (Q9). Netizens use the Internet for various reasons: study or work (73.2%), communication (74.3%), entertainment (72.6%), social interactions (63.1%), online shopping (61.7%), and news (57.3%) (Q10).

It is also found that *demands on the POLICY-POSITIVE are low, even among those who know what the uncensored Internet is*. 90.8% of [C] (people who do not have access to the uncensored Internet) thought the negative impact of Internet censorship had ‘no influence or a little’ while 72.4% of [T] (people with access to the uncensored Internet) thought the same. Both are much higher proportions than those who chose ‘severely hindered’ (Figure 16). The tendency coincides with [TS1] (people with experience of bypassing censorship in China), who attempt to obtain information wrongly censored, the POLICY-NEGATIVE, such as information related to academia or work (72.9%). Other needs are to get information for entertainment (38.6%), social activities (31.0%), online shopping (16.2%), or to satisfy curiosity (21.1%) (Q20-1).

**Figure 16 Demands on censored information**

Q14 From 0 (no influence) to 10 (severely hindered), the degree of the influence of the Internet censorship on your acquiring of information is:



It is also found that *although demands for the POLICY-POSITIVE are low, it is still necessary for China to censor information of this kind since such demands do exist and are driving some netizens to explore the uncensored Internet*. The demands do exist, especially among the [T] group. For instance, 38.0% [TS1] circumvent censorship to find news blocked, while 20.1% do so to acquire blocked sensitive political and military information, and 1.0% try to access other information, such as pornographic information (Q20-1). Compared with those in [C], more [T] say the censorship severely hinders their acquisition of information (Figure 16).

In conclusion, the survey shows the majority care little about the censored, though exposure to the uncensored Internet might change the status quo to some extent. As is seen, over 70% who experienced the uncensored Internet ([T]) feel the censorship does not influence their information acquisition, which is only 18.4% less than that from those having no uncensored Internet (Figure 16). Or to put it the other way: most participants do not need the POLICY-POSITIVE. Further investigation shows, even for those who explore the uncensored Internet on purpose, their demands on it are more related to, for example, professional development, health needs, or curiosity of censored information.

### 6.3.1.2 Reactions to the Programme

The survey shows reactions from different groups reveal a new perspective: although the participants were aware of the censorship, more claimed that they had full access to the information they needed, even though the POLICY-NEGATIVE is wrongly blocked. Therefore, this section shows that although the Chinese know of the censorship, more are unaware of the filtered POLICY-NEGATIVE, therefore, their infringed rights online. Ignorance of the censored content reduces demands, thus decrease their sensitivity to the censored as well.

Firstly, *regardless of experiences, Chinese netizens are clearly aware of the censorship.* When asked if they had experienced being censored or were aware of censorship online, those with social media accounts (83.0% participants, Q17), 62.3% from the [T] said ‘Yes’, 6% higher than the [C] (Q17-1). For those without social media accounts, 75.0% from the [T], and 67.4% from [C] said ‘Yes’ to experience of censorship (Q17-2).

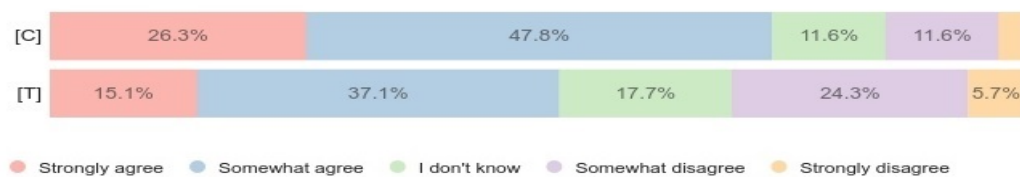
Secondly, *a greater hold over information online in China satisfies netizens’ overall needs:* Figure 17 shows the responses of [C] and [T] to whether they felt that censorship hindered their access to information and expression online: The majority chose ‘No’. For [C], 74.1%, said ‘No’ and 14.2% said ‘Yes’. For [T], the figures were 52.2% and 30.0%, respectively. The result is further enhanced by answers from Q13-5: when asked whether the information online in China fulfilled their needs, 78.7% and 48.3% agreed against 11.1% and 36.3% disagreed.

However, the landscape differs with further comparisons between [C] and [T]: the disagreements reported by [T] doubled the agreement of [C]. This shows that *experience of the uncensored Internet increases the sensitivity of Chinese netizens to*

*censored content, whether they demand it or not. Thus, access to the uncensored Internet helps to broaden their horizons but not necessarily their needs.*

**Figure 17 Differences on demands**

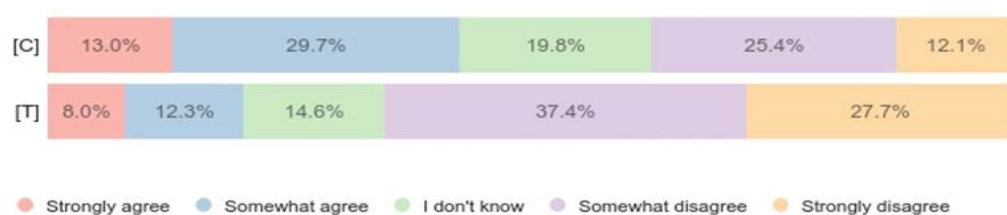
**Q13-4 - I have access to all types of Internet applications and services I need to obtain information and to express myself in China.**



The findings are also verified through participants' understandings of the acquisition of information (Figure 18). Only 37.5%<sup>32</sup> from [C] know that they do not have full access to all available information online, but answers from [T] show 65.1%<sup>33</sup> know it, which is almost twice as much [C].

**Figure 18 Access to information**

**Q13-8 - In China, I have full access to all the information online**



Finally, *figures for the POLICY-NEGATIVE are not small*. Answers to Q20-1 (investigating the reasons for censorship circumvention) showed that more participants did so to acquire the POLICY-NEGATIVE. Two of the [TS1] participants

<sup>32</sup> 25.4% somewhat disagree and 12.1% strongly disagree.

<sup>33</sup> 37.4% somewhat disagree and 27.7% strongly disagree.

managed to contact the researcher in relation to Q20-1 and said that instead of acquiring politically sensitive information, other reasons not listed in the survey but necessary for Chinese netizens was medical treatment, such as rankings of hospitals in big cities of China and the best treatments for diseases that were incurable locally. A text-message from another [TS1] said that some Chinese Internet service providers might either provide false or biased information for profit<sup>34</sup> or even insufficient information if they were unable to benefit:

I am a designer. I must circumvent the censorship for the newest designs in my industry. Because information like this is usually free of charge, you can never find enough information online in China, at least not timely or in fashion. That becomes a barrier for my designs.

With the blockage of the POLICY-NEGATIVE, the potential benefits that the Internet can bring to netizens shrinks. It was noted that the side effects of the programme have been more serious than imagined: its hinderance on people's academic or professional development (e.g. cannot get access to trending research papers) and their daily lives (e.g. quality of hospitals) were repeatedly mentioned in the survey. Further, it was found that although the need for the filtered POLICY-POSITIVE was limited, it was not zero. Therefore, the biggest problem of the programme in dissatisfying the netizens lies in the negative effects from the deletion of the POLICY-NEGATIVE: it is done in the name of preventing social chaos but actually delays China's further development. As propellers of social development, the blocking of the POLICY-NEGATIVE can be analogized to stopping supplying fuel to ocean-going ships.

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<sup>34</sup> A typical example is the death of Wei Zexi, a 21-year-old Chinese college student who died after receiving DC-CIK, an experimental treatment for synovial sarcoma at a hospital. The hospital topped the list on Baidu web search, which was later proved to be an exaggerated promotion. Actually, it is the very information that should be censored according to the Internet censorship policy but, unfortunately not. See [https://en.wikipedia.org/wiki/Death\\_of\\_Wei\\_Zexi](https://en.wikipedia.org/wiki/Death_of_Wei_Zexi) (Accessed 3 March 2019).

### ***6.3.2 The Enterprises***

Enterprises are less negatively influenced by the censorship. To ascertain whether and how the enterprises have been benefited, transnational businessperson (TB) interviewees were asked to ‘evaluate the policy from its influence on their business/industry.’ They were also asked to point out ‘whether it had brought inconvenience to their business or industry.’

It was found that the policy involved inconveniences which varied according to the interviewees’ place of work. For private-owned businesses, the implementation had no negative influence. Both TB-1 and TB-2 observed that communication between them and their foreign clients was mostly conducted via email or WeChat. Since their businesses are legitimate and political irrelevant, their business communication had never been censored or blocked.

For state-owned businesses, the blockage of some of their client’s websites did bring problems for business (TB-4; TB-5). As TB-5 commented,

It made me angry when websites of my clients were sometimes blocked. I did not even know how to explain this awkward situation to them. How should I expect them to understand this when I, myself, cannot? They prepared a website for you to look through the qualification of their company. You say, sorry, I cannot reach it. It is blocked. This is bad for business. I agree the policy brings us a lot of benefits, and it does protect us, whether for business or myself. Nevertheless, I have to say, sometimes, I just think it is too strict.

The policy brings inconveniences to transnational enterprises as well. Other than just awkwardness,

The cost on the network may increase, such as investment in personnel over server management and system backup... Also, information acquisition does slow down. It delays decision-making in the first instance, thus leads to cost losses to some extent and thus reduces benefits. (TB-3).

TB-3 also mentioned his/her disapproval of the ‘cut-them-all’ approach. “It needs addressing as soon as possible, or our enterprises may fail the real intention of the authority. And the blockage sometimes reduces our confidence in continuing our business in China”.

However, as most TB interviewees acknowledged, operation of the policy benefited their businesses in general. Taking TB-4’s comment as an example:

Though with some information blocked, the censorship provides sound protection over critical information of enterprises. This is beneficial to us rather than burdensome. Furthermore, with data better protected, chances for data leakage decreases, thus cultivating a better environment for healthy competition between enterprises; this is even better for the market in the long run.

Such a reaction is also reflected in other foreign enterprises conducting business in China. Compared with the benefits brought, the loss from censorship is acceptable, therefore chances are scarce for them to leave China. Reality shows that, although some enterprises have left due to the ISL, such as WhatsApp,<sup>35</sup> data shows foreign investment has increased over time: in 2018, the first year after the ISL was implemented, the number of foreign-investment enterprises was around 54,703, a 77.5%

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<sup>35</sup> The situation might be different for Internet enterprises than for other international enterprises. For business of the former is strictly connect with the Internet censorship policy. And, according to existing literatures, the Chinese government might use the policy as an excuse to force companies such as WhatsApp to leave to help internal enterprises of similar kind (*cf.* 2.3.2).

increase compared to 2017. Investment to China from Singapore, South Korea, the UK, Japan, the US, and Germany increased by 7.4%, 38.7%, 198.9%, 20.1%, 3.7%, and 30.2%, respectively (*People's Daily*, 2018).

#### **6.4 Satisfying Criteria Highly Valued in the Policy Domain**

“Public policies encompass a vast range of different policy domains... Most, if not all, policy sectors have values that are widely held by its community of actors” (McConnell, 2010b:48). Other than the fact that the type of policy evaluation this study conducted is effectiveness evaluation (cf. 3.2.1.2), when discussing efforts made during implementation, ‘effectiveness’ was frequently mentioned by the interviewees. It seems that for China’s Internet censorship policy, the effectiveness prioritizes everything. For that, the programme is a *conflicted failure*: although the effectiveness has been partially achieved, the implementation has been accompanied by failures.

##### **6.4.1 The Positive Side**

When it comes to ‘how they see the effectiveness of implementation,’ feedback from PI and CR interviewees varied.

On the positive side, the control of information is found to be quite effective as it filtered most information that might trigger collective activities. Also, since cybercrimes in China such as online fraud/scam, gambling, and invasion of personal privacy are regulated by different policies, among which, the Internet censorship policy guarantees the constant surveillance and control over related information (cf. 2.3.2), the programme effectively protects netizens from cybercrimes as well.



Moreover, the effectiveness is still growing with the detailing of the policy and advancing technology.

PI-1 gave an example of *Taobao*, China's most popular online shopping website, where the implementation helped to block many attacks on the website, hence keeping the data of both customers and business secure. Meanwhile, with space intentionally created for the Internet to function as an 'opinion detector', the CPC succeeded in connecting and responding timely to the public, thus its legitimacy remained intact. The most recent case, discussed in 3.5.2.3, involves CPC's timely responsiveness to online critiques of Wuhan government's sloppiness facing the Covid-19 outbreak. Over the same issue, the deletion and explanation of rumours about the disease<sup>36</sup> played a positive role in releasing the public's worries, thus decreasing the potential for social chaos (Appendix 1). Similarly, the survey shows that only few respondents disagree that the policy helped to fight online crime (3.8%, Q13-16) and terrorists (4.2%, Q13-17) and thus functioned to maintain social stability (4.1%, Q13-18). PI-5 predicted that with further clarification of the policy, the programme would become more effective.

#### ***6.4.2 The Negative Side***

The programme's negative effects from mis-implementations may lead to significant damage to the effectiveness of the policy. For example, the blocked POLICY-NEGATIVE has delayed timely responses of the CPC government to the Chinese; the unblocked POLICY-POSITIVE, such as over-produced hospital commercials, have

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<sup>36</sup> Rumors such as: the government had locked down Wuhan to let all patients there die without providing them with any daily necessities; the local government was selling donated facemasks for profit; Covid-19 patients wandered in public places trying to infect the others; even coronavirus could be transmitted to people through dogs and cats, so pets should be got rid of.

led to the death of patients such as Wei Zexi (*cf.* 6.3.1.2). If not properly addressed, the problems may have the potential to eliminating its achievements.

On the one hand, mal-implementations would block or narrow down the connection between the central government and its people online.

The freedom of expression online is not without boundaries. That is, your freedom of speech should not damage the sovereignty of the country nor the dignity and safety of individuals. The law prohibits anyone to deliver speeches against the fundamental political system of China, to claim an attack against a public place, or to slander the others online or offline. Such content must be controlled. However, our censorship system does not achieve this goal effectively. On the contrary, it sometimes functions to block ordinary netizens in their efforts to bring those corrupted officials to light, and their voices in opposing the oppression online as well. It is not what the policy aimed at but the ill intended manipulation of the policy. In this sense, the policy is misconducted, if not violated, hence deprives the people of their rights of expression and cuts off the channel to transfer public opinion to the central government. The authority is weak in distinguishing clearly enough about what should be censored, what rights should be protected (CR-3).

On the other hand, if it is possible to track and punish the mal-implementations – as China did in amending mistakes caused by the wrong censorship of criticisms of the Wuhan government (Appendix 1) – what would happen to the over/under-implementations generated by those confused by the vague policy and struggling to do their jobs as qualified implementers? This is as trickier a problem.

PI-5 acknowledges the *Seven Bottom Lines* are too vague or too general for implementers to take proper actions in their daily operations:

In practice, it is nearly impossible to filter words forbidden by *the Seven Bottom Lines* only while allowing the free flow of all the other information. The policy should cut the boundaries clearly and this clarification should be capable of having all messy information under proper management.

PI-2 worries about the existence of so many incompetent implementers:

The awareness and demand on Internet security are constantly growing in China. Consequently, demands are on the rise for more public products, including the relevant policies and the capabilities in implementing them. But think of the large number of incompetent implementers, one can hardly not worry if we can provide the public the due protection... I often ask myself if we are qualified enough. The Internet is developing so fast. One must ask if the government has developed necessary competence to cope. The answer is obviously not. We are not quite clear about what the problems are and where the problems are located... To be frank, simply because we are not competent enough.

Another problem comes from the limited and thus uneven distribution of resources. In the implementation, priority goes unconditionally to social stability. Taking *the Nine Forbids* as an example, implementers regard content that disseminates scam and gambling as less important than that which impairs national security, divulges state secrets, subverts state sovereignty, or jeopardizes national unity.

For example, the issue of online scam. Compared with politically sensitive issues, resources allocated to it are much less. The gap in

between is huge. Unless a scam causes a threat to life, the government could hardly pay due attention to it (PI-3).

This study shows China cannot guarantee all information filtered meets the policy design. Whether intentional or not, implementers at different levels have the possibility of deleting the POLICY-NEGATIVE while keeping the POLICY-POSITIVE, especially with the vague policy that leaves them room to decide what is ‘unwanted’. Information that is both lawful and useful in promoting the development of the nation are likely to be censored by mistake, such as criticisms of government misconduct; or academic papers with words detected on their keyword lists. Furthermore, there are insufficient concerns over issues like dissatisfaction about online fraud. The public may hold different perceptions about what is more harmful to them: be it online fraud that may endanger the safety of their property or a widespread rumour or proposal of collective activities that may immediately damage national unity – or both. It stands to reason that if more online fraud takes place, more people would feel cheated, which might also trigger collective activities and thus lead to unrest. As PI-3 compared the implementation so far to the primitive stage of Gun in Chinese mythology: to block and to dam. So far, the Yu’s system of flood control (to dredge) is only a promise.

## **6.5 Attracting Support for the Programme**

Echoing previous attitude studies, the survey shows that the policy has been a *success* in attracting support for the programme, although it is still somewhat problematic.

Though some prefer the uncensored Internet, more are positive about the policy, whether they have experienced the uncensored Internet or not, according to the percentage of choices among [C], [P] and [T] along the 5 Likert Scale comparing ‘*somewhat agree*’ (20.2%, 18.6%, and 15.8% respectively), and ‘*strongly agree*’ (10.0%, 9.6% and 8.9%, respectively) to the expression ‘All information should be online without being filtered to facilitate social progress’ (Q13-11). Additionally, less than 10% believed Internet censorship was unnecessary (Q13-14) and it does more harm than good for both the development of China (Q13-13) and its social stability (Q13-18). Also, most hold the government responsible for maintaining online security of netizens (Q13-12, from [C], [P] and [T]: ‘*somewhat agree*’: 31.5%, 33.1% and 35.8%; ‘*strongly agree*’: 61.1%, 57.2% and 50.4%).

Although more are supportive, it is likely that once the uncensored Internet was known about, dissatisfaction with the programme would increase. In the survey, the researcher listed 13 choices believed to be the results of the programme. Participants were asked to choose whatever they believed to be true (Q12). The positive side showed more gains over the negative<sup>37</sup> (Table 12). However, digging deeper, one finds that [C] were more likely to be on the positive side, while those in [T] were on the other (Figure 19).

**Table 12 Results of Q12**

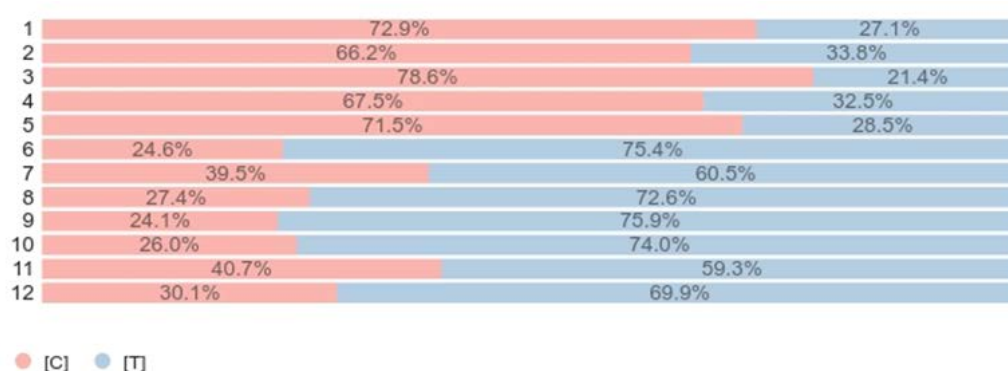
No.	Results of the programme	People who agree
1	It protects the safety of the netizen	70.5%
2	It helps to maintain social stability	77.8%
3	It promotes economic development	43.4%
4	It fights against online crimes	70.3%
5	It improves the content on the Internet	65.4%

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<sup>37</sup> Among those who selected ‘other’, 12 specified what they believed. As the answers were various and the size of the sample was small, choice 13 was spared in the following discussion. [“I don’t know” (5), “It promotes the development of VPN and related industries” (3), “It hinders the academic development” (3), and “It hinders the development of culture” (1)].

6	It hinders my personal development	5.8%
7	It interferes with my privacy	10.8%
8	It prevents China from democratization	11.1%
9	It hinders the social development of China	7.5%
10	It hinders the economic development of China	4.7%
11	It would have no effect	2.6%
12	It hinders China's involvement in economic globalization	14.8%
13	Other (please specify)	1.6%

**Figure 19 Differences in preferences for results of Q12 between the two groups**



The survey also shows that even censored, the Internet provides the Chinese with more opportunities for political participation because most participants feel so (Q13-9).

Though supported, when asked if the implementation still needs further improvement (Q21), 33.3% thought it should be improved as it was currently too tough, 41.0% believed it was too lenient, while only 17.8% regarded the implementation as perfect. The remaining 8.0% either said they did not know or gave specific suggestions. For example, China should: 1). introduce a classification system for censorship so that more information could be online; or 2). specify its standards of censorship, especially making them known to netizens.

## **6.6 Reasons behind the Failure and Success**

In addition to technical reasons, which might be problematic for all government trying to govern the Internet (Nye, 2014), this section elaborates on the reasons behind the programme failure in relation to: the left-behind mindset; the inconsistency between the CPC government and its implementers in interpreting stability; and the mixed role of enterprises in policy implementation. Similarly, the success of the programme is due to the combination of severe control with flexibilities and low demand for the censored information.

### ***6.6.1 Reasons behind the Failure***

#### **6.6.1.1 New Wine into Old Wineskins**

The failure reflects the old saying about pouring new wine (regulation of Internet) into an old wineskin. First, some of the implementers are paranoid about control or stability. Second, the policy is vague with little contextual information, thus leaving room for mis-implementation in the name of flexibility. Both generate unintended and unexpected effects.

Firstly, the paranoia is rooted in the long history of China's mass media censorship.<sup>38</sup> Before the Internet, traditional media such as newspapers and TV were the main channels of information transmission. The CPC bestowed 'media gatekeepers' the final say over the transmission of information (censorship). The focus of censorship then was pure control, with most efforts concentrated on preventing people from accessing 'improper' information (Jin, 2015).

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<sup>38</sup> Origin of China's mass media censorship can be traced to the Qin Dynasty (Han, 2013).

