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# China's Responsiveness to Internet Opinion: A Double-Edged Sword

Jonathan HASSID

**Abstract:** Despite its authoritarian bent, the Chinese government quickly and actively moves to respond to public pressure over misdeeds revealed and discussed on the internet. Netizens have reacted with dismay to news about natural and man-made disasters, official corruption, abuse of the legal system and other prominent issues. Yet in spite of the sensitivity of such topics and the persistence of China's censorship apparatus, Beijing usually acts to quickly address these problems rather than sweeping them under the rug. This paper discusses the implications of China's responsiveness to online opinion. While the advantages of a responsive government are clear, there are also potential dangers lurking in Beijing's quickness to be swayed by online mass opinion. First, online opinion makers are demographically skewed toward the relative "winners" in China's economic reforms, a process that creates short-term stability but potentially ensures that in the long run the concerns of less fortunate citizens are ignored. And, second, the increasing power of internet commentary risks warping the slow, fitful – but genuine – progress that China has made in recent years toward reforming its political and legal systems.

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## Introduction

In 2014 China ranked 175th (out of 180) in international press freedom (Reporters Without Borders 2014), boasted the world's most sophisticated internet censorship apparatus (MacKinnon 2009) and had more journalists in prison than any other country on Earth (Reporters Without Borders 2013). Yet these facts mask the surprising reality that the Chinese Communist Party (CCP) responds quickly to public opinion, especially when expressed online. When Chinese netizens uncover and publicize official abuse of power (Wines 2010), corruption (*People's Abstracts* 2004) or fatal negligence (*China Daily* 2011a), authorities often react quickly and decisively to resolve the exposed problems. The result is a system that strongly discourages political discussion and criticism but is highly responsive to incidents that evade censorship and capture public attention. Commentators, reporters and scholars have seen this responsiveness as a hopeful sign of political change (Wang et al. 2009; Noesselt 2013) and as a way to preserve internal stability, but, as I argue below, there are hidden dangers in authorities' consistent bending to popular outrage.

Below, this article<sup>1</sup> is divided into three parts. After a brief background section on the Chinese media and internet public opinion, the CCP's surprising responsiveness to online demands is demonstrated by case studies and a quantitative analysis of international press stories. Together, these data show how, when and why the Chinese party-state reacts to internet pressure. With reference to a 2013 survey of Chinese microbloggers, the paper's third section discusses the implications of this state responsiveness, and shows how it might undermine official efforts to build a responsible and (reasonably) effective judiciary. Ultimately, the party-state's actions might build and reinforce a new dictatorship – not of the proletariat, but of the commentariat.

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## The Chinese Media, Briefly

China closely censors its domestic media. A system of interlocking government and CCP departments, coordinated by the party's secretive Central Propaganda Department (CPD, 中宣部, *Zhongxuanbu*), together ensure that most commercial media companies – including newspapers, television and radio broadcasters, book publishers, filmmakers and others – hew tightly to party-state demands (Brady 2008). News outlets are especially tightly controlled; to found a newspaper requires an official party-state sponsor, registered capital of at least 300,000 CNY (48,000 USD), a detailed feasibility study, work permits, “certificates of qualification of the editorial and publishing personnel”, various application forms in quintuplicate, and a great deal more (official regulations as translated by Chang, Wan and Qu 2006). Even a successful application, once approved by the State Administration of Press, Publication, Radio, Film and Television (SAPPRFT, formerly known as the SARFT), does not end the hassle. Once in business,

the publication of periodicals shall continue to be guided by the principles of Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory, and the “Three Represents”, [and] adhere to the orientation and guiding role of publishing and the mass media (Regulations for the Administration of Periodical Publication 2005, Ch. 1, Article 3, translated by Chang, Wan and Qu 2006: 429).

And if a newspaper “does not reach the prescribed” – but undefined – standard, the agency “shall revoke [its] Periodical Publication Permit” (Regulations for the Administration of Periodical Publication 2005, Ch. 3, Article 47).