The Internet fundamentally changed patterns of information transmission: from a ‘one to many’ model, where a few media provided information to many people, to a ‘many to many’ model in which anyone could easily generate and share information within seconds (Roberts, 2018). The changed landscape facilitated not only social development but also the responsiveness of the CPC. However, confronting the large volume of information online, traditional means of mass media regulation in China faced two challenges: opinions of all kinds would linger, fact and fiction would coexist, making it more difficult to differentiate the should be censored information from that should not. Furthermore, being more responsive, the Internet gradually became one of the most important channels in maintaining the limited vitality of China’s civil society. It was crucial that the censorship should not hinder but to facilitate the government’s responsiveness, by allowing, and even collecting such information for the government responsiveness.

Therefore, considering the analogy made during the interviews of the legend of Gun and Yu (flood control), the conclusion can be reached that it is time to change the mindset from ‘block and delete’ to ‘guide and educate’. Nonetheless, as this study shows, though the CPC realized that the essence of censorship was to dredge rather than block, other than adjustments such as inviting more stakeholders into the programme, Internet control in China follows what was done to the traditional media. More attention is given to control instead of public opinion, although the latter is also on the agenda. Taking Case B as an example, to censor complaints online violates the rights of netizens in revealing their needs and overseeing the local government and cuts off the channel of the central government to hear voices from the bottom. It damages the responsiveness of the CPC and hence its legitimacy.



The obsession with stability is seen also in one of the interviewees who is self-conceit to the achieved prosperity and believes it is now not a problem whether censorship hinders the external goal now (*cf.* 6.2.3). Since the Internet was introduced as a tool to boost China's economy further, it might be suggested that it went against the original intention of the policy if the implementation failed to balance the twin goals of maintaining stability and further boosting the economy. Though contradictions exist between the two, it is not necessary to preserve the stability at the expense of the prosperity. Weakness on one side weakens the other side and hence impairs the regime's legitimacy as a whole.

Secondly, though it leaves rooms for a policy to be implemented flexibly, the vagueness of the Internet censorship policy becomes more of a problem, especially when the policy is not widely circulated. Before the Internet, the 'gatekeepers' of mass media did a good job in China, which holds a high-context culture; a long history in censorship practice and experience from years of practice and proper training (Zhao, 2016; Repnikova, 2017). Taking newspaper editors as an example, usually an editor was trained professionally until he/she had the competence to identify what was 'proper' and what was not. Back then, the tempo of life was more stable and slower, thus everything existed as part of a routine. Within a familiar context, well trained implementers shared much information, which served naturally as supplements to the vague policy.

The landscape changes dramatically with the coming of the Internet and globalization. Firstly, the novelty and ever-changing nature of the Internet makes it impossible to cultivate an all-inclusive context of governance, especially in such a short period. Secondly, the information explosion in the digital age forces the CPC to delegate power to untrained implementers such as service providers, all without experience or

knowledge about the context for implementing the policy. This study shows that the vagueness of the policy leads to mis-interpretations, which leads to further fragmentation between implementers at different levels. Distorted interpretations move the implementation further away from the original objective. On the one hand, the limited competence is usually shown in the over cautiousness of the implementers in implementing the policy. To be effective, they censor according to ‘keyword lists’, which can result in absurdity. Implementers delete all information containing phrases listed in the ‘keyword lists’ as it is the safest approach both for themselves and their superior government institutions. Hence, the approach reflects an attitude of ‘cut-them-all or ‘block as many suspicious Western sources as possible’ during politically sensitive moments. On the other hand, the vagueness leaves room for ill-intended manipulation of the policy, which also harms the legitimacy of the CPC in its endeavour to bring the Chinese a better life.

The lack of widespread explanation of the vague policy also leaves the public ill-informed. Though netizens are expected to join the implementation, most do not know of their rights and responsibilities well. As implementers, sometimes they use the Internet and the policy either to vent their own anger or to violate other people’s rights of expression. As targets of the policy, they are likely to be the victims of mis-censorship without knowing why. Overall, due to the vagueness, the current policy is filled with loopholes for mis-implementation. If not addressed, it will sooner or later lead to the impression of a suppressive and irresponsible government, thus the fading of the CPC’s legitimacy.

The contradiction between the ever-increasing demands and slowness in cultivating qualified implementers cannot be solved over-night. Therefore, since the interpretation prioritizes policy implementation, to change and prevent the implementation from

failure, a solution is needed to decrease the mismatch between the fast development of the Internet and the slow cultivation of qualified implementers. It will be difficult for those from pre-information times to change their mindset, who have more say over the practice. Thus, the main approach remains: to delete and block. As is mentioned, the prevailing mindset of Chinese officials (at least those interviewed for this study) is still that “the problem would be solved if we got the money and the time to train enough gatekeepers as capable as the methods of traditional media censorship workers”. Unfortunately, to date there is no sign of any change – given the ever-changing nature of the Internet, even given enough resources for proper training, it is doubtful whether implementers could grow into the qualified ones, for it takes a long time to gain both insight and experience. For the same reason, it is extremely hard to maintain a stable context as seen before the information age, hence the mature ‘context’ is underdeveloped. It seems that a much easier and more effective substitute would be to clarify the policy as much as possible so that implementers could follow it accordingly, especially for areas where experiences of regulation are scarce, while at the same time finding approaches that can satisfy the flexibility to handle local problems. Otherwise, even if the whole society were mobilized to regulate the Internet, it would still be implemented in a similarly flawed way that, accumulated over time, could endanger the legitimacy of the CPC government.

#### **6.6.1.2 Fragmented Interpretations of ‘Social Stability’**

Another factor leading to programme failure is the inconsistent interpretation of social stability between the CPC government and its implementers. As is shown, although both insist that the objective of the policy should be to decrease collective activity potential thus ensure a stable society, differences exist between the expectations of the CPC and real implementation. With inconsistencies in understanding the idea of social

stability, some implementers simply do not realize that they have been implementing the policy inappropriately.

The CPC government – which practices responsive authoritarianism – sees the essence of stability as eradicating social tensions and unstable factors and resolving conflicts between the government and the citizens. Facing social conflicts, repression is not necessarily the right choice (*cf.* 3.5.2.3). Contrarily, structural fragmentation between the CPC government and its agents leads some implementers – especially local level officials and enterprises – to misinterpret stability as ‘a society without disputes or incidents’. Hitherto, some take the Internet as a channel for collecting public dissatisfaction and will, while others regard deletion of dissatisfaction as the ideal way to govern the Internet.

Hence cases of mis-implementation arise, for example, in handling rumours – instead of clarifying facts, deletion is adopted as the easiest and most popular approach; or filtering criticisms of government misconduct instead of investigating, fixing, and punishing. Inappropriate approaches damage the original design of the policy. The negative effect could even have been intensified when the uneven distribution of information and the incompetent implementers are considered. Furthermore, what is unique to this policy is the scale of human resources engaged in its implementation. With so many implementers misinterpreting the idea of social stability, a great number of POLICY-NEGATIVE are deleted.

Therefore, although the programme has now achieved some success in line with the objective, it fails ‘to achieve the desired outcomes’ in the long run as side effects – the disconnected channel for the central government to hear public voices, may turn superficial social stability into a vicious circle: the more the CPC emphasizes social

stability, the less its agents could tolerate public discontent; the more Chinese people's voice is suppressed, the more their interests and the social justice would be damaged; the greater the damage, the sharper the social tensions, and the stronger the dissatisfaction. Blocked off from legitimate channels of expression, some, especially those at the bottom, might have no choice but to take measures outside the system, such as resort to violence. At the moment, although extreme methods of expression may finally draw attention from the top when implementers can no longer suppress/delete, the damage to the regime's legitimacy would have already been done, some could be irreversible. It is possible that once outrage breaks out, it would leave little room for the CPC to handle the situation, for social contradictions could be more complicated and intensive than the broad dissatisfaction and suspicion over the CPC, such as that triggered by the death of Dr Li Wenliang in the epidemic. Conditions of such would make maintenance of social stability a harder assignment. If not addressed thoroughly and carefully, the same pattern would leave policy implementers either to suppress the public continuously if not more brutally or to hide some information to gain local or personal interest. It is a reminder that what looks good on the surface may hide real danger underneath that could threaten the government's rule.

#### **6.6.1.3 Problems from A Mixed Role of Enterprises**

The failure also arises from the mixed role enterprises play as both service providers and policy implementers. Unlike implementers working in the government, enterprises prioritize profits: they become implementers to get their licenses to do business and sometimes for investment from the government. They play a mixed role: to implement the policy on behalf of the government and to seek profit as entrepreneurs. To preserve the licences, they censor the POLICY-POSITIVE; For greater profits, they delete some POLICY-NEGATIVE, hence mal-implementation;

To cut down costs, they hire cheaper censors who are incapable of doing the job, which naturally leads to under or over-implementation.

The strategy ‘to censor in exchange for license/investment’ creates an exclusive structured monopoly market in China’s Internet service industry, which worsens the above problems. The monopolized market breeds a group of Chinese Internet enterprises that enable the broad censorship that China now adopts. Ever since the last decade, with so many Western websites blocked, a plethora of Chinese websites have emerged. As substitutes, services offered by these home-grown enterprises are embraced by the Chinese. However, these competition free enterprises miss the pressure to implement the policy as designed. For example, Sina Weibo has been accused of abusing its dominant market position (Yeo, 2019; Zhao, 2020). To gain more profits, it would filter some POLICY-NEGATIVE, such as the death of Gao, the actor, and the affair scandal of Alibaba’s higher-level manager (*cf.* 6.1.2.2).

Similar situation can be seen in the insufficient and uneven allocation of resources in the market. Since financial support only comes from the government, enterprises in the implementation run with limited resources. As a result, although developing with a tremendous speed, to date neither the government nor service providers have enough money to handle new problems, such as tackling the POLICY-POSITIVE more precisely and sparing the POLICY-NEGATIVE. Or as the example from PI-3 shows, less attention is paid to the issue of online scam compared with politically sensitive issues, although the former is of no less importance to ordinary Chinese.

Inviting enterprises into Internet governance echoes the nature of Chinese political culture, *the plurality in unity* (*cf.* 3.1.2). With unity as the core, plurality properly handled may strengthen the unity by absorbing input from different elements.

Nevertheless, the process of assimilation also breeds tensions. Success does not come easily, especially in newly emerged areas such as the Internet, for which few experiences are available. Looking back at the development of the Internet and its censorship policy in China, one cannot help asking whether the programme failure was the by-product of the decision to empower Internet enterprises with policy implementation. It made broad Internet censorship in China possible but with little countermeasures to deal with the designed contradiction of the desire for profits and their duties to censor, which makes them more likely to make mistakes while implementing the policy. Such problems are enhanced when China is eager to gain profit from the Internet, which leaves little time for it to foresee and prepare for possible problems. This innovative approach grows through trial and error. As a product of the Internet, it verifies again that China is willing to accept differences (plurality) in governance so long as unity is maintained. It is likely that, as has been repeated in Chinese history, no matter how plural, once in practice, it will be adapted and assimilated into the mainstream culture and result in enriching the unity. Only, it takes time and effort to assimilate.

## ***6.6.2 Reasons behind the Success***

### **6.6.2.1 Combination of Severe Control with Flexibility**

The combination of severe control with flexibility makes the programme effective and thus, well supported by the Chinese.

Unlike the pro-economic authoritarian story that the Chinese yearn for a materially better life from the Internet only, this study shows that they do share a growing need in having their voices heard. But this is after the fulfillment of a stable and prosperous life. As such, the severe control is achieved and contributes to a relatively stable

society with reduced contentious collective activities. Furthermore, as shown in the relatively peaceful anti-Japanese demonstration and the preventive suppression over *the Jasmine Revolution* (cf. 6.2.2), it also functions to prevent loyalist activities from turning into chaos, and even to suppress some (possible) contentious collective activities beforehand. It gains the CPC government valuable time to respond and amend, which guarantees it will abide by what is promised in *the Communist Party Constitution of China*: to serve the people and thus maintain its legitimacy (The 19<sup>th</sup> National Congress of the CPC, 2017).

At the same time, flexibility under the severe control ensures both responsiveness to issues with great public concern, and distribution of benefits via international trade facilitated by the Internet. The CPC leaves the Chinese an impression of highly responsive (Tang, 2016; Tang and Lin, 2020). Some have challenged the impression as the result of an extremely low expectation of the government: being controlled, the Chinese would be thrilled with even a minimum level of government responsiveness (Truex, 2017a, 2017b). In fact, the Chinese expect high from the government (Tang, 2018). In return, the CPC makes great efforts to respond at anytime and anywhere: “leaders of a democratic government may be hyper-responsive to public opinions only during the election season, and only to their own supporters... In contrast, leaders in authoritarian China do not... have elections as a simple but effective yardstick to measure such representativeness” (Tang, 2018:116). With flexibility in censorship, the CPC government turns the Internet into a ‘yardstick’ to measure its responsiveness: it becomes a major channel both to detect timely needs for responsiveness and to respond to the Chinese directly. The case of the ambulance in Pudong Airport shows how the censorship policy typically uses the Internet to supervise its agents and to release social pressures from the bottom up and thus gains the regime legitimacy. Also, as far as benefit distribution is concerned, flexibility in policy implementation reveals itself in



measures such as the VPN services and differences of control in space/time. Therefore, Internet-facilitated international trades promoted.

The combination of severe control and flexibility can also be regarded as the product of a political culture of *plurality in unity* and the large size of the nation. The flexibility represents the pluralities in Internet governance that contribute to the unity – the legitimacy of the CPC government, be it in response to the public or to open a window for China-based international enterprises (VPN service). Meanwhile, as explained in section 3.1.2, despite the high centralization of power, China is with great diversity: there are huge variations between the population, per capita incomes, the structure of economies,<sup>39</sup> and their sub-cultures: all contribute to their governance being more diverse than expected (Goodman and Segal, 1997). All legitimates the CPC further if the government implements its policy differently in view of time and space in its due sub-context.

#### **6.6.2.2 Low Demand on the Censored Information**

Another factor contributes to the programme success is the very low demand among Chinese netizens for the POLICY-POSITIVE: information that should be censored according to China's Internet censorship policy, usually politically sensitive and has the potential for collective activity.

Data shows that Chinese netizens care more about issues irrelevant to the POLICY-POSITIVE. Even for those circumventing the censorship, more are to acquire the POLICY-NEGATIVE (information that should not be censored according to the

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<sup>39</sup> Regional differences of the economic structure include differences in the openness to the rest of the world and the importance of international business to local economic development.

policy), hence the high levels of acceptance the programme enjoys. However, the low demand at the moment does not mean such demand would not grow. As is found, experiences with uncensored Internet increase netizen's sensitivity to the censored and can change the mindset (*cf.* 6.5). Therefore, as evidence suggests severe control on the information censored may, in turn, decrease the already low demand on the POLICY-POSITIVE (*cf.* 6.3.1.2). Moreover, to contribute to the solidity of the programme success further, it is still necessary to block the POLICY-POSITIVE. Once the intensity of the censorship maintains, it would be likely that the Internet would be more of a tool to satisfy the everyday routines of netizens. That explains why although many sense the existence of censorship, the majority support the policy, especially when certain levels of government responsiveness are provided. Also, the Chinese support the policy not only because the censored are not of their demand, but also because the censorship policy offers the protection they require; whatever their attitudes, most admit the policy is a shield to maintain the safety of netizens, their families, and their assets. Meanwhile, further exploration of the complaints about the programme reveals that they are mostly generated from the mis-implementation instead of the policy itself. Therefore, if what had been censored had matched exactly with the design of the policy, there would have been fewer complaints. Unfortunately, there will be no end to the complaints, unless more mis-implementation countermeasures are introduced.

## **Conclusion**

This chapter considered whether the implementation goes hand-in-hand with the objective, and the inconveniences and the benefits that the implementation brings to the target groups. Further, it illustrated the degree of satisfaction and support drawn from them. Data collected demonstrates that as a programme, the policy fails more

than it succeeds in numerous aspects. Both the failure and success can be traced from the distinct natures of China's responsive authoritarianism. The failure comes from the old-fashioned mindset when handling up-to-date issues; the different interpretation of social stability between the central government and the implementers; and the problems with the mixed role of enterprises while implementing the policy. Its success as a programme comes from combining severe control with flexibility and the low demand on the censored information (including efforts to sustain the low demand).

The next chapter will explore the success and failure of the policy's politics. It will evaluate whether the policy enhanced the political reputation of the CPC government, eased its business of governing, promoted the CPC's desired trajectory, and provided any political benefits.

## **Chapter 7: The Politics of China's Internet Censorship Policy**

### **Introduction**

Since political success of a policy stems from both its process and programme (McConnell, 2010b), this chapter elaborates on and diagnoses the political impacts of China's Internet censorship policy on the durability of the current system with reference to what the policy was designed for and how it has been implemented.

Explored first is whether the policy enhances the government's political reputation and prospects. Discussion then turns to whether it helps in easing the business of governance, whether the government trajectory is sustained, and what political benefits and critiques are aroused and explored. Results show that within the evaluation framework, the policy politics has been more of a success than a failure, that is it fails tolerably in the four criteria above. The last section digs deeper into the reasons behind the success and failures. For the failure, the present study discovers that it is mainly due to the ineffective channel for public political participation in the process, and because sources of responsiveness in policy implementation are sometimes interrupted. While success comes from immediate responses on a large scale; thereafter the policy satisfies the interests of both the public and the government. For the ruled, not only are social stability and economic prosperity guaranteed, spaces are also created to have their voices articulated, heard, and responded to; for the government, the policy provides a channel through which appeals from the bottom can be heard and detected, so that timely responses could be offered.

The chapter sets out to answer the underlying questions:

- What are the impacts of the policy on the government's reputation?
- Are there any approaches to ease the business of governance by means of the policy, and if so, are they effective?
- Does the policy promote the government's desired trajectory?
- Is there any dissatisfaction with the policy?
- Is the policy a success politically, and to what degree and why?

## **7.1 Enhancing Political Reputation and/or Prospects**

Political prospects and/or reputation are the factors that help a government sustain power (McConnell, 2010b). In this sense, the policy is a *tolerable failure*, for although the CPC's reputation has been enhanced, minor setbacks have been experienced. The policy represents a double-edged sword.

### **7.1.1 Achievements**

Politically, the achievements of the policy lie in the degree to which the political system and the dominant ideology are preserved through combining repression with benefit distribution once basic legitimacy is gained through limited responsiveness.

Explorations of the programme show clearly that the censorship policy leaves enough room for responsiveness, and even turns the Internet into an effective source for responses. For example, PI-1 mentioned that space would intentionally be provided for critics, and such data are occasionally collected to keep the government informed of public opinion (*cf.* 6.1.1.2).

Based on the basic legitimacy achieved by responsiveness, on the one hand, repressions are usually employed to prevent or suppress contentious collective activities. In addition to the achievements discussed in section 6.2.2, also worth mentioning is, the Internet is likely to provoke extremism among netizens. For example, the push technology and its web browsing applications.

With the technology, the Internet only provides netizens with information they like. Take this cup as an example. If you happen to show your likeness of it by praising it online, the Internet would then push to your screen tons of information that praise or sale the cup. Then, you may just assume everyone loves it. You would never know there are also tons of netizens posting negatively over the same cup. The cup is only an analogy, the point is you could hardly imagine how extreme netizens could be once motivated blindly when it comes to, say, for example, a political issue. Without the policy, the Internet would endanger interests of us Chinese (CR-2).

Most Chinese perceive the Internet as a tool to facilitate economic development and a channel to receive response from the government. Therefore, as long as the policy is implemented as designed, they would have no objection to the controlled Internet in China and even consider it as necessary. However, as the survey shows, though not many, some are dissatisfied with the current system. Once they are possessed of “looked-real-and-fit-all” views, some might ignore others, even if their needs do not reflect the actual needs of the majority. Some might even try to vandalize the existing system, believing they, themselves, represent the majority. That is, what makes the repression enactment even more important.

On the other hand, though it is obvious that the strategy of benefit distribution is realized through the accumulated economic benefits, among which the Internet

functions as an accelerator (*cf.* 6.2.3), the role of the policy should not be lightened: it contributes to a stable society; prevents inappropriate behaviours for business and standardizes the operation of service providers (CR-3).

Take the collection of netizen's personal information as an example: with the enactment of the ISL, information collection by service providers became better regulated and standardized. Before the ISL, Chinese service providers usually did not offer their clients privacy policies or agreements, and when they did, such policies used to be general and confusing, filled with difficult terminology. Even worse, service providers would collect personal data not related to the services provided and sell them to advertising agencies or telecommunication fraud criminals for profit (Dai, 2018; Zhang, 2019). Now, with the ISL and its supplements,<sup>1</sup> such behaviours decreased drastically. For example, from November to early December 2019, over 100 Apps violating the privacy of the users were temporarily removed from App stores and asked to rectify the problem. These Apps either had no privacy agreement, unclear descriptions of the scope of their data collection and use of personal information, or collected information excessively and unnecessarily (Ye, 2019).

### ***7.1.2 The Double-edged Sword***

This study also shows mis-implementation of the policy has damaged the government's reputation to some extent. When asked to describe the 'influence of the policy on sustaining the government's legitimacy,' almost all CR interviewees admitted that the policy was like a double-edged sword, especially when the implementation was not operated as designed. For example, *over-implementations*<sup>2</sup>

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<sup>1</sup> See details at [http://www.cac.gov.cn/2019-11/07/c\\_1574658334765452.htm](http://www.cac.gov.cn/2019-11/07/c_1574658334765452.htm)

<sup>2</sup> As illustrated in section 6.1.2.2, this research differentiates mis-implementations of the policy between over/under-implementation and mal-implementation. The former occurs by chance, while the latter is deliberate.

of the policy, especially the ‘cut-them-all’ tactic, have greatly mitigated the achievements when POLICY-POSITIVE and POLICY-NEGATIVE<sup>3</sup> are deleted indiscriminately: this has hindered the rapid transmission of information, including information accelerating China’s development. Not to mention the Internet is also used as an ideal channel for collecting immediate information to response to the needs of the Chinese.

Moreover, lack of government explanation over both the vague policy and mis-implementations might exert more negative influence on the CPC’s reputation, especially when it is revealed that there exists extreme asymmetry of information between the government and the society and the lack of official initiatives to communicate and to explain.

There is no, or at least, not enough official initiatives trying to communicate with and explain to the public about the policy. Even when it is tried, some of the measures are not appropriate or totally wrong. This would do nothing but more misunderstandings. Furthermore, our government is also weak in responding to and amending [mis-implementation caused] crisis (CR-2).

Similarly, some TB interviewees worried that insufficient explanations from the government about the policy and its implementation sometimes decreased their trust in the competence of the CPC’s governance – without explanation, they could not differentiate between the mis-implementations (TB-4, TB-5). TB-5 even suggested that it would be better if there existed an open platform allowing testament of the censored content and products so that people could be informed about what is and is

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<sup>3</sup> As illustrated in section 6.3.1, The POLICY-POSITIVE refers to online information should be censored according to China’s Internet censorship policy: the one politically sensitive and has the potential for collective activities. While the POLICY-NEGATIVE refers to information should not be censored according to the policy, but wrongly censored. It is usually related more to people’s everyday lives that poses no threat to both internal and external goals of the policy.



not allowed to help them to identify mis-implementations. It would not only decrease the workload of implementers, avoid abusive use of power, but also help netizens to know more of the policy, and the real intention of the government.

Compared with local enterprises, China-based international enterprises know little about Chinese politics, thus their concerns are more obvious. As shown in the interview with TB-3, CEO of the Chinese division of an international enterprise, government efforts in communicating with them or directly explaining the policy are far from adequate:

The problem is whether the relevant departments can communicate and explain the policy to us sincerely. In addition, the relevant personnel really need to be more amiable when communicating with us [attitude change]. [Also,] the ‘cut-them-all’ tactics need mending. Otherwise, we may miss the real intention of the Chinese authority, hence losing confidence in continuing our development in China. Moreover, such a strategy may irritate the enterprises, the society, and the masses, or at least, lead to dissatisfaction to the policy. Some may even challenge the purpose of the control. I am not scaring anyone, but I have been worrying for so long. So do my peers at work.

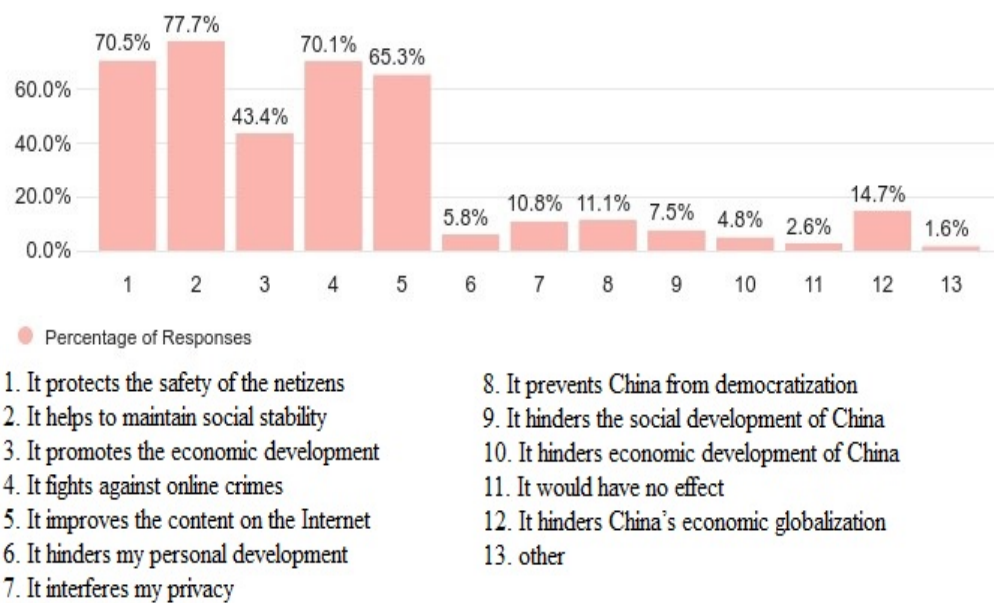
### ***7.1.3 Public Opinion***

One may argue that judgement over the policy in enhancing the government’s reputation should not only be based on words from individuals, as the results would be less reliable unless is verified on a larger scale. Therefore, answers from the survey with Chinese netizens are referred to. It shows most participants acknowledge that it raises the confidence of the Chinese in the government’s ability to rule. Nonetheless,

although the policy enjoys higher praise than criticism, some worry that the policy might impair personal privacy or career development, or even deter economic development and hence stifle social progress.

Firstly, as discussed in section 6.5, when asked to choose ‘what is/are the result(s) of the Internet censorship’ (Q12), more participants chose answers favourable to the CPC’s reputation (1-5 in Figure 20) instead of expressing doubt about the rulers (6-12 in Figure 20).

**Figure 20 Results of the Internet censorship (Q12)**

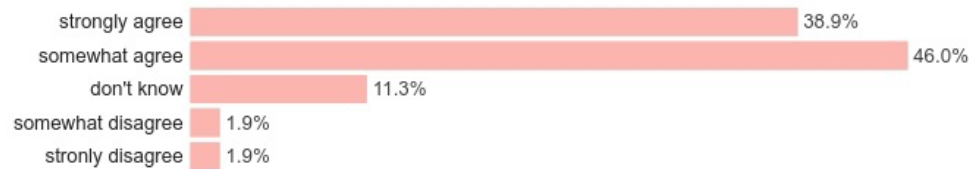


When asked if they agreed that the policy had enhanced their confidence in the government’s ability to rule (Q13-15), the scale from strongly agree to strongly disagree was 30.5%; 42.7%; 18%; 5.6% and 3.0% respectively. To further test their confidence in the CPC’s governing competence, the researcher picked three specific factors the policy aimed to address: fighting against online crime (Q14-16), terrorism (Q14-17), and maintaining social stability (Q14-18) (*The NPC Standing Committee,*

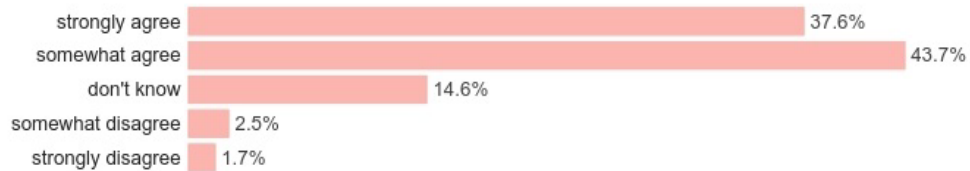
2016). Figure 21 reveals that far more people agreed that the policy functioned well, with less than 5% doubting it.

**Figure 21 Attitudes of netizens to the government’s capability**

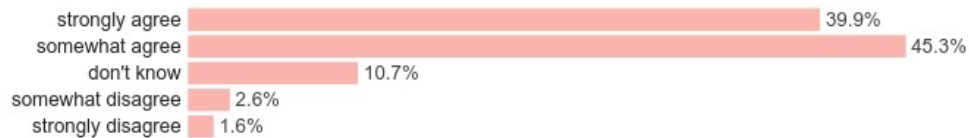
Q13-16 The current Internet censorship policy helps to fight online crimes.



Q13-17 The current Internet censorship policy helps to fight against the terrorism.



Q13-18 The current Internet censorship policy helps to maintain the social stability.



● Percentage

Some may argue that this is because the Chinese are afraid of speaking out against their government (Carlson, 2013; Ma, 2018). Public opinion research reveals it has been wrong, for the Chinese are highly critical of the government and less likely to hide their unhappiness with their government (King et al., 2013; Tang, 2016, 2018). To double check, the researcher reached out to some participants who chose ‘strongly agree’ or ‘somewhat agree’ for these three questions.<sup>4</sup> It was hoped that interrogating

<sup>4</sup> Although the survey is anonymous, the researcher knows some of the participants in person. Also, since the researcher’s information was provided in the information sheet, some of the participants contacted the researcher, sharing their experiences and attitudes further about the policy.

their reasons might bring out more behind their responses: none proved to be afraid of governmental retaliation. However, even those who strongly agreed said that they believed the policy was partially mis-implemented and thus neutralized the effects. One who chose ‘strongly agree’ for all three questions complained,

Though I agree the policy proves the government’s ability to rule, it is undeniable that it could be abused or used as an instrument by some elites to satisfy interests of individuals or cliques. For example, officials and rich people manipulated their power abusively by deleting complaints on corruptions or misconducts. Behaviours like this weaken the link of the central government with the people, hence damage the regime’s reputation. This is obviously not what the policy is for. But still, for most of us, the CPC government is also to blame.

## **7.2 Easing the Business of Governing**

If it eases the business of governance, the policy can be considered a *tolerable failure*. Despite problems both in the process and in the programme, the CPC’s capacity to govern has remained undisturbed.

### ***7.2.1 Efforts to Ease the Business of Governance***

Efforts in easing the business of governance are shown from three main aspects: to promulgate supplemental laws thus make the policy more operational; to take actions in dealing with problems by having ‘token policies’<sup>5</sup>; and to please the ruled.

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<sup>5</sup> A token policy in this study refers to a policy made and implemented as a symbolic measure to show responsiveness and intentions in solving certain problems, although the practical effect might be limited.

### 7.2.1.1 Detailing the Policy

Chinese public policies are usually sweeping. As noted earlier, the vague policy might work in policy areas where experiences of governance used to be rich, but the censorship policy fails because the Internet is new and ever-changing. The vagueness has become one of the triggers of mis-implementation. Whether realizing it or not, the government has continued producing supplements to the ISL over the last few years.

To further identify the efforts China has made in detailing the policy, the researcher searched for supplements the CAC generated from 2016 to July 2019.<sup>6</sup> Five ministerial regulations (部门规章), and eleven normative documents (规范性文件) were identified (Table 13).

**Table 13 Supplements to China's Internet censorship policy (2016 - July 2019)<sup>7</sup>**

Document	Issued on	Effective on
<b>Ministerial Regulations or Rules</b>		
<i>Provisions on the Administration of Online Publishing Services</i>	04/02/2016	10/03/2016
<i>Provisions on Administrative Law Enforcement Procedures for Internet Information Content Management</i>	02/05/2017	01/06/2017
<i>Provisions on the Administration of Online News and Information Services</i>	02/05/2017	01/06/2017
<i>Provisions on the Domain Name Management</i>	16/08/2017	01/11/2017
<i>Provision on the Administration of Block Chain</i>	10/01/2019	15/02/2019
<b>Normative Documents</b>		
<i>Provisions on the Administration of Online Information Search Services</i>	25/06/2016	01/08/2016
<i>Provisions on the Administration of Applications of Mobile Internet Information Service</i>	28/06/2016	01/08/2016
<i>Provisions on the Administration of Online Live-streaming Services</i>	04/11/2016	01/12/2016
<i>Implementing Rules for the Administration of the Licensing for Internet News Information Services</i>	22/05/2017	01/06/2017

<sup>6</sup> 2016 is the year that the ISL was delivered and July 2019 was the date this chapter was written.

<sup>7</sup> See details at <http://www.cac.gov.cn/xzfg.htm> (Accessed 15 July 2019).

<i>Provisions on Internet Forum and Community Services</i>	25/08/2017	01/10/2017
<i>Provisions on Internet Follow-up Comment Services</i>	25/08/2017	01/10/2017
<i>Provisions on the Administration of Information Services Provided through Chat Groups on the Internet</i>	07/09/2017	08/10/2017
<i>Provisions on the Information Services Provided through Official Accounts of Internet Users</i>	07/09/2017	08/10/2017
<i>Provisions on Evaluating the Safety of New Technologies and Applications for Internet News Information Services</i>	30/10/2017	01/12/2017
<i>Measures for Content Management Practitioners in Entities Offering Internet News Information Services</i>	30/10/2017	01/12/2017
<i>Provisions on the Administration of Microblog Information Services</i>	02/02/2018	20/03/2018

Taking *the Provisions on Administrative Law Enforcement Procedures for Internet Information Content Management* (The CAC, 2017c) as an example: it clarifies information management online as the responsibility of the CAC and its local branches. To be clearer on the responsibility at different levels, it classifies the jurisdiction of the administration into four parts: places (where unlawful acts occur); levels (which administrative body from the central to the locals should be responsible for what); transference (what should be done when administrative authorities encounter cases beyond their jurisdiction); and designation (how the jurisdiction will be designated under certain circumstances). The provision also standardizes the procedures<sup>8</sup> of these administrations, among which the rights and obligations of both implementers and targets of the policy are listed specifically. It also adds 17 document templates that should be used in executing penalties. Cyberspace administrations at all levels may refer to them to further standardize their procedures when enforcing the policy.

With these supplements, China further clarified the jurisdictions, the procedures, or the rights of the policy targets. Hence, they further standardize the implementation and

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<sup>8</sup> The procedures are: *Filing Cases* (立案), *Investigation and Evidence Collection* (调查取证), *Hearings and Interview* (听证、约谈), *Penalty Decision and Service* (处罚决定、送达), and *Case Execution and Close* (执行与结案) (The CAC, 2017c).

allow the ruled to know their rights and responsibilities better. In fact, Table 13 lists only a small part of the supplements revealing CPC's efforts in detailing the policy – China started to add supplements even when the ISL was in the draft stage. Meanwhile, as can be seen from its legislation plans issued annually (e.g. the State Council, 2019), with more problems emerging when implementing the policy, other supplements have been prepared.

#### **7.2.1.2 Taking Actions to Deal with Problems**

Although priority is given to the internal goal, the policy has always tried to maintain balance between the internal and external goals in China. One of the most economical way of mediating the contradictions to date has been the legalization of VPN services in some areas – this can be seen as a token policy for it shows signs of dealing with problems.

For example, TB-3 confirms international enterprises in China can use VPN services.

For the transnational enterprises of ours, although the censorship does defer information, it is not a big deal since we can always get whatever we want from the parent company or our other branches all around the world by VPN. The cost on the network may increase, such as investment in personnel over server management and system backup. Nevertheless, to a large-scale enterprise, it is acceptable.

Furthermore, to mitigate the negative effects of the policy on the benefits of international trade – in addition to the token policy that allows VPN services – to ease worries about the severe control, concessions have also been made in other policy areas, such as business, so that enterprises can benefit more from Chinese markets.

For example, the government opened more areas for foreign investment (*cf.* 5.1.3.2) with more policies tilting towards foreign enterprises in China, like reducing or remitting taxes (The NPC Standing Committee, 2019).

### **7.2.1.3 Pleasing the Ruled**

To please the ruled, in addition to the activation of government responsiveness, China not only sets up the public consultation system and dispatches policymakers to ask suggestions nationwide when making the ISL and its major supplements, but also involves non-government stakeholders in the implementation. Such measures give a bigger voice to the ruled.

Perhaps the most obvious effort is the introduction of the consultation in policymaking. Apart from splitting the drafting group into several teams for consultations, seminars, and fieldwork to collect information nationwide, public consultations were also carried out. In addition to over 100,000 suggestions exhaustively gathered through different channels for the ISL, all the ministerial regulations or rules listed in Table 13 went through at least one month of online public consultation: *the Provisions on the Administration of Online Publishing Services* ran from 12/2012 to 01/2013; *the Provisions on the Administration of Online News and Information Services* from 11/01/2016 to 15/02/2016; and *the Provision on the Administration of Block Chain* from 19/10/2018 to 02/11/2018, among the others.<sup>9</sup> Since the last decade, specific measures were taken to involve as many non-government stakeholders in the process of China's public policy as possible. Consultations had been held over a wide range of

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<sup>9</sup> See details at <http://www.cac.gov.cn/xzfg.htm> (Available 17 July 2019).



issues. From medical reforms to marriage law, from railway management to consumption tax, from regulations of schools to standards of food labels.<sup>10</sup>

While in the programme, except to include service providers as major implementors, both the strategies of ‘communicating directly’ with the public and the report system (*cf.* 6.1.2.1) were engaged in also to involve more non-government stakeholders in implementing the policy. Negotiators were also sent to major International enterprises, explaining the policy in response to their worries before and during the programme (TB-3).

Overall, as the survey shows, more Chinese people believe the Internet is far freer than other channels of information transformation (Q13-10) and that it provides the Chinese with more opportunities for political participation (Q13-9).

### ***7.2.2 Factors Counteracting the Efforts***

Though the evidence above suggests that the policy eases the business of governance, both the apparent lack of interest in political participation of the Chinese and the mis-implementation diminish some of the efforts made.

Firstly, the survey shows that public consultation does not work as well as anticipated: even given the opportunity, the enthusiasm of the Chinese for public consultation has proven to be not that high. For one thing, the Chinese care more about economic development rather than political participation. For the other, public consultation is relatively new (introduced in 1996) and is thus not well recognized – it takes a long time to change the public mindsets. For instance, although the ISL drafts were posted

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<sup>10</sup> China’s public policy consultation system online: <https://zqyj.chinalaw.gov.cn/index> (Accessed 17 July 2019).

for public consultation twice, of all those surveyed, less than half knew that (Q18). Worse, among the 32.8% who knew about it, 81.7% did not take the opportunity to contribute – when asked why, 57.0% did not think their opinions mattered, 12.0% wrote ‘it is none of my business’, while the others were either too busy with their own business to participate, agreed with the policy, or thought someone else would participate and represent them, *etc.* Some even said they did not participate because the government did not offer them the link or called on them in particular. They thought it meant the government did not want their opinions (Q18-1).

Secondly, intentionally or not, mis-implementations cut off connections between the central government and the people. To some extent, it also reveals loopholes in the system, in which the central government fails to fully either to regulate the behaviours of the implementers, or to train them fully. The loophole is also reflected in the extreme asymmetry of information between the government and the people. As a result, it is only natural that the public does not clearly know the real intentions of the policy. This means people would attribute mistakes only to the government’s intentions in making the policy, its ability to govern, and ultimately its legitimacy. Critiques and suspicions cannot be amended until the CPC government can work out ways to address them all.

### **7.3 Promotion of the Government’s Desired Trajectory**

The present study involves both the internal and the external goals of the CPC government’s desired trajectory. Under this umbrella, it is found that the policy *fails tolerably*: although it needs some refinement, the broad trajectory of both the internal and external goals remain sustained. There are also signs that to sustain the trajectory, the CPC government has gradually adjusted its strategy in promoting the policy along with its tactics in dealing with criticism and doubt.

### ***7.3.1 The Internal Goal***

Internally, apart from China being currently stable without any immediate sign of any social turmoil, the survey shows that most participants agree that the policy functions well in sustaining the goal. 81.6% participants agreed that the policy does more good than harm in maintaining social stability (Q15).

Similarly, all CR interviewees agreed that the policy contributed greatly to the maintenance of a relatively stable social environment, especially in the detection and prevention of collective activities. Hence the policy facilitates the CPC's ability to cultivate a favourable internal environment for maintaining its legitimacy.

Since Internet censorship monitors or foresees tons of collective events, the policy plays a positive role in maintaining social stability. Large-scale mass incidents are difficult for any government to handle. As China holds the largest population and develops fastest, it is even more difficult. It is precisely out of the worry that the impact of some events may be unpredictable, therefore, the government must control them based on the vision of the worst possibility. That is why we usually prefer to intervene in advance (CR-2).

TB-3, a Westerner who had worked in China for a long time, also commented:

If we put the freedom of speech aside, the policy does contribute to the social stability, hence the economic prosperity of China... Taking the development of the technology and the trade war with the US into consideration, I guess the Chinese government would not deregulate but to tighten the control over the Internet and I am quite for it. But,

of course, one should not ignore its negative impact on the network services, telecommunications industry, and entertainment for control over the public opinion costs and the procedure for document signing may take time thus delay the business. Other than these, it should have little impact on other industries... I do not think that the current censorship is so severe that it hinders the progress of China. It is also understandable that whether the Chinese Internet can be fully opened depends mainly on the average degree of education and cultural adaptability of its people. On the other hand, I do not think information globalization would naturally facilitate national development at this stage. It is to be interpreted comprehensively. China needs first to raise the judgmental capacities of the majority to differentiate what is right and what is wrong, and to boost the cultural confidence through more education. Further, the competence and the credibility of the government should also be improved. It is only based on the improvements can the open Internet with freedom of speech be turned into the driving force for further development. Thus, naturally it may take a much longer time.

In conclusion, although expensive, the policy facilitates China's development and brings the Chinese more benefits. It also paves the way for the future of an open Internet in China. Hence, free access to information in the future would not be impossible when both the Chinese government and its people are well prepared.

### ***7.3.2 The External Goal***

Externally, the researcher asked TB interviewees ‘whether the policy triggered or stirred up worries among businesspersons, and if so, whether the government took any action in coping with the problems.’ Some said the policy did not hinder the operation of their business (TB-1, TB-2). TB-2 believed that the policy had boosted his/her business somewhat.

I would rather say a clearer and more developed online environment under the policy has firstly eased the work in differentiating garbage/fake messages from those useful ones. For example, all my clients are from abroad. Before the censorship policy was well-developed, it was not safe enough to do business via the Internet. Thus, more deals were made through offline platforms like trade fairs. It was either for my customers to come to China, or for me to go to their countries. Besides, it was highly inconvenient to communicate with each other. It used to take several months for sample exchange, let alone a deal.

Nowadays, especially after WeChat was invented, we do not even use email anymore. Directly via WeChat, we can communicate with a photo or a video clip to exchange the samples on the spot. Hence negotiation could be done in a few minutes. Moreover, all my customers feel safe on WeChat since it runs on a real-name registration system. It is actually more convenient and safer than before. Neither my customers nor I feel the policy is unacceptable. Why? Simply because we do business legally.

The landscape changed when other TB were interviewed. As entrepreneurs they felt that the policy hindered their business, but not to an unacceptable degree (TB-3, TB-4, TB-5). TB-3 said in addition to the VPN service, the government also regularly sent negotiators (usually governmental officials) to his/her enterprise to communicate, explaining the policy and showing due concern about their worries. Though some were not as effective as expected, because of the “arrogant/superior attitude of some governmental negotiators” (TB-3), the measure helped to release the worries of the businesspersons. He/she admitted,

So far, if properly operated, the Internet censorship does not have any specific negative impact on the business... As a matter of fact, content control focuses on three issues, politically sensitive, socially inappropriate, and personally not confidential. Obviously if companies run normally and abide by the law, they are not likely to be restricted, even if it is a multinational company. For the extra costs, as I just mentioned, we simply buy it. As for the panic [caused by the strengthening of the policy], I believe it can be eased through sincere communication between relevant departments and our enterprises.

### ***7.3.3 A Change of Direction: Acknowledging and Detailing the Policy***

Entering Xi's age, the CPC government also tried to sustain their trajectory by acknowledging and sometimes even propagating and detailing the policy, which is a change of direction in terms of its previous strategy of avoiding disseminating the policy.