The day-to-day uncertainty about where the censorship axe might next fall is even more constraining than these formal procedural requirements. Unlike Glavlit, the Soviet Union's huge censorship apparatus, China's CPD does not pre-screen content before publication. Instead, CPD officials punish transgressive media outlets and writers after publication, often without stating the reason for punishment, and sometimes acting days, weeks or even months after the violation. The “regime of uncertainty” created by this *post hoc* censorship system means that journalists and editors are often unsure about the limits of the permissible, which encourages them to be quite con-

servative when approaching topics with even a hint of sensitivity (Hassid 2008). After all, it pays to be careful in the world's most prolific jailer of journalists.

A similar system of *post hoc* censorship prevails online, made possible by the world's largest and most sophisticated internet-monitoring system. This "Great Firewall", part of which is known in China as the "Golden Shield Project", relies on filtering keywords, blocking IP addresses and blacklisting websites, a system backed by thousands of internet police who monitor domestic sites and discussion boards (MacKinnon 2009). The end result is a system that allows most Chinese citizens little access to information that the party-state considers suspect. And as China remains (as of 2013) the country most likely to jail netizens for online political expression, the consequences for disobedience can be severe (Reporters Without Borders 2013).

Although it is important not to downplay the role that censorship plays on the Chinese internet, in general there is much more space available for discussion of potentially sensitive political and social topics than exists in the traditional media (Yang 2009). Moreover, while many parts of this censorship apparatus are run from Beijing – especially those that completely block access to unwanted domain names – this system is, for the most part, quite decentralized. Most day-to-day decisions about deleting individual posts rest with content providers and hosting services themselves, rather than being directed from on high. For bloggers, the end result is wide variation in the aggressiveness of hosting services in censoring sensitive topics, a variation that can present opportunities to canny users (MacKinnon 2009).

## China's Surprisingly Responsive Government

Despite this censorship, there is no shortage of sophisticated users willing to brave the potential perils of challenging censorship authorities. Journalists, public intellectuals, writers, lawyers and ordinary citizens can have a substantial impact online, shaping the discussion of even sensitive issues in surprising ways. Although the traditional media, including the enduringly robust Chinese newspaper industry, maintain a substantial hold on shaping the agenda of Chinese internet discussion, news is increasingly broken online. Even if it is not yet quite true that, as Susan Shirk writes, "because of its speed, the inter-

net is the first place news appears [, as] it sets the agenda for other media” (Shirk 2011: 2), certainly the internet is becoming more important every day in exposing problems and shaping public policy.

But note that this paper's discussion of government “responsiveness” in China refers to state actions to quickly punish (exposed) culpable parties, as opposed to the more general willingness to respond to public opinion described by other scholars such as Shambaugh (2008) and He and Warren (2011). Certainly there are other mechanisms of official accountability in China, such as the letters and visits system (信访制度, *xinfang zhidu*), the mass press, and even the foreign media, but these are outside this paper's scope. In other words, the responsiveness I discuss here refers only to Chinese official willingness to respond to scandals quickly and decisively, usually by punishing exposed wrongdoers. Other scholars have proposed similar definitions, often depending on how state elites quell public anger (e.g. Besley and Burgess 2001; Thompson 2000). It is important not to mistake responsiveness for accountability; responsiveness refers to official response to citizens, while accountability refers to routinized citizen response to official action. Even if China is quite responsive to online public pressure in particular circumstances, this responsiveness does not imply that officials are very accountable to their local constituents.

It should also be emphasized that in general the central state has set an anti-corruption agenda and written a script for netizens to follow. For years, central officials have emphasized their desire to fight corruption in the party, and Xi Jinping has made pursuing corrupt officials a centrepiece of his administration. When statements against corruption emanate from Beijing, they create space for netizens and media figures to go after the local problems that central officials have condemned (and are often unaware of). Taking the state at its word – even when different officials or different layers of the state disagree – can be a powerful force encouraging citizen activism (O'Brien 1996). In other words, although the examples in this paper demonstrate the power of public opinion to move a reluctant state, the central state itself has set the agenda in this area and provided encouragement and cover for ordinary citizens to take it at its word. We might therefore see party-state responsiveness to uncovered scandal not as the result of a wayward citizenry but instead as a result of the desire of some top officials to get public support in policy