China began to censor its Internet from the mid-1990s and has issued numerous laws and regulations to legalize censorship since then. Of all efforts, the one that marked

the systematization of the policy was *the Resolution of the CPC Central Committee on Certain Major Issues Concerning Comprehensively Advancing the Law-Based Governance of China* (The Fourth Plenary Session of the 18th Central Committee of CPC, 2014). It not only wove all the previous laws and regulations into one system but also signalled a big strategic turn: from being vague and doing without saying to detailing and enacting the policy in a top-down approach (Wang, 2018).

The system of the policy is still to be completed. As the cornerstone of law-based Internet governance for China, the ISL and its supplements are becoming more and more detailed. China realizes that it would be better to explain censorship rather than remain silent. Hence it has adopted strategies such as openness and informatization of government affairs and opened more government accounts on social media to communicate with the public. To date, though still quite mysterious compared to Internet related policies in most democratic nations, China's Internet censorship policy has become more open than before. This echoed Chinese government's turning as becoming more responsive to its people. When the proposed concept of 'communicating with the public' was mentioned PM-6 said that the strategy was to respond to questions and queries (on the policy) in a timely manner. For example, a better way to stop rumours is to "offer trustworthy official evidence instead of deletion only". Similarly, according to PM-1,

The CPC originates from and has its roots in the masses. We should not be afraid of them. We should respond to their online arguments, critiques, or even extreme biases. Also, we should handle the rumours and put an end to harmful information in time.

The changed mind-set brought about the new horizon of Internet governance. Once it recognized the problems, the government began to detail the policy during the process,

which made it easier to legitimise the programme. Simultaneously, propagation of both the process and the programme increased knowledge of the ruled about the policy and hence decreased the chances of misunderstandings. Consequently, the government sustained a broad trajectory.

#### ***7.3.4 A Far from Perfect Policy***

Nevertheless, being able to sustain the broad trajectory does not put an immediate end to damage and opposition and thus diminishing the accumulated achievement – many other problems still exist.

A typical example of the long-lasting damage is that although there have been more attempts at propagation, many are unfamiliar with the policy. Among those surveyed, although 68.3% reported knowing that there was an Internet censorship policy (Q16), among them less than 4% knew the policy well, 48.4% said they only knew it existed, and another 48.0% were not familiar with the policy at all (Q16-1). Instead of reading the laws and documents, most heard of the policy from channels other than the official ones, such as social media or even from someone else's discussions about the policy (Q16-2). Besides, over 30% did not think or know that most websites in China require real-name registration (Q13-6), though this is one of the censorship practices adopted widely (Fu et al., 2013). Unfamiliarity with the policy can also be seen from their lack of knowledge on the legality of bypassing censorship (Q19). Only few knew that such behaviour was legally permitted if reported to the authority by using authorized tools.

In addition, even with changed direction, the policy is still vague thus leaves room for mis-implementation either by chance or on purpose. Also, responsible for implementing or organizing/supervising the implementation of the policy, many



government officials, including those whose jobs are to implement the censorship policy, are still incapable of adjusting themselves to the age of the Internet. For example, the government calls on the cadres to surf and to dive themselves into the Internet more. Nevertheless, PM-6 admitted that some just interpret the call as using the WeChat where they read and sometimes post or repost funny pictures only.<sup>11</sup>

Internet governance is a complicated equation. Facing such a new thing, how can we turn it into a better tool to serve the entire society, and to boost the economy and the whole nation? This is what is called the Internet governance, the core of implementing the censorship policy – to promote the development of the entire society, to promote the application of these technologies to serve the community and the people better (PM-6).

As is discussed, implementation of the policy involves implementers within a hierarchical system. The policy, especially its implementation, can only be identified as a success if the policy is adopted completely and identically from the top to the bottom. For China, the Internet is not only a new area to be governed, or an accelerator of economy, but also a channel that connects the government and the people more. Ideally the Internet should be able to reveal the needs of the ruled and to expose problems of the government. It is crucial for a responsive-authoritarian government to maintain its legitimacy. Therefore, even though it is designed to facilitate the detection of public opinion, in practice, as long as mis-implementations exist, the policy would not function fully as expected. Consequently, more than losing a channel for reputation gain or sustaining trajectory, the governing capacity of the government would be in doubt and hence endanger the CPC's legitimacy.

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<sup>11</sup> Real intentions behind the requirement, according to PM-6, are that the government hopes officials would become more knowledgeable on issues that Chinese netizens care most about. Thus, they could locate and solve the problems in governance especially issues of urgency.

#### **7.4 Bringing political benefits for the government**

In this respect, the policy is again a *tolerable failure*, for support to political benefits for the government outweighs opposition.

Echoing the previous attitudinal studies on Chinese Internet censorship policy (*cf.* 2.3.2), this study verifies that the policy enjoys a high level of public support. The interviewees mostly regarded the policy as necessary, and most survey participants wanted it as well. The CPC enjoys a higher degree of trust in their governing competence than anticipated through their satisfaction with the efforts of the government in fighting against online crime and terrorism, in maintaining social stability, and in boosting the economy. To date, as noted, the higher rate of support is not driven by the fear of governmental retaliation (*cf.* 7.1.3). The participants are not afraid to show their dissatisfaction with the policy which suggests that the Chinese enjoy the right to show their feelings towards the government, hence negative expressions are not necessarily the target of the censored. Nevertheless, as noted above, the policy is a double-edged sword. Behind the praise lie critiques and dissatisfaction, although some negative feedback comes from misunderstanding about the policy.

##### ***7.4.1 Critiques and Dissatisfaction***

Although the policy enjoys high public support on the whole, different voices still exist. The existence of critiques and dissatisfaction are revealed by the following: 7.3% of survey participants believed that the policy does more harm than good to the internal goal (Q15), which is extremely large in number considering China's population. Similarly, only 17.8% think the current implementation needs no further

improvements (Q21). Some regard it as hindering their personal development, disrespecting their privacy, and delaying China's social and economic development (Figure 20). In addition, efforts to ease the business of governance cannot smooth the scars caused by mis-implementations. Worse, arrogant negotiators acting on behalf of the government led to doubt and suspicion from foreign enterprises further (*cf.* 7.3.2). Behind the increasing foreign investment, extra costs and doubts exist, and some businesses choose to leave China.

#### ***7.4.2 Sources of Misunderstandings***

During the interviews, the preliminary survey results were shown to both PM and CR interviewees. When questioned about the results, most regarded the negative feedback as triggered by misunderstandings. These misunderstandings may derive from the opacity and imperfection of the policy mainly.

Though it has become more detailed over time, China's Internet censorship policy is still vague and is not well-known. The change of direction, such as detailing the policy, or encouraging officials to communicate directly with netizens, shows that the CPC government is determined to decrease misunderstandings, but this process takes time and the government still has a long way to go.

The vague policy itself would trigger worries, hence misunderstandings of the policy. As admitted by PM-2,

Until today, we do not even have an official legislation clearly specifying the scope of information filtering in detail. What is on the lips as 'severe or strict censorship' is more of an imagination. Looking back, the misinterpretation is mainly out of lack of propagation of the

policy: few explanations to the public about what it is and why it is a must. Some of the propagation sounds more likely to intimidate instead to explain to the public. Therefore, the misconception over the censorship is from either misinterpretation or lack of common vision or simply mutual trust. [I admit that] our policy lacks transparency: it is delivered without further explanations. Hence, take the security check as an example, some foreign enterprises would misinterpret the measure as one designed particularly against them. We do treat all enterprises equally, but we fail to send the message clear enough. Even worse, when such problems arise, most of us simply ignore it instead of taking it seriously by analysing the issue deeply, thus causing more misunderstanding.

The vague policy also leaves room for mis-implementations, which lead to more misunderstandings.

Problems did exist in the government... The entire management system is unavoidably bureaucratic, hence problematic approaches in implementing the policy. We have realized the problems and are now working on them. However, the change should take place within the whole system, which means the overall improvement of the competence of a lot of people: everyone who works in implementing the policy. The critical problem is what happens when the vagueness of policy meets the bureaucratic ways of thinking of local governments: it is only natural that many good ideas and policies from the central government are either partially implemented or distorted: the lower the level, the more problems. The central and the local governments do not implement the policy identically (PI-5).

## **7.5 Reasons behind the Failure and Success**

As Nye (2014:7) suggests, to evaluate the Internet governance of a nation, “the most effective form of governance in each specific context” should be the determining factor. As such, since China can only successfully transform itself into the responsive authoritarianism and survive democratization pressures with the right channel (MacDonald, 2015), the first problem that leads to the political failure of the policy is the defective channel, for it delays the political participation of netizens in policy process. Meanwhile, the vague policy cuts off the proper channel for effective responses from the government occasionally in policy programme. On the contrary, though limited, the responsiveness at such a large scale does lead to policy success politically since it satisfies the interests of both those being ruled and the CPC.

### ***7.5.1 Causes behind the Failure***

#### **7.5.1.1 Ineffective Channel for Public Political Participation in Process**

Existing studies show that the enthusiasm for political participation is strongly correlated with the economic conditions of a state (Weiner, 1971); the rapid development of the economy raises the Chinese’s sense of political participation (Li and Zhong, 2007); while channels of participation are varied since the CPC has become increasingly responsive, thus attaches greater importance to public opinions (Kornreich, 2019). As this study shows, multiple methods have been used to solicit suggestions when forming the ISL: social investigations, seminars, hearings, and most importantly, two rounds of public consultations. Under the circumstances, it may be confusing that of the 32.8% surveyed who knew of the consultation, most chose to

ignore it and 67.2% simply did not know of its existence (*cf.* 7.2.2.1). It can be explained that what functions well in democratic countries may not do so if not properly adapted to a different regime. The major mechanism of responsiveness in the process is not as effective as expected. The needs of the public are either delayed or forgotten, making the responses from the CPC government less effective.

Firstly, although economic development raises people's consciousness of political participation, most Chinese are used to participating passively instead of actively. Therefore, as one of the most important channels for soliciting public opinions in the process, the consultation does not function as effectively as it should. This explains why 26.8% of those surveyed who knew about the consultation chose not to participate, which meant only 6% were consulted. Political participation was not something that the Chinese were accustomed to, so they did not realize the potential benefits. The Chinese are used to a distinctive state-society relationship, in which the state plays the role of the parent and the ordinary people are the children. So long as their desire for a stable and quality life are satisfied, the 'children' would obey and respect the 'parent' (*cf.* 3.1.2.1). Within such a system obedience used to be taken as a virtue. Therefore, the absence of channels either to question the ruler or to consult the ruled. Such a mindset has turned into a habit for most of the Chinese, even today. Consequently, although the CPC is now attaching a great importance to responsiveness to avoid failing its people, in a society where authoritarian, hierarchy and obedience have been dominant to maintain 'unity', most Chinese are not accustomed to articulating actively and openly. However, this does not mean political participation is not attractive to the Chinese.

Actually, the political culture generates political expression that results in "pre-empting rather than facilitating autonomous interest articulation"

(Falkenheim, 1987:4): political participation in China is often event-driven and shows only at critical moments (Liang and Lu, 2010). In a relatively inactive civil society, the government is more likely to be responsive to issues with more potential to threaten its rule (Weller, 2012; MacDonald, 2015). Therefore, unless it is urgent, most of the needs of the masses could have been screened from the central government. When making public policy, to maintain legitimacy, the responsive authoritarian government is very cautious in providing public goods desired by the society. Since the state is slow in sensing potential dangers, the best choice is to prevent them before they occur. Meanwhile, although relatively new, due to the increasing sense of political participation, when the public realize the policy makes it harder for them to get what they need, they would start to fight for their desires. Facing the new appeal, the CPC government would resort to tradition and previous experiences before taking new approaches, like engaging local level officials and ordinary citizens in policymaking. These measures are taken to address problems generated either by the lack of interest of the public or channels in political participation. Therefore, both the CPC government and the ordinary Chinese are trying these borrowed approaches.

In addition to the seemingly passive political participation, another problem comes from fewer channels for ordinary people to participate, which makes it more difficult for the CPC to be as sensitive to them as it is to grassroots implementers. Table 14 illustrates channels for ordinary Chinese and those for lower-level implementers in the formal procedures of the ISL process. Lower-level implementers enjoy more rights than ordinary citizens. Other than having more and better channels of participation,<sup>12</sup> they are formally involved in implementing the policy, which guarantees their active role in the consultations. As with the implementation model of the policy, the policy functions through the joint efforts of lower-level bureaucrats, such as local branches

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<sup>12</sup> Some become policymakers, some are formally consulted several times, some are invited to seminars.

of the CAC, the Internet police, service providers and their employees, and other related government institutions. Naturally, for the CPC government, being responsive to their suggestions would make the implementation more immediately efficient and consequently lessen threats to its rule. However, opinions from the public are not properly represented within the seemingly closed circle.

To the public, other than the asymmetric channels, the only channel open to all lacks publicity: only 32.8% survey participants knew about the public consultation. Since public consultations could only collect suggestions or opinions on a voluntary basis, the channel is rendered somewhat invalid: of the 1/3 who knew about it, many chose not to be consulted. As noted, the Chinese are so accustomed to passive political participation that if they are not individually invited, they would take it for granted that they should not participate at all. Furthermore, the rest channels are for representatives only. Since the representatives are usually chosen by local governments, it is likely some would speak mostly for the local government instead of those for whom they are supposed to represent (the ruled).

**Table 14 Channels provided for ordinary Chinese vs. lower-level implementers<sup>13</sup>**

<b>Targets</b>	<b>Channels</b>
<b>Ordinary Chinese</b>	Fieldwork in Beijing, Zhejiang and Guangdong, with representatives of netizens.
	Annual meetings with influential online individuals.
	Public consultations on and offline (twice).
<b>Lower-level Implementers</b>	Being members of the drafting group.
	Consultations with all related governmental institutions before and during the drafting (several rounds).
	Consultations with operators of critical information systems such as banks, communication and electricity companies.

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<sup>13</sup> See details at section 5.2.1.



	Seminars with major Internet enterprises (service providers, Internet security companies, and networking equipment manufacturer).
	Fieldwork in Beijing, Zhejiang and Guangdong with local level officials.

The failure can also be attributed to the little efforts of the CPC government in encouraging ordinary citizens to participate, or in enlightening them to its benefits. Taking the researcher's own experience as an example, before the 2019 UK general election, the researcher, as a non-UK citizen, received at least 5 emails calling on UK citizens to participate in the election, not to mention other ways of propagation. It is apparent that no Chinese policy consultation, including the censorship policy, enjoyed a mobilization of participation on such a scale. If such efforts are needed in a democratic nation where citizens are already accustomed to political participation, it is obvious that China is weak in mobilizing public participation, which can again be explained by the impact of tradition and culture: it takes time for the Chinese – government and public – to get used to the borrowed methods of other systems.

#### **7.5.1.2 Occasionally Interrupted Sources of Responsiveness in the Programme**

Another contributor to political failure comes from the occasionally interrupted sources of responsiveness from policy implementation. Without the basic legitimacy through timely responses to the public, there would be no room for either the enactment of repression or the distribution of benefits. Therefore, the role of the Internet in transmitting public opinions has become more and more eminent and indispensable. Authoritarian responsiveness in China is mainly achieved in two ways: top-down to supervise lower-level government agents; and bottom-up to gather voices from the public (*cf.* 3.1.1.2). Although the censorship policy is designed to protect and to promote the two sources, in practice online channels for both are occasionally cut

off because of its mis-implementations, resulting in failures from the interrupted flow of information.

Mis-implementations come in two types: mal-implementation and over/under-implementation. The first occurs on purpose, and the second, by chance (*cf.* 6.1.2.2). Intentionally or not, in the long run, both will decrease the responsiveness of the Chinese government, weaken the policy politically, and may eventually fail the legitimacy of the CPC government. This study argues that over/under-implementation can be more harmful than intentional mal-implementation. For one thing, once detected, the CPC will correct, amend, and even punish quickly the mal-implementers in response, for mal-implementation is against the intention of the central government or the policy. However, over/under-mis-implementation springs from the inability of the implementers, a shortage of personnel, or technical limitations. Therefore, it cannot be fixed in time.

A phenomenon worth noting is that, even for those who know that some of the problems are a result of mis-implementations instead of the policy itself, the CPC government still gets the blame (*cf.* 7.1.3). Whether or not mis-implementation is a result of the CPC's own will, it is the CPC government who empowers those implementing the policy but fails to prevent the mistakes. Therefore, it reveals another problem from the structure of the system: even though the CPC has recognized some of the existing problems in the government and is working on their amendments, as PM-6 mentions, the only solution is for the central government, local governments, and enterprises to implement the policy identically. However, it is easily said than done. The difficulty lies not only partially in the scale of the policy implementers but more in the bureaucratic rigidity of the implementation system. Other than the many loopholes in the programme, the policy faces corruption and misconduct by

governmental officials or enterprises in real practice. Though such challenges are faced by all authorities, whether democracies or autocracies (Montinola and Jackman, 2002), they are more problematic in China, because the whole system transforms power top-down along a long chain, but with structural fragmentation between the CPC and its agents: it is only replayed in the implementation of its Internet censorship policy. The power allocated mobilizes the local governments, officials, and enterprises, but decreases the state power somewhat. Once signs of correction of mis-implementation become apparent, local resistance might grow. As such, problems triggered by mis-implementations are easily accumulated, being enhanced, and further leading to the failure of the policy politically.

Faced with a problematic programme, most amendments that are currently being made are targeting at single cases such as CAC's punishment to Sina Weibo discussed in section 6.1.2.2, or like the temporary removal of 100 apps (*cf.* 7.1.1). Given the severe situation China faces, fixing single cases is far from enough, as similar cases would soon arise, like Sina Weibo's constantly censorship of certain trending topics for profits. If behaviours of such were repeated, it would lead to suspicion from the public about the policy, the government, and their ability to achieve the goals set. As has been pointed out, "it seems highly likely that repeated failure to convince the population to carry out the regime's policy (and then suffering policy implementation disasters) structurally weakens the regime in the long term, if not bringing immediate challenges to their rule" (MacDonald, 2015:61).

## ***7.5.2 Reasons behind the Success***

### **7.5.2.1 Upholding the Interests of the Ruled**

The policy has been politically successful as it upholds the interests of the people. In addition to economic benefits or personal safety already elaborated in pro-economic authoritarian literature, it is also found in the present study that the interests of the public have been ensured by the policy, mostly through social spaces online that have been created for the public to articulate themselves, including to criticize the state, if and only if the legitimacy of the central government is not challenged. Criticisms and disagreements online are usually detected then responded to in a timely manner by the government.

The protection of the public interests is mainly achieved by the free flow of information with boundaries. TB-3 remarked that “the policy is successful if we ‘put the freedom of speech aside’” (*cf.* 7.3.1). To be exact, it is not true as the Chinese are free to talk about a lot of issues, including some politically sensitive ones, both online and offline as verified by the survey. Also, more agree that the Internet is far freer than other channels of information transformation and has provided the Chinese with more chances for political participation. Whether in the survey or in the interviews, the success of the policy was claimed to lie in the trade-off between the free flow and blockage of information, which is unique to China: the new version of *plurality in unity*. As has been proven, without mis-implementations, the Internet censorship policy leaves room for the Internet to become a channel to collect the needs of the public for responsiveness so that their disagreements, dissatisfaction, and suspicions can be understood. Instead of retaliation, the CPC government allows and even encourages netizens to talk about injustices and government misconduct via the Internet to satisfy the growing needs for political participation and to release social

tensions internally. This research also indicates that netizens are enthusiastic about using the Internet as a channel for articulating their needs or dissatisfaction.

Other than respecting the rights of all netizens to free speech within its boundaries, to better response, the policy also targets at specific stakeholders by inviting some into the policy, be it the process or the programme. For example, in its process, other than having multi-stakeholders into the drafting teams, consultations and seminars are engaged for suggestions from non-government stakeholders, especially the related enterprises. Similarly, service providers are entrusted with the implementation instead of experts from the related government institutions – negotiators are sent to major enterprises to explain and to collect feedback. Concessions are made for their requirements, such as the reduction of taxes to make up for the extra costs involved, especially for multinational enterprises. Moreover, the government has set up a report system through which ordinary netizens become partners in the implementation. Other instances of responsiveness can be seen in the constant detailing, propagation, and explanation of the policy and its implementation.

Overall, although problems still exist, especially in the programme, the policy helps the government detecting dissatisfaction among the people and hence, amending timely. The present study compliments findings from previous attitudinal studies from another angle: the success of the policy depends on the responsiveness of the CPC government. Moreover, once acquiring the success from being responsive, the CPC government responds more quickly, such as amending and punishing the mal-implementers. In this sense, it promises a more favourable future for freedom of speech online in China, if China wants and learns how to achieve this end. However, at present, it is true that freedom of speech in the Chinese context is not without boundaries, which prescribes the online behaviours of the Chinese. The boundaries are

in line with the goals of the government: to turn the Internet into an instrument for a stable social environment (less collective activity) for further (economic) development.

#### **7.5.2.2 Upholding the Legitimacy of the Chinese Government**

The policy is also politically successful because it upholds CPC's legitimacy and provides time and space for it to address sharp social tensions at home and abroad.

Although collective activity is one of the most appealing mechanisms of Chinese civil society (*cf.* 3.3.5), for a government ruling through responsive authoritarianism, it is a mixed blessing. It is through the tolerance of some collective activities that the government gets constant feedback from the bottom, so that it may take due measures to mitigate defects in governance to ease tensions. As an authoritarian state, China is also much more sensitive to collective activities and would suppress contentious activity immediately. To the government, (potential) contentious collective activity signals a threat to its legitimacy (*cf.* 3.5.1.2). Therefore, to prevent the regime from upheaval, loyalist collective activities are often mistaken as contentious ones, because the boundaries are obscure (Cai, 2010) and it is difficult for the mechanism of responsiveness to be consistent. Furthermore, although suppressing contentious collective activities temporarily stabilises the rule, such a repeated pattern of governance would erode the legitimacy over time and increase the costs of regime maintenance: suppression alone does not release tension (North, 1981, 1990; Ulfelder, 2005).

In this sense, the Internet censorship policy functions to handle the problem partly: it enables the government to gather necessary information and curb contentious collective activities by releasing tensions at a much lower cost. Today, with more

collective activities proposed online, many are detected before they occur. With the related information collected, the government can decide whether a potential collective activity is to be suppressed, tolerated, or encouraged based on its hazardous nature. If unavoidable, to repress beforehand would cost the CPC less. Furthermore, as shown by the anti-Japanese protest case (*cf.* 6.2.2), if a collective activity is tolerated, plans can also be prepared to prevent it from turning into chaos. Even better, as ‘valves’ and ‘public opinion detectors’, the policy serves to define and to solve problems through governmental responsiveness before any unsolved problems are accumulated into the potential for collective activity. Overall, the policy helps to differentiate potentials of collective chaos, therefore cutting off the chances of contentious collective activities while promising channels of ground level information.

Under the surface of contentious collective activities lie tensions threatening the legitimacy of the CPC. During the interviews, it was mentioned several times that the severe policy was aimed at preventing Chinese netizens from being misguided. The worry comes from the following considerations: its large online population; comparatively lower education on average (United Nation Development Programme, 2009; CNNIC, 2019b) and the cultural heritage of being obedient and trusting whatever is printed. All makes it difficult for the public to differentiate what is the right from the wrong. It may be suggested that even netizens in regions with higher-than-average educational levels are also likely to be misled since it is human to do so. This study insists that the ‘poor public diathesis/quality on average’ argument (e.g. 7.3.1) provides only an oversimplified or a partial explanation to the danger China faces from the Internet over social stability. Other than universal pressures, China faces more challenges from both inside and outside: its rapid development brings about sharp social tensions. It adds to the tension between the capitalist and socialist systems from the long-running ideological disputes. The logic is that, once initiated,

the huge mass of under-educated Chinese netizens would be more destructive, especially since China now faces sharp domestic contradictions. Once triggered, the social tensions may be turned into riots that will bring serious setbacks, if not destruction, to China. It will endanger the legitimacy of the CPC government and destroy what China has achieved in the last few decades. The likelihood increases further when China faces foreign powers who have been trying to evolve China 'peacefully' into a different system ever since the establishment of the Peoples Republic of China in 1949. The situation has worsened as China has grown into the second largest economy in the world. Other than the 'China Threat', the heated trade war between China and US is a vivid example. Therefore, to the CPC government, the policy is to keep the situation controllable. It has succeeded so far in cutting off the channels to spread potential threats (at least on a large scale) and in providing clear clues from the ground to identify threats. Hence, the severe policy is based on the consideration of the impact of Chinese history and culture and the status quo of the netizens and threats that China faces.

It is also important to highlight that the policy succeeds politically for it gains more time for the CPC to work out better ways to ease the sharp social tensions under its unique inner and outer environments. As pointed out when discussing the legend of *The Great Flood of Gun-Yu* (cf. 6.1.1.3), instead of blocking the water through dams, the final solution lies in dredging: to release social tensions and to solve problems instead of blocking. Rather than differentiating then tolerating or suppressing, it would be wiser to show the responsiveness through gathering information and to solve the problems before public anger ferments enough to generate collective activities. As with the ambulance case in section 6.2.1.1, the best results come from being alert to and releasing public dissatisfaction instead of suppressing activity. The policy succeeds within its current environment and capability, but in the long run, China



should find more appropriate ways to release the potential of the Internet to its full extent, hence a policy that is more advanced and effective in governing the Internet.

## **Conclusion**

By studying the political effects of the policy, this chapter addressed what previous studies ignored when they were either too busy criticizing the policy for violating Chinese netizens' freedom access to information or praising it for protecting the economic benefits the Internet has brought. It is found that the policy has been more of a political success than a failure, hence a 'tolerable failure'. It failed due to the ineffective mechanisms of responsiveness in both the process and the programme. It succeeded as it satisfies the interests of both the ruled and the ruler. "Governments want to protect the Internet, so their societies can continue to benefit from it, but at the same time, they also want to protect their societies from what might come through the Internet" (Nye, 2014:7). Under these conditions, standards vary among nations over Internet governance. China is new to both the Internet and the arena of world power. It is natural that the Chinese government is cautious about online information that may bring potential threats to itself to reduce tensions inside and outside. What matters more to China is to use the Internet for its development while keeping critical social tensions that have been generated by such rapid growth under proper control. There is still a long way ahead for China before its governance over the Internet grows mature enough to figure out ways to respond to the needs of the ruled in a better and more timely manner. It will also take some time for the Chinese to adapt their mindset and to be able to cope with the explosion of information, especially the competence of making proper judgements on their own.

## **Chapter 8 Conclusion**

Existing works about China's Internet censorship policy either criticize or praise it from different perspectives. One side blames it for depriving the Chinese of their civil liberties such as free access to information, which is considered essential to facilitate the choice by individuals of the way of life that they think suits them best. The other side seizes on Chinese people's aspiration for a materially better life, pointing to the Internet censorship policy as a reason behind China's accelerating economic prosperity. Both are enlightening, but the former fails to notice either the fact that the Chinese prioritize economic prosperity, trust and support the government, or the functions, positions, fragmentation, and conflicts of different policy stakeholders, within and outside the government. Those who think highly of the policy, on the other hand, only regard the policy as a tool for economic prosperity and neglect the power of both government responsiveness and enactments of repression, as well as the increasing desire for political participation by the public. Also, though they touch upon the connection of the policy with China's past and present, ignored completely is the survival of China's political culture along the changing history.

Methodologically, previous studies have been mostly quantitative in nature, and few qualitative approaches have engaged in a deeper exploration of the subject, for example, through in-depth interviews with policymakers, implementers, and netizens in China. This leads to analyses rooted in Western democratic conceptions rather than in the country that generates and runs the policy. To address this issue, the present study evaluates the policy from the angles of its process, implementation and politics to determine whether it achieves the goals set by the government and satisfies the interests of various stakeholders so that China's responsive authoritarian governance is sustained. Furthermore, results from the study are interpreted with an understanding

of the Chinese context, historically and culturally, and especially through the political culture of *plurality in unity*.

Putting normative considerations aside, the premise of this study illustrates that the determining factor when evaluating a policy, especially that of a non-democratic state, is not on whether democracy exists, but whether the policy is effective in handling problems of the greatest concern to both the ruled and the ruler. To evaluate the matter critically, the thesis unpacked the policy using the experiences and attitudes of various stakeholders within and outside the government. It investigated whether the policy facilitated the limited responsiveness of the CPC and hence sustained its basic legitimacy. The study also explored whether the policy cultivated social stability and guaranteed economic prosperity through Internet-facilitated international trade. To this end, a macro-and-micro framework was generated by amalgamating the theory of responsive authoritarianism with Allan McConnell's public policy evaluation framework. This study embraced a normative position, both for evaluating China's Internet censorship policy and for seeking routes of public policy studies of China, and even other non-democratic nations.

The following sections first recapitulate the primary contributions before summarizing the results of the evaluations and findings about the policy. It then considers the empirical implications of this study to the policy, and some recommendations are provided to increase the efficacy of the policy if implemented. The research limitations are then discussed, before the study ends with the broader research implications and potential directions for future studies stemming from this study.

## 8.1 Contributions

The primary contributions of the study are threefold: theoretical; empirical; and methodological.

Theoretically, this study engages a macro-and-micro framework of policy evaluation and interpretation by weaving the responsive authoritarian theory into the McConnell framework. That is, though the McConnell framework functions to analyze and to evaluate the Chinese Internet censorship policy at the micro level, it lacks the power to explain the success and the failure of the policy. Therefore, responsive authoritarianism is introduced at the macro level. Furthermore, this study broadens the applicability of McConnell's framework as well. Though McConnell claims it to be universal, before this research, the framework had not been used outside the Western democratic regimes. The present study proves that, properly adapted, the framework can be applied beyond democratic systems. Moreover, coupled with responsive authoritarian theory, the macro-and-micro framework provides a gauge to measure the Internet censorship policy of China, especially through its explanation based on the reality of China. It is through the combined lens that the present research identifies a different role of the Internet in China seldom noticed in the existing literature: as an instrument to respond timely to ensure the legitimacy of the CPC government. To evaluate a policy, one must consider the context in which the policy is made and judge it by the goals set and interpret real practices according to the unique history and culture from which a political regime is cultivated – most importantly, an evaluation must determine whether the policy serves the interest of greatest concern of the people for whom the policy is made. The Chinese responsive authoritarian polity, along with its public policies operating in unique customs and practices, is surely different to Western ideals, but being different does not mean being wrong. To evaluate public policy, being incompatible with the criteria of outsiders does not equal to wrong or

inappropriate. On the contrary, it is unfair to draw conclusions without referring to the specific context in which the policy exists. It would be less meaningful to evaluate the policy of China without considering its own needs or conditions if one is to diagnose the problems objectively and/or facilitate change. In this sense, the present study enriches the theoretical scope of policy studies. Therefore, a theoretical framework offers a choice for similar studies other than the democratic Western regimes.

Empirically, this study enriches the literature of China's Internet censorship policy. It also contributes to studies of public policy and authoritarian survival. Not only does this study explore the policy through process, programme, and politics, it also considers the internal experiences, attitudes, and expectations of various policy stakeholders. Consequently, sources of problems have been detected, for example, in the fragmentation between the CPC government and its agents over the conflicting conclusions in the existing literature over the policy objectives. For the first time, this study reveals the influence of non-government stakeholders on the policy, especially that of netizens and enterprises in policymaking and implementation. By placing the policy within the context of China, the study adds a new perspective to the existing literature by revealing that: 1) for the Chinese the Internet is both an accelerator of economy and a platform to amplify their voices; and 2) the survival of the Chinese regime is not just based on suppression or economic prosperity, but a combination of responsiveness, stability, and prosperity. It also shows that the current political system and the Internet censorship policy are not without deficiencies within its own context: there is still room to improve so that the policy could cope with dramatic changes from rapid internal development and (mis)understanding of the international world outside. Overall, with these missing pieces added, this study illustrates: 1) a picture of mutual influence between China and the Internet; and 2) a state-public relationship that exists on a spectrum between antagonism and harmony. Such knowledge provides a

reference for not only future research in this area but also for evaluation of other Chinese policies. Finally, even for countries with uncensored Internet, some of the approaches in China's Internet governance may also be of some value if uncensored Internet does not equal to no Internet governance at all.

Methodologically, to evaluate and to probe into the rationale behind the results, this study engages a mixed-method approach of archive retrieval, qualitative interviews, and quantitative surveys to illicit the required data, which has hardly been done in previous studies of China's Internet censorship policy.

## **8.2 Summarizing Findings and Evaluations**

The present study finds that it is through the censorship policy that the Internet has become a platform that serves the CPC government in gaining its basic legitimacy by being responsive to the needs of the public. This legitimacy is further enhanced by repression enactments and benefits distribution because they pave the way to contribute to stability and prosperity. The interrelationship of the three (responsiveness, stability, and prosperity) is not only rooted deeply in the history and culture of China, but also in the contemporary needs of the Chinese. That is, although the focus of attention is on a materially well-off life in the unified and stable society, the desires of the Chinese for self-articulation and political participation are also on the rise. Therefore, the present study argues that evaluation and interpretation of the policy should focus on whether it satisfies China and the Chinese and thus effectively serves Internet governance in China, rather than on the ideology or standards of other countries.

It is also found that the Internet censorship policy of China is both a success and a failure in general when referring to the 12 criteria at four levels of success and failure, as highlighted in Table 15. Taking ‘implementation in line with the policy objectives’ as an example, previous interpretations are paradoxical: to suppress critique of the state or to prevent collective activity. The present study finds that the objective is to decrease or prevent collective activities, especially contentious ones. But the policy is not identically implemented as designed due to the nature of the implementers: unlike the traditional media, until technology permits, Internet censorship requires numerous hands and it is impossible to have them well-trained given the speed of the development of the Internet and the netizens. Therefore, mis-implementation is unavoidable because of the fragmentations between the CPC government and its numerous agents who have various backgrounds and are hierarchically distributed. It is also found that the mismatch differs both in terms of degree and intention. *Over-implementation/under-implementation* is the result of poor interpretation of the policy hence errors are unintentionally made, whereas *mal-implementation* mostly occurs as a result of personal or organizational interests and is thus intentional.

**Table 15 Evaluations and underlying empirical findings<sup>1</sup>**

Criteria	Evaluation	Underlying Empirical Findings
<b>PROCESS</b>		
<b>Preserving goals and policy instruments</b>	<i>Success for the internal goal; Between tolerable and conflicted</i>	Contradictions exist between the internal and external goals in terms of the Internet censorship policy.
		To preserve the policy goals, the external goal always gives way to the internal one. The logic is the internal goal prioritizes and guarantees the external one: once the internal goal fails, the external goal ends, thus rendering it meaningless.

<sup>1</sup> To fresh the memory, the Success-Failure Spectrum is: failure – conflicted failure – tolerable failure – success (cf. 3.2.3.2).

	<i>failure</i> for the external goal	The policymaking is more of a response strategy for existing problems.
<b>Securing legitimacy</b>	<i>Success</i>	To secure the legitimacy, the Internet censorship policy is more complicated and time-consuming than other public policies of this country.
<b>Guaranteeing multi-stakeholder participation and without disagreements to process</b>	<i>Tolerable failure</i>	Stakeholders within and outside the government have been involved in the policy process.
		Power/policy inclination exists between stakeholders (Higher-level vs. Lower-level Government Stakeholders; Government vs. Non-government Stakeholders; Chinese vs. Foreign Stakeholders).
		Stakeholders in the process keep fighting for certain rights and interests.
<b>PROGRAMME</b>		
<b>Implementation in line with the policy objectives</b>	<i>Conflicted failure</i>	The implementers are hierarchically arranged: officials, enterprises, and normal netizens. Top down, all are involved.
		The objective is to decrease contentious collective activity. But the policy is not implemented identically as is designed.
		Mis-implementations are categorized as under/over-implementation (unintentional) and mal-implementation (intentional).
		Though more implementers are implementing the policy as was designed, mis-implementations are commonly seen.
<b>Achieving desired outcomes</b>	<i>Tolerable failure</i> for both internal and external goals	Flexibilities in implementation: 1) create channels for public opinion collection; and to release dissatisfactions; 2) enable the external goal; 3) facilitate regional development, or to satisfy unique local needs.
		Mis-implementations cut off the sources of the responsiveness. This is likely to weaken the CPC’s legitimacy in the long run, for stability from repression alone can sustain its legitimacy only shortly.
		Some implementers are too obsessed with the internal goal or too confident about China’s attraction to international investors, that they ignore the external one in implementation.
<b>Benefiting target group(s)</b>	<i>Conflicted failure</i> to Chinese netizens;	Netizens partially benefit from the programme, but the benefits are far from what the policy envisioned.
		Information censored in the programme can be categorized into those that should be censored (POLICY-POSITIVE)



	<i>Tolerable failure</i> to international enterprises	and those that should not (POLICY-NEGATIVE) according to the policy.
		Demands on the POLICY-POSITIVE are low, even among those who know what the free Internet is. But demands do exist, which drives those in real need to explore the free Internet.
		Netizens clearly know of the existence of the policy.
		Though censored, information online mostly satisfies netizens’ needs.
		Though the policy does bring inconveniences, international businesses generally benefit.
		Improper implementations and lack of explanations make it hard for international enterprises to understand the real intentions of the Chinese government.
<b>Satisfying criteria highly valued in policy domain</b>	<i>Conflicted failure</i>	Effectiveness of the policy prioritizes all in terms of implementation.
<b>Attracting support for programme</b>	<i>Success</i>	More netizens are supportive of the policy and take it for granted.
		Few are clear about the policy.
		The Internet in China is not only the facilitator of economy but also a platform to empower the Chinese for self-articulation and political participation. And the censorship policy is designed to fulfil (at least not to hinder) both.
		Even censored, the Internet provides the Chinese with the best channel for political participation and democratization, but improvements are needed.
		Experiences with the uncensored Internet increase netizens’ sensitivity to the censorship and change the mindset.
<b>POLITICS</b>		
<b>Enhancing political prospects/ reputation</b>	<i>Tolerable failure</i>	Overall, the combination of responsiveness, suppression and benefits distribution facilitated by the Internet censorship policy guarantees the legitimacy of the CPC government.
<b>Easing the business of governing</b>	<i>Tolerable failure</i>	China is improving the policy by detailing the policy, taking actions to deal with problems, and involving more non-government stakeholders in the policy.

		Though the government tries hard to engage the public in policymaking, the enthusiasm of the Chinese is not that high.
<b>Promotion of government's desired trajectory</b>	<i>Tolerable failure</i> for both the internal and the external goals	China is now acknowledging and sometimes propagating the policy besides detailing it.
		Though efforts such as detailing the policy would reduce over/under-implementations (unintentional), it is less useful in decreasing mal-implementations (intentional).
		Many officials are still incapable of adjusting themselves into the age of the Internet, which leads to improper implementation from an outdated mindset.
<b>Providing political benefits for government</b>	<i>Tolerable failure</i>	With the opacity and imperfection of the policy, the rapid development of the Internet technology, and the limited resources implementing the policy, the real intention of the policy is sometimes misunderstood by netizens.

### 8.3 Observations, Implications and Suggestions

The fundamental question asked is whether the Internet censorship policy maintains the CPC government's legitimacy by providing the Chinese with what they want. This research suggests that so far, the policy generally satisfies the Chinese by guaranteeing stability and facilitating responsiveness and prosperity. As per responsive authoritarian theory, that enacting suppression and providing benefits vary among policies, this study reveals that the censorship policy of China gives more weight to suppression. The logic is that responses and suppressions guarantee a society with less chaos and disorder, which would naturally cultivate an environment ideal to boosting its economy. A prosperous life goes hand-in-hand with the growth of the economy. However, the success has its problems, especially in the programme of the policy: if not properly handled, the success would worn out. Simultaneously, though the CPC government recognises and is working on amending the flaws, there is still a long way to go. The difficulty with the Internet is that problems are exposed in large volumes but there are insufficient resources to respond to them in time. Once accumulated to

the extent of failing the expectations of the public, the problems may put the CPC at great risk of losing its legitimacy.

It seems that in addition to the newness and volatility of the technology, which might be an issue for all countries in terms of Internet governance (Nye, 2014), both the successes and failures of the policy can be traced to China's responsive authoritarian polity and the political culture behind it.

**Successes.** To netizens, the censorship is not as severe and suppressive as commonly assumed. On the one hand, the Chinese value economy, safety, and even entertainment, which are guaranteed or promoted by the policy. Therefore, they pay less attention to their suppressed rights. As one interviewee concluded, content control in China focuses on three issues: politically sensitive, socially inappropriate, and personally non-confidential (*cf.* 7.3.2). Among the three, the first type of information is not generally needed by netizens. Therefore, the censorship is less likely to trigger opposition on a wider scale. The other two issues are more relevant to the needs of the Chinese. Consequently, as shown in the survey, more netizens feel protected than suppressed. In a society where the majority take it for granted that they should be taken good care of by the (parental) government as a tradition, censorship is no more than another measure to ensure their safety. On the other hand, the Chinese today do enjoy increasing rights of political participation and freedom of speech, though comparatively less than their Western counterparts. Such rights are again reflected in the policy, be it through public consultation in the process or flexibilities (i.e. the Internet as a 'valve' or 'opinion collector') and non-government implementers in the programme – all enhance their satisfaction. Therefore, instead of feeling interfered or blocked, most netizens feel safe and enjoy the benefits brought by the censored Internet: from Ali-pay, Weibo, WeChat, to seeing doctors online – life has never been

so convenient. This echoes previous studies on the Internet's encouragement of political articulation (Sullivan, 2013; Roberts, 2018), and further proves that, though with information filtered, the censorship policy is also designed and implemented to make the Internet providing netizens with more spaces to pursue greater liberalization.

On the side of the CPC government, so far the policy has succeeded in maintaining its legitimacy, and even improving it in some areas. The policy has opened a new channel for the central government to collect dissent and dissatisfaction from the bottom. It turns the Internet in China into a yardstick measuring government responsiveness. Before the Internet, it was hard to know what the people wanted quickly and thus to respond in a timely manner and to measure whether a response satisfied those involved. Through the policy, the Internet bridges the top with the bottom directly across the hierarchical structure of governance. With the top-down governance structure in place, the time of information acquisition is shortened. It largely decreases the possible hindrances in accessing sources of responsiveness (e.g. it is now harder for local governments to cover up public outrage of their misconduct). Simultaneously, interactions of various public opinions and government responses online are more transparent than before, which decreases threats of collective activities on the system and increases the credibility of the government.

The censorship also enables detection, differentiation (between dissenters and loyalists) and suppression of contentious collective activities in a more effective manner, such as shortened time and scope. Meanwhile, since the censorship is targeting information irrelevant to business, the instrumental function of the Internet to boost the economy is not impeded but enhanced through measures either to make a safer online environment for business or to compensate collateral damage such as enterprises' increasing costs on server management and system backup. Finally, since access to the

uncensored Internet might change netizens' attitudes to the policy, the continuing filtering of certain information consolidates the support it enjoys. To liberal researchers, this is the very thing they want to prevent, but the outcome that is regarded as crucial to the CPC government. Again, this study argues that it is not an issue related to the political system a country adopts, but the context of the policy: for whom and why it was created and the political effects it brings.

**Failures.** As far as this research is concerned, failures are caused mainly by the absence of sufficient information from the society to fully activate the expected government responsiveness. Inadequate responsiveness occurs for three reasons: the inactive political participation; the structural fragmentation between the CPC government and the policy implementers; and, most importantly, the outdated mindset of those in charge of Internet governance.

First, research shows that, despite the growing need for political participation, the Chinese today are still not accustomed to proactive methods of political participation and are less enthusiastic about non-economic issues (Weller, 2012). A typical example is that when asked why they did not participate in the online public consultation for the ISL, some replied "It's none of my business", "I thought someone else would participate and represent me", or "The government did not provide me the link or ask me in particular". For most Chinese, over thousands of years, obedience and respect to the government has almost been bred into their genes. It takes time for the Chinese to become familiarized with borrowed concepts such as public consultation and even longer to get used to the idea of meaningful political participation. Meanwhile, to maintain its legitimacy, it is the CPC government's responsibility to push by encouraging political participation, which will accelerate the process since the public is accustomed to obeying. Five years ago, the government was not doing enough, but

in recent years the Chinese become more and more actively involved, which is illustrated by heated online discussions over *the Provisions of the Civil Code Draft* (The NPC, 2020). While it is unclear what has contributed most to this change – the public learning faster or the government pushing more effectively – what is certain is things are changing.