fighters with their colleagues at various levels of the sprawling bureaucracy. Others have similarly argued that the party-state allows some public criticism to serve as a “fire alarm” and help top officials uncover lower-level corruption (Lorentzen 2014). Turning to citizens to overcome perceived party problems is not new in China – Mao Zedong famously urged the people to attack the party in 1966 – but it does suggest that the state responsiveness to uncovered scandals is only partially “forced” by citizen pressure. But whether encouraged by top officials or not, China’s state responsiveness to citizen pressure over uncovered scandals is still noteworthy.

One of the most famous (and oft-cited) demonstrations of the power of Chinese public opinion to sway national policy came in the wake of the 2003 Sun Zhigang incident. Sun, a college-educated worker from China’s interior who had moved to the southern city of Guangzhou, was arrested by police in March of that year for not carrying his local residence permit. Sent to a detention facility for internal migrants, within 24 hours Sun was dead, beaten to death by guards and inmates at the facility (Hand 2006). This case is particularly illustrative of the connections between media online and off. An enterprising reporter at the feisty *Nanfang Dushibao* (南方都市报, *Southern Metropolis Daily*) first discovered the death through the internet postings of Sun’s anguished family members. This discovery led the paper to boldly publish a story on Sun’s death, which in turn created uproar online, leading to other articles in the mainstream press. Within weeks, Beijing had scrapped the entire system of internal detention facilities, amounting to a huge victory for the concentrated power of public opinion. Crucially, however, the online community was mobilized behind someone seen as one of them – a white collar, college-educated professional. It is unlikely that Sun’s death would have provoked any reaction if he were a more typical migrant, a point I return to later in the paper.

Although the aftermath of the Sun Zhigang case is sometimes seen as a high-water mark for CCP responsiveness to public opinion, many subsequent cases have demonstrated that when enough netizens get sufficiently angry, authorities react quickly to assuage their demands. When Niuniu, the daughter of a prominent official in the southern city of Shenzhen, released a 2004 film called *Seven-Hour Time Difference* (时差七小时, *Shicha Qi Xiaoshi*), government connections ensured that the film was made mandatory viewing in all middle

schools in the huge metropolis – forcing families to pay a fee of 20 CNY (3 USD) per student (*People's Abstracts* 2004). While this seems like a miniscule amount of money, pirated films generally sell for less than half this amount, and Shenzhen's population of over 10 million ensures a large number of potential student viewers and a correspondingly large profit. After an online uproar encouraged further newspaper investigation into the scandal, it emerged that much of the film's 7.69 million CNY (1.2 million USD) in financing had mysteriously come from Li Yizhen, Niuniu's father. Li, a public servant, most likely had an official income of only a few hundred dollars a month (Fish 2012). And once wrongdoing was exposed, the backlash became fierce. The renowned *Zhongguo Qingnianbao* (中国青年报, *China Youth Daily*) thundered:

Regardless of what happens, this papering over [of the scandal] must be exposed. If in fearing to infuriate everyone further, [the perpetrators] adopt an ostrich posture [pretend the problem does not exist], eventually they will be given even more severe punishments (quoted in *People's Abstracts* 2004).

Eventually the film-screening plan was dropped, and the presumably corrupt Li Yizhen was removed from office (*Baidu Baike* 2012).

Public pressure, activated by an outraged traditional media, was also key in forcing an end to the 2007 brick kiln scandal that raged in central China. The Dickensian crime centred around the discovery that hundreds – perhaps as many as 1,000 – children had been kidnapped and forced to work as slaves in illegal brick kilns across Shanxi and Henan provinces. The kilns had apparently operated for years in collusion with local CCP officials, who reportedly took a share in the profits in return for providing political protection. As the research director of a Hong Kong-based labour NGO put it,

It's inconceivable that slave labour and gross physical abuse on the scale it's been reported could possibly have gone on without full knowledge of local officials (Ni 2007).