The insufficiency in responsiveness is exacerbated due to the structural fragmentation between the CPC government and its implementers. The vague policy wording leaves loopholes for improper implementation. Intentionally or not, a great quantity of online information that could be sources of responsiveness is wrongly filtered in the name of the Internet censorship policy. Mis-implementations would not only accumulate dissatisfaction with the government but also inject suspicions over the government's abilities, which would eventually endanger the CPC's legitimacy. This explains why some censorship approaches manage to keep the society stable but are identified as improper in the present study: such as suppression without solving problems. Such stability hides the real potential of turmoil, for problems unsolved may grow into bigger troubles instead of disappearing. Without satisfying the people by solving problems of their concerns, or bringing what they want, the 'stability' is impermanent.

Another failure comes from the outdated mindset in Internet governance. On the one hand, while implementing the policy, most ignore the dual roles of the Internet. It is a platform of public opinion collection and response and an accelerator of economic prosperity. Therefore, instead of content blockage, as was mentioned in one of the interviews, the proper approach is to 'dredge'. Nevertheless, although the policy is under constant revision and has become more and more detailed over time, it is still implementer-unfriendly, which I believe comes from the authoritarian mindset – one PI interviewee mentioned that they believed, given time and resources, China could

train enough ‘gatekeepers’ capable of differentiating the POLICY-POSITIVE even with the current policy. It seems that no one asks whether there would be time and resources to train enough ‘gatekeepers’, the ones who did well with traditional media. Nor has it ever occurred to policymakers to make the policy more ‘implementer friendly’ by wording it so explicit that even a novice could do it properly. To the researcher, a more explicit policy as to the dos and don’ts would be the best alternative: it saves the time and resources for training qualified implementers and leaves little room for mis-implementation of the policy, hence preserving the originality as much as possible. This new-styled policy would be more capable of coping with problems accompanying the rapid development of the Internet and the information explosion. Moreover, Chinese netizens would become good implementers by behaving themselves in line with the policy. Furthermore, such a policy would make it easier for the world to understand China better, which would facilitate China’s efforts in obtaining benefits from international trade. Similarly, it may leave little room for biased attacks on China with made-up stories and hence promote mutual understandings between nations.

Whether considered a success or a failure, it is clear that the combination of responsiveness, suppression enactments, and benefits distribution is desirable for Internet governance in China. Nevertheless, the current policy design is not without issues: on the surface the policy serves to offer quick information for the government to respond, indicating that the government has a new approach (as one of the ‘pluralities’) absorbed into existing mechanisms of governance (the unity); more deeply hidden are the inconsistencies between the policy and the polity, for example, the mechanism of official promotion: to cover their misconducts, local officials may mal-implement the policy, hindering the smooth transmission of the needs or dissents of the public for government response. Therefore, other than being fit for purpose, it

is also important that the new approaches fit the polity of a country: the policy needs a more nuanced design before new approaches like responsiveness and consultation can be assimilated into the mechanism of Internet governance in China, otherwise, the CPC risks losing its legitimacy. And most importantly, the Chinese risk losing not only the stable and materially improved life but also chances of further development.

It is also worth noticing that instead of governing the Internet differently, to earn the basic legitimacy, Chinese government needs to ensure and enforce the responsiveness, based on which the twin goals of stability and prosperity are fulfilled. To maintain its legitimacy, the CPC government also needs to: push the Chinese to participate politically; decrease chances of mis-implementations; and/or enforce supervision of implementation. The following are suggestions for an improved Internet censorship policy.

- To adapt the policy to be as detailed as possible to diminish the difficulties created by interpreting the vague policy. Principles, objectives, keyword lists, and punishments should be stated clearly so that novices could implement the policy properly. Open and user-friendly platforms and channels could be provided for netizens to check whether certain content should be censored.
- To involve more non-government stakeholders, especially ordinary citizens, in policymaking: other than providing channels and chances for political participation, follow-ups tailored to the behaviours of the Chinese (passive unless asked or informed) should also be undertaken. Only then could the Chinese make full use of the new approaches, such as consultation, articulation, and participation. Properly guided, the policy would take the needs of the majority into account, thus making it more functional. At the same time, it is also necessary to make the mechanisms of participation known more widely.



- To create a channel that links the central government directly with the public, through which misconduct of implementers can be reported directly to the top. The channel should be neutral: neither in the hands of the hierarchical structure of the bureaucracy nor in the control of any of the service providers implementing the policy. One typical case is the online reporting system released by *the State Council* in February 2020, encouraging netizens to report local government's mistakes in dealing with the Covid-19 outbreak (*cf.* Appendix 1).
- More efforts should be made to propagate the policy and to explain its implementation. This would decrease misunderstandings by the public of the government, and even increase the trust in the government.

#### **8.4 Limitations**

Although this thesis has contributed to China's Internet censorship policy studies, its limitations must be acknowledged. These limitations suggest new ways to research this area.

First, although the reliability of the qualitative approach – the main method adopted by this study – does not lie in the generalisability of the findings, in contrast to the huge number and variety of Chinese netizens, the number of both interviewees and survey participants could have been greater. A picture with more depth and breadth could have been drawn if more participants had been interviewed and surveyed.

Regarding in-depth interviews, there were only four types of participants, which could only afford the present depth and clarity of the research results. If more policy implementers (e.g. enterprise-hired human censors and Internet police officers) had

been engaged, the findings would have been more comprehensive. On the one hand, the variety of interviewees is limited since the potential interviewees were approached through personal connections, which would not be as comprehensive as selecting participants according to their roles in the policy. The representativeness of interviewees might be challenged and hence inferences drawn from their views – in China, a personal/professional network may be a decisive part of interview opportunities and may inform the depth of the interviews, especially when a sensitive topic is involved (Heimer and Thøgersen, 2006). This is because personal connection, or more precisely, *guanxi*<sup>2</sup>, forms one of the most basic characters describing social relations among the Chinese and the operation of Chinese society (Lin, 2001; Thomas et al., 2002). However, in practice, though the researcher tried to reach more people using personal connections, many refused to be interviewed at the last moment for various reasons, including the sensitivity of the topic. On the other hand, the researcher's identity as a researcher from a university outside China also scared some potential interviewees. Moreover, because of the researcher's identity, it took her some time to reassure those who chose to participate. Furthermore, participants – especially those working for the government – might be reluctant to fully express themselves over such a sensitive topic. The impacts of the identity and sensitivity of the topic were also felt through the low return rate of the survey. For example, many refused to participate, especially those working for the government or governmental institutions. A friend offered to send the questionnaire to WeChat groups, but within an hour she received two formal calls warning of the potential dangers in answering questions of

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<sup>2</sup> *Guanxi* (关系) is commonly seen in Chinese society. It is a system including two people and everyone else associated with them. It refers to the connection in which one/some can perform a favour or service, to the other(s) in the system. In return, the benefitted would treat the helper with another favour or material feedback. People in such systems need not be of equal social status. Because of the connection shared, people in the same *guanxi* network, for the Chinese, are more intimate and trustworthy. *Guanxi* can also be seen as a network of contacts, which an individual can call upon when something needs to be done, and through which they can exert influence on behalf of another (Lin, 2001; Thomas et al., 2002; Luo et al., 2011).

a ‘Western-based researcher’ about the censorship policy. Lack of incentives may also have contributed to the unexpected low return rate.

It is thus difficult for researchers to conduct research on sensitive issues in China (as in other states), especially when the research is based in a non-Chinese institution. Unless China, especially Chinese officials and anyone else working for/with the government, is more open to researchers like me, it is hard to find more participants for deeper understandings of this and similar research topics. Or, if similar approaches were to be conducted with the support of the Chinese government – for example, a project approved by *the Chinese Social Science Foundation* – the dimension and depth of the fieldwork would be more productive.

Research limitations may also be lost in translation. The fieldwork was conducted in Chinese, and even though the interview feedback and questionnaire were translated by different experts and double-checked, there is no guarantee that they were 100 percent identical with each other. Additionally, the researcher’s interpretation of the interview feedback could be incomplete or imprecise because there was no chance for her to double-check with every participant about whether her interpretation of the answers was exactly what was meant due to different contexts each held. Therefore, the researcher should be held responsible for any misinterpretations made.

Another limitation, though not critical, is related to the macro-and-micro framework, especially the McConnell framework at the micro-level. Even though it was adjusted according to China’s own conditions, the current version has still impeded the thesis from exploring and evaluating the policy in a more nuanced way. For example, boundaries between the four levels of success and failure may be considered vague, so that sometimes the evaluations are hard to make, or the result can fall between two

levels. If not limited in this way, the study would have provided more findings to facilitate better suggestions for potential changes in the policy.

### **8.5 What Next? Broader Research Implications and Direction of Future Studies**

With a new perspective on the Chinese logic of Internet governance, this thesis has broader research implications for Chinese public policy studies. Other public policies can also be evaluated within the macro-and-micro theoretical framework. If similar problems could be diagnosed, specific countermeasures could be generated, and problems endangering the structure of the system can be handled more specifically. Furthermore, if more public policies could be studied within the same framework, patterns of Chinese public policy, such as that of policy mis-implementation, could be identified. Consequently, problems of Chinese public policies could be prevented as early as they are in the making.

With the premise that the policy of non-democratic nations should be evaluated by whether it fits the system and solves problems of greatest concern, the study can be expanded to studies of other non-democratic states, especially research into authoritarian survival. If authoritarian governance and policy is evaluated based on whether democracy exists or not, it would be hard to understand why some authoritarian regimes collapsed, while others survive. In addition, this study has normative implications that might provide a basis for further studies of Internet governance, i.e. models of Internet governance across authoritarian and non-authoritarian states, focusing more on mutually beneficial measures in handling problems instead of ideological disputes from different political systems. Simultaneously, this thesis also has a research implication for involving political culture, cultural differences, and intercultural communications into public policy

studies across different political systems. All in all, directions of future studies may include:

- Further studies that can be conducted with more types of implementers interviewed to discover where the specific problems lie in their interpretation of the policy so that revision (either the new draft or the supplements) can be more to the point.
- Policy-based studies that can be conducted to explore channels for involving more stakeholders and becoming adapted to the present mechanism of governance. For example, how to make the public consultation more becoming to the Chinese, hence the policy can be loaded with much wider interests of the majority.
- Problems such as the fragmentation of the central and the local governments should be further explored and fixed. Otherwise, no matter how well the policy is processed, the government's legitimacy is bound to decrease due to mis-implementation.
- Public policies of China and other nations, so that they can be evaluated, interpreted, and compared within the macro-and-micro-framework, or using the same methodology, with benchmarks of evaluation adjusted in accordance with the targeted policies adapted to their own operational logic, so that joint efforts can be made for better governance.

As the research went on, the power of preconceived notions was felt more and more in interpreting the facts the study tried to uncover: no matter how objective the methods are, the interpretation's roots run deeper, which may lead to biases and prejudices on both sides – between the West to China in both directions. Future studies of the Internet censorship policy, Internet governance, and possibly other public

policies, can be multi-disciplinary, involving a combination of perspectives from political culture and intercultural communication, which may bring out more insights of Chinese policies (or other countries). Equally important, this would also contribute to facilitate China to understand better outsiders' evaluations, interpretations, and critiques of its policies, which is bound to provide China with more references for policy improvement. Moreover, such endeavours may build bridges in the international world to reduce misinterpretations and misunderstandings simply because each is unconsciously interpreting the others through their own preconceived cultural lenses.

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## Appendix

### Appendix 1: Timeline of Major Paradoxical Government Reactions to the Covid-19 Incident (2019/12/30-2020/2/13)<sup>1</sup>

Date	Critical Incidents	Wuhan/Hubei Government	CPC Government
30/12/2019	Li Wenliang, a local ophthalmologist, saw medial reports of a patient, and warned his medical school classmates in a WeChat group to protect themselves at work since seven SARS patients were diagnosed in Wuhan.	While reporting the disease (described as a pneumonia case of unknown cause at the time) to all local hospitals and urged them to treat and report possible patients in a timely manner, Wuhan CDC also made it clear that no unit or individual was authorized to publicly release related treatment information. Meanwhile, while training was organized for local doctors, the training materials were kept strictly confidential. Doctors were told that those spreading the training materials and causing serious consequences (social panic) would be held accountable.	NHC sent the first group of medical experts to Wuhan to investigate the disease.
31/12/2019	The NHC experts group suggested three criteria for reporting the disease: low white blood cell	Wuhan released the criteria for reporting the disease. Apart from the three suggested by the NHC experts, history of exposure to Huanan Seafood	The NHC experts arrived in Wuhan. Meanwhile, Xinwen Lianbo <sup>2</sup> reported the incident nationwide.

<sup>1</sup> The table is based on: *Wuhan 2020-Time Line*, accessed 13 February 2020 from <https://github.com/Pratitya/wuhan2020-timeline>; *2019-nCoV Literature Update*, accessed 13 February 2020 from <https://shimo.im/docs/Y9JhDdcR8RtxGyK3/read>; *Info & News about nCoV Catalog (Keep Updating)*, accessed 13 February 2020, from <https://shimo.im/docs/Q3rdTjHVRGRqk9K/read>; and 记疫, accessed 1 March 2020 from <http://h5.oeeee.com/h5/v20/nCovTimeline/?from=timeline&isappinstalled=0>, all sources listed by them, and official websites and social media accounts of WHO, the Chinese State Council, the China CDC, and medias of various forms etc. After being tested by several netizens based in Mainland China, none of the above sources appeared to be censored in China.

<sup>2</sup> *Xinwen Lianbo* (新闻联播) is a daily news programme produced by CCTV. It is shown simultaneously by all local TV stations in mainland China, making it one of the world's most-watched programmes (see [https://en.wikipedia.org/wiki/Xinwen\\_Lianbo](https://en.wikipedia.org/wiki/Xinwen_Lianbo)).

	count, fever, and CT results. At the same time, other infections such as mycoplasma and chlamydia should be excluded.	Market was added as the fourth criteria.	
		Wuhan CDC released the first public report on the disease, claiming no obvious evidence of human-to-human transmission was found. Numbers of patients showed no signs that the disease would be out of control.	China informed the WHO of cases of pneumonia of unknown etiology detected in Wuhan.
<b>01/01/2020</b>	Huanan Seafood Market was shut down.	Doctor Li Wenliang and seven other people were investigated and warned by Wuhan police for “spreading rumours about the virus”.	-
<b>02/01/2020</b> – <b>05/01/2020</b>	A new coronavirus was identified as the cause of the pneumonia (3 January).	Wuhan CDC released two public reports on the disease, acknowledging Huanan Seafood Market was related to the disease. However, it was still reported there was no obvious evidence of human-to-human transmission. And the numbers of patients only increased a little.	China began to inform the US of information on the virus and control measures (3 January).
			Wuhan CDC’s reports were publicly released and reported nationwide.
	Suspected cases shown in other regions of the nation, and in some other Asian countries.	Two important political meetings <sup>3</sup> at the city level began on 4 January.	All progress was reported to the WHO on a timely basis.
<b>06/01/2020</b> – <b>10/01/2020</b>	Chinese scientist map the genetic sequence of the virus, which enables running of diagnostic tests (7 January).	To keep the city level political meetings from being ruined, Wuhan stops releasing reports about the disease, whether to the public or to the central government.	China CDC activates Level 2 emergency response (6 January).
	The virus spreads fast; more suspicious	More local hospitals believe the virus is human-to-human	The second group of medical experts sent to

<sup>3</sup> The two meetings are the Municipal and Provincial People’s Congress and the Municipal and Provincial Chinese People’s Political Consultative Conference. They are held every year to appoint new leaders, make personnel changes, and prepare new policy proposals *etc.*

	cases appear worldwide.	transmittable. But Wuhan CDC continues to deny this possibility.	Wuhan by NHC (8 January).
	WHO releases advice for international travel and trade in relation to the outbreak of pneumonia caused by a new coronavirus in China.	Health workers in Wuhan hospitals contract the virus.	All progresses shared with the WHO.
		Shortage of wards in some hospitals are reported to the local CDC, which is either ignored or questioned, as the cases did not involve a history of exposure to Huanan Seafood Market.	
<b>11/01/2020</b> – <b>17/01/2020</b>	First death on 11 January.	Provincial level meetings are held since 12 January.	China shares the genetic sequence of the virus with the WHO (11 January).
		The 4 <sup>th</sup> Wuhan CDC report still denies human-to-human transmission, while in the 5 <sup>th</sup> to 9 <sup>th</sup> reports the issue is ignored. No new patients reported. However, in a Wuhan CDC document publicly issued the same day as the 8 <sup>th</sup> report, it says, though without concrete evidence suggesting human-to-human transmission, that existing survey results show the possibility of limited human-to-human transmission cannot be ruled out, but the risk of continued human-to-human transmission is low (January 15).	Test reagents sent to Hubei (11 January).
		Strict exit screening measures activated in Wuhan, people with body temperature higher than 37.3 degrees C restricted from leaving.	China CDC emergency response level is upgraded to Level 1 (highest) (15 January).
			Chief of the China CDC, Ma Xiaowei arrives in Wuhan (15 January).

		Local hospitals suggest Wuhan CDC loosen the three criteria for reporting the disease on 12 January but are ignored. The criteria for Huanan Seafood Market exposure is deleted on 17 January, the last day of the two meetings. Since then, an increased number of patients is reported.	NHC releases the National Technical Protocols for 2019-nCoV (15 January). Doctor Wang Guangfa, one of the experts sent by the NHC, returns to Beijing, reporting that the conditions are more than serious (16 January).
18/01/2020 – 22/01/2020	First confirmed Chinese case reported outside Hubei (19 January).	10 <sup>th</sup> report of Wuhan CDC is released, without mentioning human-to-human transmission, claiming there only appears to be a few patients (18 January).	The NHC expert team carries out fieldwork in local hospitals. The fact that some health workers have contracted the virus is reported directly to the team. The strict/narrow criteria for case detection are questioned by local hospitals. The same day, China CDC begins to trace conditions of infected health workers (18 January).
	NHC experts announced nationwide that the virus is human-to-human transmittable (20 January).	Baibuting Community, Jiangnan District, Wuhan holds the 20 <sup>th</sup> Wanjia (ten thousand families) Banquet with more than 40,000 families, celebrating the Chinese New Year (18 January).	China CDC issues test reagent to all provinces in China (19 January). NHC sends a third group of experts to Wuhan. Zhong Nanshan, the team leader, is interviewed by several Chinese media, including CCTV. He makes it clear that the virus is human-to-human transmittable, suggesting that people in Wuhan should not leave the city and that outsiders should not to
	More cases diagnosed nationwide.	11 <sup>th</sup> Wuhan CDC report released, acknowledging some patients have no history of exposure to Huanan Seafood Market. The same day, the Wuhan government holds its first press conference in relation to Covid-19, reporting that the virus is capable of limited	

		human-to-human transmission and is controllable (19 January).	go to Wuhan (19-20 January).
		Hubei government holds a series of events celebrating the Chinese New Year.	NHC releases the first nationwide report on the human-to-human transmission of the virus (21 January).
		12 <sup>th</sup> and 13 <sup>th</sup> Wuhan CDC reports are released, showing an increase in cases (20-21 January).	On 22 January, nationwide statistics on diagnosed cases, possible infected, deaths, and cured (including health workers) start to be reported. Since it is only in two days before the Spring Festival, a platform checking whether vehicles transporting diagnosed cases is set up, so that public transportation systems can verify if commuters are potentially endangered. This procedure remains in place until the epidemic ends and continue to add new information daily.
		Hubei activates Level 2 Public Health Emergency Response. Hubei CDC takes over responsibility in the control of the disease and holds a press conference later that day (22 January).	
			The state council becomes involved in response to Hubei's activation of the level 2 Public Health

			Emergency Response (22 January).
23/01/2020	The lockdown of Wuhan	Wang Xiaodong, Governor of Hubei, provides assurances in an interview with CCTV that: “Despite market fluctuations, reserves and market supply in Wuhan are sufficient”, ignoring the fact that protective supplies are already in short supply.	Huoshenshan, an emergency specialty field hospital. is announced to be built in Wuhan (from 23 January to 2 February).
	WHO announces the incident as a public health emergency of international concern.		
	Provinces of Zhejiang, Guangdong and Hunan activate Level 1 Public Health Emergency Response.	Some medical professionals start to resort to searching online for protective supplies for 10 local hospitals.	
24/01/2020	First two diagnosed cases in Europe (France).	Hubei CDC holds a press conference, reporting only 549 cases, including 31 cured and 24 deaths.	The State Council issues the Announcement on Collecting Clues and Suggestions for the Prevention and Control of Pneumonia Epidemic Situation of New Coronavirus Infection. At the same time, online report platforms are released on major Chinese social media websites, allowing citizens to report all official/government misconduct in handling the disease, especially concealment of the truth.
	11 provinces, including Hubei, activate Level 1 Public Health Emergency Response.	Online sources release statistics showing that deaths from the disease outnumber those reported in Wuhan (verified by interviews released several days later).	
	Seven other cities of Hubei are placed in lockdown.		
	News and information about the virus, including rumours, explode on Chinese social media.		
		People’s Daily’s Weibo account reposts a video made by netizens	

			recording Wuhan after being shut down.
<b>25/01/2020</b> (the Eve of the Spring Festival of China)	-	Huanggang CDC issues an on-the-spot video on its social media account, bragging about the great work its general officials did in dealing with the epidemic; it is found that the official in charge is ignorant of the epidemic in Huanggang when interviewed by CCTV. She is removed from office on 30 January (the first to be dismissed).	The announcement of the building of Leishenshan, the second emergency specialty field hospital in Wuhan (from 25 January to 6 February).
			The first medical teams are sent to Hubei, at midnight on the Eve of the Spring Festival of China, setting the ball rolling on support for the nation.
			CCTV interviews infectious disease expert Li Lanjuan, who says that the implementation of the Wuhan lockdown was because the epidemic situation was urgent. Only by having the source of infection strictly controlled can the epidemic be kept from spreading quickly.
		Hubei CDC's 4 <sup>th</sup> press conference	Tencent releases a system for netizens to verify whether a piece of information is a rumour or a fact.
<b>26/01/2020</b> – <b>05/02/2020</b>	The critical condition meets poor official performances in Hubei, which shatters the confidence of the Chinese people in the government.	Higher-level/local officials perform poorly in several press conferences, revealing themselves to be less knowledgeable about conditions within their duty.	China announces that it will extend its national New Year holidays to reduce infections (26 January).
			Premier Li Keqiang arrives in Wuhan (27 January).

		<p>The Hubei Branch of the Red Cross Society of China, responsible for receiving and distributing donated funds and relief goods, is on chaos: a large amount of donated resource is found in its warehouses while frontier fighters in hospitals struggle at the verge of being exposed to the epidemic without protection. As health workers</p>	<p>CCTV reporters were forbidden from entering warehouses of the Hubei branch of the Red Cross Society of China. According to CCTV's reports, local hospitals' lack of medial resources such as face masks were common and extremely serious (1 February).</p>
	Without enough medical resources, suspected cases and patients with mild symptoms of the virus are asked to stay at home and be self-treated. Some of them cannot get into the hospital even they are already in critical condition. Thus, a	<p>they cannot get enough supplies from the organization. Video by journalist shows a local official business car taking packages of masks from the warehouses and the news is deleted online overnight. It is not until 31 January that Hubei starts reporting to the public the working process of the Red Cross Society in dealing the donated in every three days.</p>	<p>People's Daily releases an online system for netizens to report diagnosed and suspected patients who cannot get proper treatment or are refused acceptance by hospitals (5 February).</p>
	<p>huge number of patients start to beg for help on Chinese social media websites. This tension is eased until 5 February, when local gyms and stadiums around Wuhan are turned into 'square cabin' hospitals so that patients with mild symptoms of the virus can be treated.</p>	<p>Hubei government is still working on censoring critiques of themselves and higher-level officials. Also censored are online proposals from hospitals for public donations of protective supplies. At the same time, what remains online includes information about Doctor Li Wenliang and the other seven 'rumour spreaders', who are investigated and warned by Wuhan, Hubei Police Department. Ironically, despite their poor performance in distributing the donated resources, the Director of Hubei Red Cross Society is removed</p>	



		from office by the government of Hubei because he is “found to have violated relevant regulations and be responsible for information disclosure errors”.	
<b>06/02/2020</b>	<p>Doctor Li Wenliang passes away after emergency rescue measures, with tens of thousands of Chinese nervously checking the Internet for news. Concern is triggered and accumulated by his identity as a rumour spreader, or a whistle-blower of the virus, which is hotly discussed on Chinese social media. After his death, rumours on Chinese social media begin saying that Li’s parents all died from the disease, and his wife would die without proper treatment. Some even say that Li was deliberately killed by the government. His death triggers national rage and suspicion over the government. A great many netizens, in the name of Li’s incident, demand freedom of speech. The demand is then censored amid the widespread outpouring of anger.</p>		
<b>07/02/2020</b> – <b>09/02/2020</b>	Nationwide mourning over Li’s death and critique of the Wuhan authorities for what is censured about him.	Wuhan government issues an announcement expressing deep condolences over Li’s death.	<p>The central commission for discipline inspection, CPC’s internal anti-corruption body, and the national supervisory commission, the country’s highest anti-corruption agency, issue a statement on their joint website to say that investigators (called the investigating group) will be sent to Wuhan to carry out “a comprehensive investigation into the problems of Doctor Li Wenliang”. The investigating group arrives in Hubei on 8 January.</p>
	China names the disease novel coronavirus pneumonia, abbreviated as NCP.	8-9 February, to implement an order from the central government that all residents who need treatment for NCP should be admitted to medical facilities, the Wuhan government decides to transfer a	
	The number of newly diagnosed patients begins to drop nationwide.	great number of stay-at-home diagnosed patients to the newly built hospitals. However, the transportation is messy. Global Times releases a video documenting the mess: by following a transfer vehicle, they find out that the driver is	
	Many measures are used to warn the people to protect themselves nationwide. For example, in some		

	regions, families are encouraged to have one person going out shopping every other day to reduce chances of being infected.	not informed of which hospital he should be taking the patients, and the party member or official accompanying the patients is nowhere to be seen. Patients on the bus have to wait for so long that they suffer a lot and are almost exhausted.	Wang Hesheng, Deputy Director of National Health and Family Planning Commission, is appointed as a standing committee member of the CPC Hubei Provincial Committee, whose duty is to control the epidemic in the province.
10/02/2020	-	<p>Zhang Jin, Party Branch Secretary of Hubei Provincial Health Commission, and its director Liu Yingzhi are removed from their posts. Their former responsibilities fall on the shoulder of the newly appointed official, Wang Hesheng.</p> <p>Party Secretary of Wuhan, Ma Guoqiang, announces at a press conference that the city-wide health survey managed to have 99% of people in Wuhan surveyed, while many Wuhan citizens say online that they never answered the survey.</p> <p>Wuhan decides to implement closed management in all residential districts within the city. The building units where the diagnosed or those suspected to have the disease must be controlled. According to netizens in Wuhan, free food and daily necessities are provided for those isolated at home and sent directly to them daily.</p>	<p>The investigation group urgently interviews the vice mayor and district chiefs of Wuchang and Hongshan and scold them for behaving badly in the battle against the epidemic: the diagnosed were irritated about being tardily transferred from their homes to Tongji Hospital. There was chaos at every stage. The interview draws wider attention for the first publicity sends out a strong signal of punishment for the dereliction of duties.</p>

12/02/2020	Wider diagnostic criteria for detecting the patients are taken – the lab tests results from CT scans count as well.	At a press conference, the newly-appointed health department officials admit problems in Hubei’s previous operation: the government did not fully acknowledge the seriousness of the situation of Hubei as was claimed.	-
		The largest number of the diagnosed in Hubei is reported (over 15,000 that day).	
13/02/2020	-	-	Both municipal and provincial party secretaries of Wuhan, Hubei are removed from office for their poor performances, especially their hiding of information from the public when dealing with the virus.
			The investigating group makes it clear to the public that the number of infected people in Wuhan has not been fully assessed, and the scale of the spread has not been estimated accurately. According to calculations, the potentially infected constitute a large number of people.

## Appendix 2: Interview Questions (English)<sup>1</sup>

For PM:

1. Would you mind describing formation of the ISL (or the supplements you were involved with)? Was there anything unique in comparison with the creation of other policies?
2. What impact does this policy have on the maintenance of social stability?
3. What impact does this policy have on China's involvement in international trades facilitated by the Internet? In the process, are there any exceptions included to keep China involved and benefiting from such trades?
4. Are there contradictions between the internal and external goals of the Internet censorship policy? (If yes, what are the principles used in handling the contradictions? In case the interviewees did not recognize the sharpness of the contradictions, the researcher would specifically mention worries from international enterprises in China as a case for follow-up questions, e.g. did the process take foreign enterprises' worries into consideration?)
5. Are voices outside the government heard and taken into consideration in the formation of the policy? For example, individuals or institutions outside the government or foreign-funded enterprises in China? (If yes, when and how are their voices heard? How much weight is given to their demands/interest in the formation of the policy?)

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<sup>1</sup> Listed here are the general questions asked to all participants. In practice, some follow-up questions were made according to individual participant's occupations, their knowledge of the policy, and feedback provided. For example, the question asked of PM-1 and PM-2 to test whether some disagreements arose from misinterpretations to the policy (*cf.* 5.4.2.2). These questions are not listed here.

For PI:

1. According to your work experience, would you mind thinking of a list of censored content? What kind of information is more likely to be censored?
2. Are critiques of the CPC, the government, or its leaders to be censored?
3. What are the main principles to follow when implementing the policy?
4. What are the normal practices for censoring?
5. Please can you describe efforts made over Internet censorship, particularly the regulations on online information; name those who make the efforts; and reflect on whether the implementers put enough energy into implementing the policy.
6. Taking 'keyword filtering' as an example, are there any weaknesses in the real implementation?
7. Are there any exceptions/flexibility when implementing the Internet censorship?
8. How do you see the effectiveness of policy implementation?

For CR:

1. According to your knowledge of the policy, would you mind thinking of a list of censored content?
2. Are critiques of the CPC, the government, or its leaders to be censored?
3. What are the main principles to follow when implementing the policy?
4. Based on your studies and experiences, please list the most important implementers of the policy and their duties. And if possible, the limitations of the implementation.
5. Taking 'keyword filtering' as an example, are there any weaknesses in the real implementation?
6. Are there any exceptions when implementing the Internet censorship?

7. What impact does this policy have on China's involvement in globalization?
8. How do you see the effectiveness of policy implementation?
9. Please describe the influence of the policy on the government's efforts to have its ruling position sustained. The policy contributed much to maintaining a relative stable social environment, especially in the detection and precaution of collective activities.

For TB:

1. Has the policy triggered/stirred up worries among businesspeople? If yes, has the government taken any action in coping with the problems brought about?
2. Is legalized VPN provided in your workplace?
3. Please can you evaluate the implementation and its influence over China's development?
4. Outside of your work/business, please evaluate influence of the policy.
5. Has the policy brought inconveniences to your business/work/industry?
6. From your point of view, how is the policy designed/implemented in order not to hinder China's development and globalization?

### Appendix 3: The Consent Form (Chinese)

## 人文社会科学伦理委员会田野调查同意书

项目名称:《关于中国的网络审查政策的评估性研究》

研究者: 曾加 (华威大学政治学与国际问题研究专业博士生)

导师: 汤姆索雷尔, 乔治克里斯托弗(华威大学政治学与国际问题研究系教授)

请对以下问题做选择

1. 我确认我已阅读并理解上述信息表。我已得到充分的时间考虑且对该研究

☐

的内容进行提问, 并得到了满意的答复。

2. 我清楚我的参与是自愿的, 我可以无条件随时退出, 我的工作和生活不会

☐

因此受到影响。

3. 我同意加入这次的访谈。

☐

4. 我同意对访谈信息进行录音。

☐

5. 我清楚我的个人信息以及此次访谈的录音材料会被妥善安全的保存。我的

☐

个人信息将被严格保密。该研究中所出现的有关我的信息将会被严格保密

并将在该研究结束后的五年内被彻底销毁。如果我提出要求, 该数据将在

研究者毕业后立即被销毁。

参与者签名

日期

研究者签名

日期

## Appendix 4: The Information Sheet (Chinese)

### 研究信息表

**项目名称:** 《关于中国的网络安全政策的评估性研究》

**研究者:** 曾加（华威大学政治学与国际问题研究专业博士生）

**导师:** 汤姆索雷尔, 乔治克里斯托弗（华威大学政治学与国际问题研究系教授）

#### 简介

您好, 您受邀参加一项研究。在决定是否加入之前, 需要您对这项研究以及您需要参与的部分进行全面了解。请您认真阅读以下信息。

本表的第一部分将就该研究的目的及您将参与的部分提供信息, 第二部分将就如何进行这项研究向您提供更详细的信息。

如果有任何不清楚的地方或者需要更多的信息, 欢迎您随时向我提问。也请您慎重思考是否同意参加这项研究。谢谢!

#### 第一部分

##### 研究目的

本研究对中国互联网内容审查政策的探讨从中国政治哲学的背景出发, 涉及政策制定的出发点、政府内外利益相关者的考量、经历和态度、以及公众反应等因素。

互联网是政府治理的新领域。在谈到全球互联网治理的现状时, 约瑟夫奈曾指出, 全球网络治理正处于从各行体为分而治之、碎片化的管理方式向达成统一全球治理规范的过度中。目前, 世界各国都在追求建立互联网治理的国际规范。为达成最终规范, 最现实的方案即接受每块“碎片”存在的合理性——因为它们都是治理者在对行为体的当前利益进行考量后形成的。因此, 考察一个国家的网络治理及其相关政策, 应以该政策是不是维护了大多数人的根本利益并努力满足这些人的迫切需求为前提, 而非这个国家的政治体制是什么。

中国作为互联网治理的参与者, 是一个非西方的、崛起中的大国。它不仅具有丰富的网络管理经验, 还有强烈的参与全球互联网管理规范制定的意愿。因此, 中国对互联网安全和管理理解将对未来全球互联网治理产生不可估量的影响力。然而, 大多数针对中国互联网治理的研究要么建立在“中国的互联网管理违反了言论自由和思想自由流动”等西方民主自由基本原则的基础上, 要么一味为该政策辩白却缺乏充分理据。这些研究忽略了中国传统文化影响下中国网络治理的内在逻辑以及该政策各方利益相关者的诉求和态度, 不仅无法真正解释中国的互联网治理, 更无益于互联网全球治理规范的形成。



本研究着眼中国互联网治理中争议性最强的话题——网络内容审查政策，从中国的历史、文化和政治等背景出发，在这一政策能否满足中国人对稳定和繁荣的追求，进而维护共产党执政地位的评价标准下，对中国网络内容管理政策的制定、实施、以及政治影响三个政策维度分别进行了考察以及优缺点的梳理。由此达到真正解读中国互联网安全政策，了解其目的，并促进西方世界对中国的理解，消除误会的目标。此外，本研究不仅能够促进中国网络管理的进一步发展，更能为其他中国公共政策的研究提供启示。

### 我一定要参与这项研究么？

是否参加这项研究将完全由您决定。通过这张信息表，我将向您详细解释这项研究，并将该表留给您保存。如果您选择参加，您会签署一份同意书以确认您已同意参加。本研究的一部分是通过调查问卷完成。在这种情况下，本研究不会收集正式签署的同意书，返回完整的调查问卷即表明您同意参加。您可以随时退出，无需给出理由，这不会影响您或您的生活和工作。

### 在这项研究中，我需要做什么？

您将被邀请填写一份问卷调查或接受一次大约60-90分钟的采访。如果您接收我的采访，在这次采访结束后，我会把整理后的采访笔记提供给您审查是否有所歧义。如果存在信息不全的情况，我可能会联系您进行补充采访。您可以自由选择采访的形式（比如，面对面，skype，微信或email等）。

### 参与本研究有可能遇到什么问题，风险和/或不适？

该研究的形式主要是问卷调查和深度访谈。如果您的参与形式是问卷调查，将不涉及任何风险。如果您的参与形式是访谈，可能涉及一定风险。风险如下：

首先，如果您在采访中激烈的批评政府，您可能承受极小的，遭受口头攻击或人肉搜索的攻击的风险。其次，最糟糕的情况是您可能会因批评互联网审查而受到惩罚。根据大量研究数据显示，中国政府实际上能够容忍一定程度的批评。而我的受访者的影响力有限，且我的问题只关注实事。因此这种情况极不可能发生。

然而，为了做到规避一切风险，您的所有信息都将被匿名处理。因此数据不会被泄露，任何国家的政府机构都无法接触到我的研究数据。此外，如果您觉得我的问题过于敏感或者谈论这些问题会让您感到不适，您可以不必回答。

### 参与本研究我将有可能获得什么利益？

参与本研究无法为您带来直接的利益。但您的参与能够帮助我从中国国家利益的角度找到关于中国互联网审查政策是否成功这一问题的证据。这不仅有助于改进该政策，还能显示中国在未来全球网络治理中的地位，消除西方世界可能存在的对中国网络管理误解，并在不久的将来为中西在网络管理创造合作机会。

### 报酬

我很抱歉，但是参与这项研究无法为您带来任何经济报酬。

### 这项研究结束后会发生什么？

如果您愿意，请与我取得联系。在本研究结束后，我将向您提供一份论文副本。从本研究中收集的信息将被严格保密。在我毕业后的五年内，所有数据都将被销毁。如果您有意愿，我可以在毕业后立即销毁和您有关的所有数据。此外，如果需要在取得博士学位后使用与您有关的数据，我会先征求您的同意。

### 我的参与会被保密么？

是的。本研究将遵循严格的道德和法律规范，关于您的所有信息将得到保密处理。对此，我将在第二部分中为您提供更详细的信息。

### 如果发生任何问题怎么办？

有关您在研究期间遇到的任何问题的处理和投诉方式或您可能承担的任何风险和解决方案的详细信息请见本表第二部分。

如果您对我的研究感兴趣并考虑参与，请在做出任何决定之前阅读第二部分中的其他信息。

## 第二部分

### 谁在组织和资助这项研究？

本研究是我博士论文的一部分，由英国华威大学政治学与国际问题研究系组织。

### 如果我不想继续参与研究，会发生什么？

参与本研究完全是自愿的。退出或拒绝参与不会对您产生任何影响。如果您的参与形式是问卷调查，填写并返回问卷即表示您同意参加本研究。如果您的参与形式是深度访谈，如果决定参加本研究，您需要签署一份同意书表明已同意参加。您可以随时退出研究而不会对您造成任何影响。您有权完全退出本研究并在退出后拒绝任何进一步联系。

### 如果有问题怎么办？

本研究由华威大学的保险承保。如果您有任何问题，请联系该研究的研究员：

[J.ZENG@warwick.ac.uk](mailto:J.ZENG@warwick.ac.uk); +44(0)7422939977

### 如果我想投诉，应该联系哪个单位？

您对任何在研究期间有关处理方式的投诉或您可能遭受的任何伤害都将得到解决。请向以下人员提出投诉，该人员是独立于本研究的华威大学高级行政人员：

#### **Director of Delivery Assurance**

*Registrar's Office*

*University House*

*University of Warwick*

*Coventry*

*CV4 8UW*

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### 我的参与是否会被保密？

您的参与将被严格保密。如果您的参与形式是问卷，该问卷不涉及任何个人信息。如果您的参与形式是深度访谈，除非您希望有第三人在场，除了我和您之外，不会有第三人参与采访。基于该研究的敏感性，您的参与可能会引发他人对您的提问。为避免这种情况，我们不会向任何人分享您的信息。我们从该研究项目中收集的信息将被严格保密。在研究中，您的身份信息将会被一个数字/代码而不是您的名字取代。只有我才知道您的号码/代码是什么，我会在至少三个离线硬盘中保存我的研究数据，并在销毁之前在我的导师的磁盘文件上加密保存。除我的导师外，我不会与任何人分享或向任何人提供上述信息。采访录音仅供我转录采访内容。此外，在我毕业后5年内所有数据都将被销毁，或者如果您愿意，这些数据可以在我毕业后被立即销毁。此外，如

果您的数据将在我的博士课程结束后被使用，我会再次征求您的同意。

### 研究结果会被怎样处理？

如果您愿意，我将为您提供一份我的论文副本。该论文的部分内容将被提交给相关期刊出版。您的个人数据同样将被严格保密，如果您愿意，我也会为您提供一份期刊文章的副本。

### 这项研究经过任何审查么？

本研究已于以下日期由华威大学政治学与国际问题系研究伦理委员会的审查并批准进行：2018年10月8日。

### 如果我想了解有关该研究的更多信息怎么办？

如果您对本研究或您参与本研究有任何疑问，请参阅此参与者信息表。此外，您也可以与我的导师取得联系：

汤姆索雷尔教授： [t.e.sorell@warwick.ac.uk](mailto:t.e.sorell@warwick.ac.uk);

乔治克里斯托弗教授： [g.christou@warwick.ac.uk](mailto:g.christou@warwick.ac.uk)

感谢您抽出宝贵时间阅读此表。

## **Appendix 5: Survey on the Chinese Internet Censorship Policy (English)**

You are invited to participate in a survey on the Chinese Internet censorship policy. Targets of this survey are netizens with Chinese nationality. Consisting of 21 questions in four parts, filling out the survey will only take you about 5-10 minutes. First, please read the following information carefully:

Hello, I am a PhD student of Politics and International Studies, University of Warwick, UK. This survey is part of my PhD research. Discussing China's Internet censorship policy, this study starts China's own culture, historical and social perspectives, involving factors such as government interests, orientations of policy formulation, and the public response. For detail information about the study, risks, and complaints, please click and read the [Research Information Sheet](#).

The survey is anonymous and will take all collected data in strict confidentiality. It is up to you to decide whether to participate. Finishing and returning the survey indicates that you have read the Research Information Sheet and agreed to participate. You can quit at any time, and this will not affect you.

If you are a Chinese citizen and agree to participate, please click the Page Turn button in the lower right corner.