The issue finally received national coverage only after hundreds of distraught fathers who had already “spent all their money and risked their lives to go deep into the mountains looking for their children” posted an online petition that came to the attention of local TV reporters (Zhu 2007). The report attracted immediate attention in newspapers and on the internet; as a result, hundreds of slaves were



freed, several death sentences were handed down, and 95 local CCP officials were demoted, expelled from the party or removed from office (Ni 2007). Although many of the sentences were decried as too lenient, they still represent an unusual victory of public pressure over entrenched local power holders.

A more recent example involved Li Qiming, a 22-year-old who after a night of heavy drinking struck two students with his car on the campus of Hebei University, killing one and injuring the other. When campus police attempted to apprehend Li, he reportedly shouted “Go ahead, sue me if you dare! My dad is [local deputy police chief] Li Gang!” (*China Daily* 2011b) The case generated such intense interest that “My dad is Li Gang!” (我爸是李刚, *Wo ba shi Li Gang*) quickly became a cynical online catchphrase for those looking to avoid responsibility for problems they had caused (*BBC News* 2011). After a “massive outcry both online and offline” (*China Daily* 2011b), even an attempted payoff to the victims’ families, a tearful apology on national television (Liu 2010) and the best efforts of his “well-connected” father were not enough to keep Li out of prison (*BBC News* 2011).

Perhaps most emblematic of the growing power of public opinion – especially on the internet – in China is the aftermath of the July 2011 Wenzhou train crash. The crash, which killed 40 people and injured hundreds, was the first involving China’s brand-new and highly vaunted high-speed rail system. Despite both a CPD internal order that reporters “do not question, do not elaborate” on the disaster (Osnos 2012) and the hasty burial of the wrecked train cars by the powerful Railway Ministry, within days netizens “posted an astounding 26 million messages on the tragedy, including some that have forced embarrassed officials” to more thoroughly investigate (Wines and LaFraniere 2011). Ultimately, public demands for accountability led to the dismissal of the railway officials and a slowdown in the break-neck pace of (often shoddy) railway construction (Osnos 2012: 52).

Admittedly, these are unusual examples. Most official malfeasance probably goes undetected, and even cases uncovered by party-state investigators rarely result in punishments for offenders (Wedeman 2004). But while punishment for official miscreants is rare, punishment for officials caught in the public eye is swift and merciless. When netizens uncover corruption or publicize a case initially reported in the traditional media, they put pressure on the Chinese party-

state to quickly punish the guilty and assuage public anger. These cases reflect, I argue, the typical official response to publically uncovered corruption. While the case selection is not random, I have aimed to pick cases from all walks of life and to choose both major and minor incidents. In my view, the end result is a selection of reasonably typical cases.

Note the limitations of this argument: I am not arguing that corruption is always uncovered, nor do I claim that uncovered corruption is always punished appropriately. But when malfeasance comes to the public eye, authorities move quickly to punish allegedly guilty parties. Although the CCP might be unable or unwilling to curb systemic corruption, it is certainly capable of responding swiftly and decisively to public pressure. Under the right circumstances, therefore, China has a highly responsive government.

## China's Responsiveness from a Comparative Perspective

Many China scholars have maintained a certain insularity that prevents examination of similar phenomena in other places around the globe. Recent work by scholars such as Sarah Oates on the Russian media (2013) and a special issue of the *Journal of Communication* (62, 2, 2012) on the Arab Spring should have relevance for scholars looking to place the Chinese media into an international context. A 2012 follow-up to Hallin and Mancini's influential 2004 book *Comparing Media Systems* has expanded beyond a Western context, with a chapter by Zhao Yuezhi looking at China's media from a comparative perspective. Such work is, however, still relatively rare.