## Demographic Information

**1. Which age group are you in?**

- ☐ 18 and under
- ☐ 18-29
- ☐ 30-39
- ☐ 40-49
- ☐ 50-59
- ☐ 60 and above

**2. Your monthly income (¥):**

- ☐ 1,500-4,500
- ☐ 1,500-4,500
- ☐ 4,500-9,000
- ☐ 9,000-35,000
- ☐ 35,000 and above

**3. Your educational background**

- ☐ Junior middle school and below
- ☐ Senior middle school or vocational/technical school
- ☐ Junior college
- ☐ Bachelor
- ☐ Master
- ☐ PhD and above

**4. Currently you are:**

- ☐ Business service personnel
- ☐ Staff of enterprises/companies
- ☐ Staff of party and government organizations and public institutions
- ☐ Self-employed
- ☐ Student
- ☐ Migrant worker from rural areas and workers of manufacturing enterprises
- ☐ Labourer engaged in agriculture, forestry, animal, husbandry, and fishery
- ☐ Jobless/laid-off/unemployed
- ☐ Specialized technical personnel (teacher, researcher, doctor *etc.*)
- ☐ Retired

**5. Do you have experience of living abroad for more than 1 year?**

- ☐ Yes
- ☐ No

**6. Where do you live?**

- ☐ Northeast China: Heilongjiang Province, Jilin Province, Liaoning Province
- ☐ Eastern China: Shanghai, Jiangsu Province, Zhejiang Province, Anhui Province, Fujian Province, Jiangxi Province, Shandong Province
- ☐ North China: Beijing, Tianjin, Shanxi Province, Hebei Province, Inner Mongolia Autonomous Region Central China: Henan Province, Hubei Province, Hunan Province
- ☐ South China: Guangdong Province, Guangxi Zhuang Autonomous Region, Hainan Province
- ☐ Southwest China: Sichuan province, Yunnan province, Chongqing, Tibet
- ☐ Northwest China: Shanxi Province, Gansu Province, Qinghai Province, Ningxia Hui Autonomous Region, Xinjiang Autonomous Region
- ☐ Hong Kong, Macao, Taiwan
- ☐ Overseas

**7. Except Chinese, do you have other languages you can read and write fluently?**

- ☐ Yes
- ☐ No

**8. How long have you used the Internet?**

- ☐ Less than 2 years
- ☐ 2-5 years
- ☐ 5-10 years
- ☐ 10-15 years
- ☐ 15 years and above

**9. On average, how often do you surf the Internet?**

- ☐ More than 5 hours daily
- ☐ From 2-5 hours daily
- ☐ Less than 2 hours daily
- ☐ Several times a week
- ☐ Only once or twice a week
- ☐ Less than once a week

## Multiple-choice Questions

You may choose more than one answer:

**10. I surf the Internet for \_\_\_\_\_:**

- ☐ Entertainment (listening to music, watching movies, playing games *etc.*)
- ☐ Social interactions (using social media for new friends)
- ☐ Online shopping
- ☐ Study or work

- ☐ Communication (communicating with families and friends via Skype, QQ, Email or WeChat *etc.*)
- ☐ Getting news
- ☐ Other (please specify) \_\_\_\_\_

**11. Internet censorship evaluates online content and filters, deletes, and blocks certain content. Do you notice that the Internet is censored in China?**

- ☐ Yes
- ☐ I don't think so
- ☐ I don't know

**12. Please choose the result(s) of Internet censorship:**

- ☐ Protects the safety of the netizen
- ☐ Helps to maintain social stability
- ☐ Promotes economic development
- ☐ Fights against online crimes
- ☐ Improves the content on the Internet
- ☐ Hinders my personal development
- ☐ Interferes with my privacy
- ☐ Prevents China from democratization
- ☐ Hinders social development
- ☐ Hinders the economic development of China
- ☐ No effect
- ☐ Hinders China's involvement in economic globalization
- ☐ Other (please specify) \_\_\_\_\_

## Degree Questions

**13. From strongly agree to strongly disagree, how do you describe yourself?**

	Strongly agree	Somewhat agree	I don't know	Somewhat disagree	Strongly disagree
1. Internet is essential in my life					
2. I prefer information related to China when surfing the Internet					
3. I prefer information written in Chinese when surfing the Internet					



4. I have access to all types of Internet applications and services I need to obtain information and to express myself in China					
5. The information from the Internet of China can fulfil my needs					
6. I think most websites in China adopt 'real-name registration' today					
7. I would avoid websites (and/or APPs) asking for 'real-name registration'					
8. In China, I have full access to all information online					
9. Internet provides Chinese citizens with more opportunities for political participation					
10. Internet has contributed a lot to the democratization of China					
11. All information should be online without being filtered to facilitate social progress					
12. The government is responsible for maintaining online security of the Chinese netizen					

13. Internet censorship is doing more good than harm for China's development					
14. Internet censorship is necessary in China at present					
15. The current Internet censorship policy improves the reputation of the government					
16. The current Internet censorship policy helps to fight online crimes					
17. The current Internet censorship policy helps to fight against the terrorism					
18. The current Internet censorship policy helps to maintain social stability					

**14. From level 0 (no influence) to 10 (seriously hindered), the degree of the influence of the Internet censorship on your acquisition of information is:**

No influence					Seriously hindered					
<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input type="checkbox"/> 6	<input type="checkbox"/> 7	<input type="checkbox"/> 8	<input type="checkbox"/> 9	<input type="checkbox"/> 10

**15. As far as maintaining social stability is concerned, the role censorship plays:**

- ☐ Does more good than harm
- ☐ Does more harm than good
- ☐ I don't know/care

**15-1. (If "do more good than harm") From 0-10, degree of the positive influence of the Internet censorship policy on maintaining social stability is:**

<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input type="checkbox"/> 6	<input type="checkbox"/> 7	<input type="checkbox"/> 8	<input type="checkbox"/> 9	<input type="checkbox"/> 10
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**15-2. (If “do more harm than good”) From 0-10, degree of the negative influence of the Internet censorship policy on maintaining social stability is:**

<input type="checkbox"/> 0	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 3	<input type="checkbox"/> 4	<input type="checkbox"/> 5	<input type="checkbox"/> 6	<input type="checkbox"/> 7	<input type="checkbox"/> 8	<input type="checkbox"/> 9	<input type="checkbox"/> 10
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## Specific Questions

**16. Do you know that there are public policies about Internet censorship in China?**

No	<input type="checkbox"/>		
Yes	<input type="checkbox"/> I am not familiar with it	<input type="checkbox"/> I have some knowledge of it	<input type="checkbox"/> I know it well
If Yes	How do you know about the policy (multiple choice available)? <input type="checkbox"/> From online medias, forums and other social media <input type="checkbox"/> Via offline media (TV news, newspapers <i>etc.</i> ) <input type="checkbox"/> By reading scholarly publications <input type="checkbox"/> I heard someone else discuss it <input type="checkbox"/> By reading these laws and regulations directly <input type="checkbox"/> Other (please specify) _____		

**17. Do you have social media accounts such as Sina Weibo?**

<input type="checkbox"/> Yes	<input type="checkbox"/> No
Have you ever been censored online?	<input type="checkbox"/> Do you sense the Internet censorship when surf the Internet?
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No

**18. Have you heard of the draft online for voicing your opinions before the official delivering of the *National Internet Security Law of the PRC* in 2017?**

No	<input type="checkbox"/>	
Yes	<input type="checkbox"/> I provided some comments on the draft	<input type="checkbox"/> Yes, but I didn't participate

**18-1. For those knew about the option but did not participate, the reason is:**

- ☐ The policy is irrelevant to my life
- ☐ I don't think my opinion matters
- ☐ Other (please specify) \_\_\_\_\_

**19. Bypassing the censorship refers to behaviour that use tools to circumvent Internet censorship. About bypassing the censorship**

<p>The behaviour of “bypassing Internet censorship” is:</p> <p><input type="checkbox"/> Not a violation of the law. I will do so if needed</p> <p><input type="checkbox"/> Not a violation of the law. But I won’t do so</p> <p><input type="checkbox"/> A violation of the law. However, I will do so if needed</p> <p><input type="checkbox"/> A violation of the law. So, I won’t do it</p> <p><input type="checkbox"/> Neither a good way of getting information nor lawful I won’t do so</p> <p><input type="checkbox"/> Other (please specify) _____</p>
--

**20. Have you ever bypassed Internet censorship when in China?**

<input type="checkbox"/> Yes	<input type="checkbox"/> No
<p>I bypass the Internet censorship for (you can make multiple choices):</p> <p><input type="checkbox"/> Military and political sensitive content blocked</p> <p><input type="checkbox"/> Expressing dissatisfaction with the government</p> <p><input type="checkbox"/> News blocked</p> <p><input type="checkbox"/> Out of curiosity</p> <p><input type="checkbox"/> Academic/job-related reasons</p> <p><input type="checkbox"/> Entertainment</p> <p><input type="checkbox"/> Social activities</p> <p><input type="checkbox"/> Online shopping</p> <p><input type="checkbox"/> Other (please specify) _____</p>	<p>I have never bypassed the Internet in China because (you can make multiple choices):</p> <p><input type="checkbox"/> It is unnecessary: I can get all information needed</p> <p><input type="checkbox"/> I don’t know how to do it technically</p> <p><input type="checkbox"/> I think it is illegal</p> <p><input type="checkbox"/> Other (please specify) _____</p>

**21. Does the current Internet censorship policy in China need further improvement?**

<input type="checkbox"/> No. I think the current policy is perfect	
Yes	<p><input type="checkbox"/> I think the current policy is too tough</p> <p><input type="checkbox"/> I think the current policy is too loose</p> <p><input type="checkbox"/> Other (please specify) _____</p>

Many thanks for your participation. This survey is confidential, and any information provided will not be shared outside of the research, as is required by the ethics of research.

## Appendix 6: Comparison of Demographic Information of The Survey Participants and Chinese Netizens in General<sup>1</sup>

### The Survey Participants

#### Age

Field	Percentage
18 and under	15.9%
18-29	35.1%
30-39	18.7%
40-49	14.9%
50-59	9.5%
60 and above	5.9%

#### Occupation

Field	Percentage
Business service personnel	6.4%
Staff of enterprises/companies	13.5%
Staff of party and government organizations and public institutions	4.8%
Self-employee	17.6%
Student	29.0%
Migrant workers from rural areas and workers of manufacturing enterprises	2.3%
Laborers engaged in agriculture, forestry, animal, husbandry, and fishery	5.9%
Jobless/laid-off/unemployed	6.7%
Specialize technical personnel (teacher, researcher, doctor <i>etc.</i> )	9.7%
Retired	4.1%

#### Education

Field	Percentage
Junior middle school and below	4.5%
Senior middle school or vocational/technical school	16.7%
Junior college	14.2%
Bachelor	35.8%

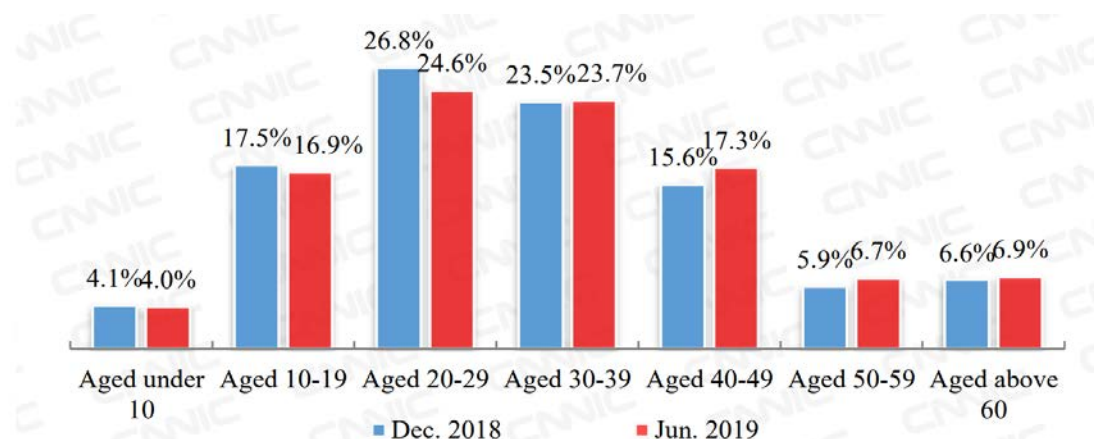
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<sup>1</sup> Appendix 6 listed comparisons of their age, occupation, and education. For other information, please see <https://cnnic.com.cn/IDR/ReportDownloads/201911/P020191112539794960687.pdf>. (CNNIC, 2019b:17-20).

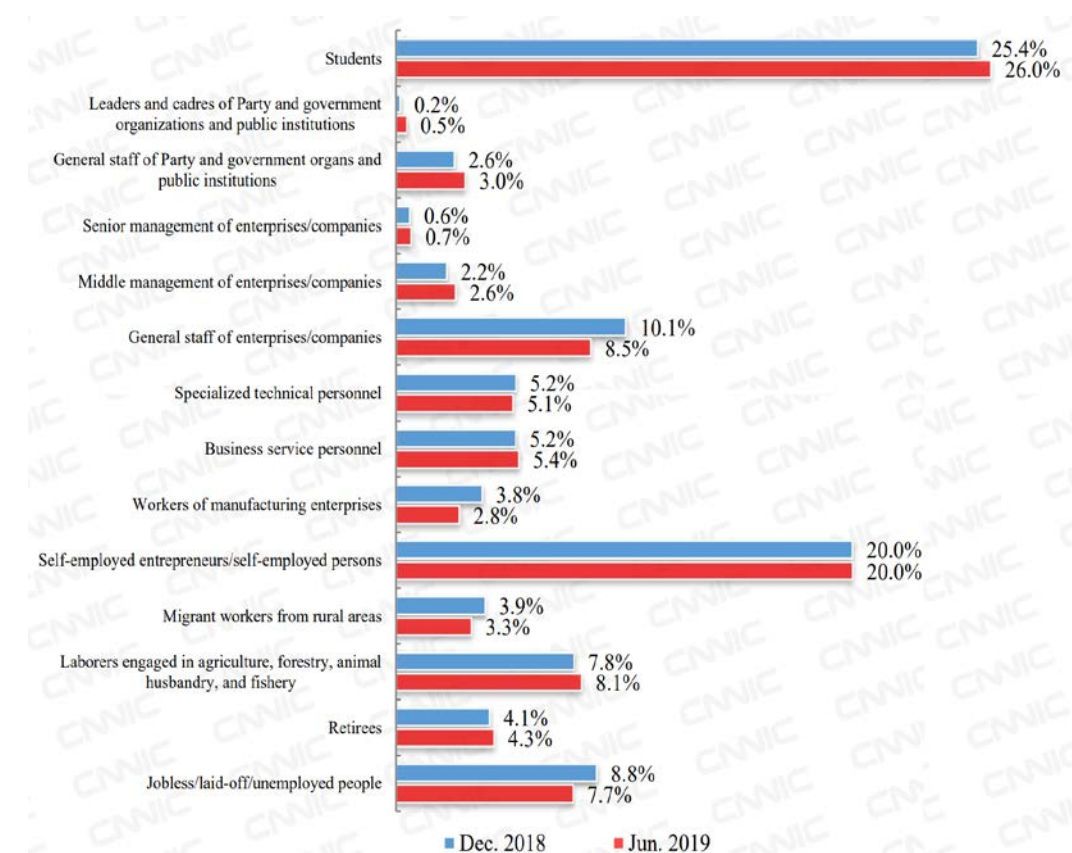
Master	19.2%
PHD and above	9.7%

## Chinese Netizens in General

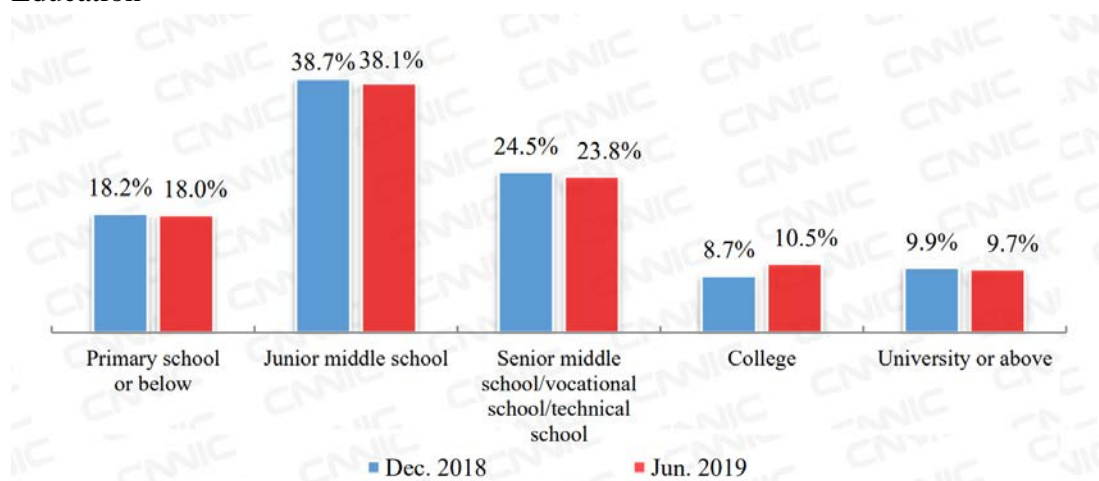
### Age



### Occupation



## Education



## Appendix 7: The Codebook

Code/Theme	Description
<b>THE PROCESS</b>	
<b>1. policy goal preservation</b>	-
<b>1-1 social stability</b>	Social stability as the internal goal of the Internet censorship policy to be preserved.
<b>1-1-1 the problem-response approach</b>	The problem-response policy-making approach is one of the guiding principles for the process of ISL. It means that policies should be made to solve existing problems
<b>1-2 external goals after the internal ones</b>	The internal goal always prioritizes the external one whenever contradictions crop up in between
<b>1-3 globalization</b>	The external goal of being involved and benefited from globalization
<b>1-3-1 adapting to the globalization</b>	The involvement of globalization means China participates in globalization and contributes to make it better
<b>1-3-2 international cooperation</b>	International cooperation is needed in the policy
<b>1-3-3 more on supplements</b>	Compared with the ISL, the supplements leave more room for preserving the external goal
<b>1-3-4 negative</b>	Negative factors in preserving the external goal
<b>1-3-5 positive</b>	Positive factors in preserving the external goal
<b>1-3-6 the market first</b>	Foreign investment in China will continue because of the profits. Similarly, to gain more profits from globalization, China will adjust its policy as well
<b>2. legitimacy of the policy</b>	-
<b>2-1 constitution of the drafting team</b>	The drafting team consists of actors both within and outside the government.
<b>2-2 longer than other policies</b>	It takes a very long time to make the policy: longer than other public policies in China
<b>2-3 the policy process</b>	How the ISL was made



<b>2-3-1 stage 1 policy initiation</b>	-
<b>2-3-2 stage 2 formal procedures</b>	-
<b>2-3-2-1 step 1 initial drafting</b>	-
<b>2-3-2-2 step 2 getting on the agenda</b>	-
<b>2-3-2-3 step 3 revision and comment</b>	-
<b>2-3-2-4 step 4 approval</b>	-
<b>2-3-2-5 step 5 interpretation</b>	-
<b>3. guaranteeing multi-stakeholder participations and without disagreements to process</b>	-
<b>3-1 consultations</b>	Consultations within and outside the government in various forms, such as forums, consultations and sessions
<b>3-2 disagreements</b>	Disagreements in the process
<b>3-3 interests of the majority</b>	No matter whether the rule of the CPC, social stability or globalization: all is to protect the rights and the interests of the majority
<b>3-4 learn from the West</b>	The Chinese Internet censorship policy originates from policies in the West
<b>3-5 multi-stakeholders</b>	-
<b>3-5-1 in government</b>	Stakeholders inside/from the government
<b>3-5-2 outside government</b>	Stakeholders outside the government
<b>4. reasons behind the failures</b>	-
<b>4-1 deficiencies of the legislative system</b>	Deficiencies of the legislative system as a result of Chinese culture
<b>4-1-1 Strongman politics</b>	As an authoritarian state, China follows the strongman politic
<b>4-2-2 top-down political system</b>	Contrary to the top-down model commonly adopted in Western democratic countries, the Chinese political system is operated by the top-down model
<b>4-2-3 vagueness in</b>	Chinese public policies are more or less

<b>language &amp; lack of explanation</b>	vague. Some are intentionally designed; others are to be amended
<b>4-2-3-1 realization of the deficiency</b>	Some of the policymakers already realized that the policy system lacked transparency and China did not explain itself
<b>4-2-4 problem-response</b>	Policymaking in China follows the mode of problem-response, which means if there were no problems, there would be no policy
<b>4-2 newness of the policy area</b>	-
<b>4-2-1 immaturity of the policy</b>	Just as the Internet is still new and developing, policies of Internet governance are also new and waiting to be accomplished. Though universal, it is more challenging for the latecomers in this domain of technology such as China. Therefore, the policy is immature, thus further improvements are needed
<b>4-2-2 the adapting technology</b>	With the rapid development of the Internet technologies, more problems are popping up
<b>THE PROGRAMME</b>	
<b>1. the designed to be implementation</b>	How the implementation is designed
<b>1-1 content to censor</b>	What should be censored
<b>1-1-1 ignorance of criticism to the government</b>	The policy does not take criticisms over the government as the target. Even more, criticisms of the government are allowed intentionally as a reflection of public opinions
<b>1-2 principle of censorship</b>	Principle to follow when implementing the policy
<b>1-3 normal practices</b>	Normal practice adopted when implementing the policy
<b>2. those who censor</b>	Implementer of the policy
<b>2-1 government institutions</b>	-
<b>2-1-1 division of works</b>	Tasks for Internet censorship are divided into different types
<b>2-1-2 differences in different level of government</b>	-

<b>2-1-3 flaws</b>	-
<b>2-2 enterprises</b>	-
<b>2-2-1 human censor</b>	Responsibilities and work done by human censors
<b>2-2-2 mechanisms</b>	Mechanisms adopted in implementing the policy
<b>2-2-3 flaws</b>	-
<b>2-3 the public</b>	The power of the public in policy implementation
<b>3. flexibilities in implementation</b>	The implementation is not as strict as imagined
<b>3-1 changing overtime</b>	The implementation may change over time
<b>3-2 public opinion detector</b>	The Internet is used as a public opinion detector
<b>3-3 regional differences</b>	Implementation varies among regions
<b>3-4 the “green light”</b>	Exceptions made to satisfy China’s need in being involved into the globalization
<b>3-5 valve</b>	Internet as a tool to defuse public discontent somewhat
<b>4. effectiveness of the implementation</b>	-
<b>4-1 negative</b>	The ineffectiveness of the programme
<b>4-1-1 reasons</b>	-
<b>4-2 positive</b>	The effectiveness of the programme
<b>4-2-1 reasons</b>	-
<b>5. those being censored</b>	Target groups of the policy
<b>5-1 enterprise</b>	-
<b>5-1-1 attitude</b>	Understandings and attitudes of the enterprises to the programme
<b>5-1-1-1 negative</b>	-
<b>5-1-1-2 no influence</b>	-
<b>5-1-1-3 positive</b>	-
<b>5-2 netizen</b>	-
<b>5-2-1 demand</b>	Netizens’ demands for the Internet
<b>5-2-2 attitude</b>	Netizens’ understandings and attitudes towards the programme
<b>THE POLITICS</b>	
<b>1. the policy’s impact on CPC’s rule</b>	-

<b>1-1 a double sword</b>	The policy brings the ruler both advantages and disadvantages
<b>1-1-1 advantages</b>	-
<b>1-1-2 disadvantage</b>	-
<b>1-2 the public opinion</b>	The government reputation gained
<b>2. efforts in easing the business of governance</b>	-
<b>2-1 detailing the policy</b>	The government has kept promulgating supplements to the ISL (National Internet Security Law) in the last few years, making the policy more detailed over time
<b>2-2 allowing token policy</b>	-
<b>2-3 pleasing the ruled</b>	-
<b>2-3-1 the netizen</b>	Providing ordinary netizens with more say both in the policy process and the implementation
<b>2-3-2 foreign investor</b>	Concessions China made to please foreign investors
<b>3. government trajectory sustained</b>	-
<b>3-1 the internal goal</b>	Government efforts to further the internal goal
<b>3-2 the external goal</b>	Government efforts to further the external goal
<b>3-3 change of direction</b>	The CPC gradually changes its strategy in promoting the policy, so does its tactics in dealing with the criticisms and doubts.
<b>4. critiques, dissatisfactions and misunderstandings</b>	-
<b>4-1 critiques and dissatisfactions</b>	-
<b>4-2 misunderstandings</b>	-
<b>4-2-1 sources of the misunderstandings</b>	-