Aiming in part to address this lacuna, below is a brief comparison of the responsiveness of the Chinese and Kenyan governments to public pressure. Note that this section is based on previous research conducted with co-author Jennifer N. Brass and published elsewhere (Hassid and Brass 2014). Although Kenya and China are quite different, the use of such distinct outliers allows us to "inductively identify variables and hypotheses that have been left out of existing theories" (Bennett 2004: 38) using the crucial-case method (Gerring 2001). In theory, Kenya, a democratic country with a free press, should be more likely to change policy in response to public demands than China, a one-party dictatorship. Because Kenya's regu-

lar election cycles allow ordinary Kenyans to remove their leaders for non-performance, conventional wisdom dictates that Kenyan politicians should react quickly when the public demands they solve a particular issue. Chinese politicians, not facing the pressures of a ballot box, should, by contrast, be free to govern as they see fit, without reference to the wants or needs of even the angriest mass public.

To measure the responsiveness of the Chinese and Kenyan regimes to public pressure, we searched the EBSCO newspaper database for English-language articles that contained the country name (China or Kenya) plus either “scandal”, “graft” or “corruption” from 2000 to 2010. After discarding articles that were not relevant, 258 articles on China and 248 on Kenya remained. In neither case were domestic newspaper articles used, in order to preclude the influence of local censorship and media control, especially germane in the Chinese case. Although the international press is only likely to report on the largest, most prominent scandals, its coverage is still likely to better represent Chinese and Kenyan conditions than the muzzled local press.

This is particularly true because those scandals that do receive domestic press scrutiny have generally already been handled. Often the first that citizens hear of official corruption cases is an announcement by official outlets *People’s Daily* or the *Xinhua News Agency*. There are exceptions, but a reliance on the Chinese domestic press would erroneously imply that all corruption that comes to official attention is punished harshly. Though data are necessarily sketchy, one scholar has found that “provincial supervisory bureaus turned only 6 per cent of those found guilty of disciplinary infractions over to the legal system” and that “of those subject to administrative action, over half (53 per cent) received minor sanctions” (Wedeman 2004). Relying on domestic Chinese media coverage would risk biasing the data. International press coverage, by contrast, is not hampered by these restrictions and is not likely to vary substantially across international borders. Admittedly, this method is not perfect; international press coverage is dominated by a few outlets in the US and UK, and media outlets’ systematic use of wire service reports concentrates this coverage further. Ultimately, however, international press coverage seems a reasonable proxy for how scandals are handled around the world.

Next, computer content analysis (CCA) software called Yoshikoder allowed a comparison of the words in the articles with a “dictionary” of pre-defined keywords sorted into categories (see Sullivan and Lowe 2010, for an earlier example). To determine whether the government responded to scandals, categories that suggest a judicial response were chosen: words related to prison, punishment and the judiciary (see the appendix for a full list). Analysing words in these categories allows us to look at how frequently uncovered scandals result in sanctions for those involved. These results are presented in Table 1. The table also presents similar results from a comparison of baseline, non-scandal-related articles to ensure a legitimate point of comparison. The point of this comparison is to elicit from the press how many scandals and other forms of questionable behaviour are eventually acted upon in both countries.

Table 1: Content Analysis Results for Articles on Scandals in China and Kenya, with Baseline (T-Test)

	Country	Mean number of words per scandal article	Mean number of words per baseline (non-scandal) article	Mean difference (China-Kenya, scandal articles)	Mean difference (China-Kenya, baseline)
Judiciary	Kenya	1.73	1.45	-0.05	-1.15***
	China	1.68	0.30		
Prison	Kenya	0.62	0.60	1.18***	-0.06
	China	1.80	0.54		
Punishment	Kenya	0.35	0.21	0.23*	-0.1*
	China	0.58	0.11		
Article word count	Kenya	978.34	786.61	18.58	-161.24***
	China	959.76	625.37		

Source: Hassid and Brass 2014.

Notes: \*p<.05, \*\*\*p<.001.

Using a simple t-test, two categories of words show statistically significant differences between press coverage of Chinese and Kenyan

scandals: words related to prison and to punishment. These results suggest that when the media reveals Kenyan scandals, those involved are less likely to go to prison or otherwise be punished than their Chinese counterparts. Indeed, articles on Chinese scandals are nearly three times as likely as those about Kenya to mention imprisonment and almost twice as likely to mention other punishments, suggesting a very real difference in outcomes between the two countries. This difference is especially pronounced compared to the baseline, non-scandal articles, which discuss the judiciary and punishment more in Kenya than China.

Although the absolute difference seems small – around one extra “punishment”-related word per four articles about Chinese compared to Kenyan scandals – this does not imperil substantive analysis of the results. In this case, nearly twice as many newspaper articles mention punishment in China than in Kenya. Content analysis, especially of newspaper articles averaging only approximately 1,000 words, often produces such seemingly small differences (Popping 2000). Indeed, because the newspaper corpus reflects dozens of articles on each individual scandal at all stages from discovery to resolution, wildly divergent results between the two countries would be unexpected. Here, the results suggest a meaningfully higher number of reports of punishment and imprisonment in revealed Chinese scandals compared to Kenyan ones. A dictatorship, in other words, can indeed be more responsive to public pressure than a democracy, under the right conditions.

To ensure that these results were not just a reflection of an unusual country pairing, Jennifer N. Brass and I expanded this analysis to every country with a 2010 Freedom House score ( $N=162$ ). Using the same methods described above, we created a unique dataset of 17,160 articles for these 162 countries. When controlling for GDP per capita, population and other variables, no combination of Freedom House’s Civil Liberties or Political Rights variables proved statistically significantly related to punishments meted out for scandals. Some might suggest that a comparison with other culturally similar countries might be more revealing, but Singapore (classed as “partly free” in 2010) and Taiwan (classed as “free”) both have similar levels of state scandal response to China. Indeed, China scores higher on responsiveness than Singapore in every category tested, and Taiwan is

only mildly more responsive than either, except in the “punishment” category – where it statistically ties China.

Another suggestion might be to compare countries that have similarly authoritarian regimes and are about as rich as China. To run this analysis, I compared China to Jordan, Egypt and Belarus. China, Egypt and Jordan all score similarly on the Freedom House rankings as “not free”, and with the exception of Egypt – which is a bit poorer – all these countries have similar per capita GDPs in the five to seven thousand USD per year range. Using an ANOVA with Bonferroni correction, none of these countries show meaningfully different levels of reported punishment for scandals, except for the comparisons between China and Egypt and between China and Jordan. Here, China scores as more willing to punish exposed wrongdoers than either Egypt or Jordan (at the  $p < 0.1$  threshold of statistical significance, with full results available from author on request). These results demonstrate that state response to scandals does not correlate to regime type, levels of democratization or national wealth. In other words, even though it is clearly authoritarian, China shows surprising nimbleness in appeasing public anger over revealed scandals.

## Why the CCP Responds to Public Pressure

Given these results and the dozens of cases of media and internet pressure forcing policy or personnel changes, the real mystery is not whether powerful Chinese officials respond to mass demands but why they do so. Much of the party-state's responsiveness is seemingly based in a fear of the public's response to official inaction (Distelhorst 2012). The cover story of a 2009 issue of the news magazine *Zhongguo Baodao* (中国报道, *China Report*) captures this sense of official worry, with a headline proclaiming “Netizens are three feet above our heads” and wondering whether “the internet brings forth popular will and the popular voice, or whether it brings hidden dangers”. The accompanying picture, with officials in imperial-style court dress engaged in an apparently worried discussion over a computer, reinforces the point (Wang et al. 2009).

For Chinese officialdom, it seems the “hidden dangers” are often more apparent than the benefits of bringing forth “popular will”. Liu Chang (2012), for example, cites a survey in which 88 per cent of regular netizens think that the internet is overall a “good thing, prov-

ing social progress” – at the same time as 70 per cent of public officials have “internet terror” (网络恐惧, *wangluo kongju*). Another Chinese study on the rise of the internet, and of China’s Twitter-like microblogging services in particular, showcases similar official worry. Writing from the viewpoint of Chinese officials, Kan Daoyuan (2010) finds that because microblogs sap the CCP’s ability to direct and control public opinion, these services act as a potent threat to “social stability”. If information is allowed to flow unchecked, Kan argues, then “rumours” will be much more likely to lead to “mass events” and other forms of social chaos (Kan 2010: 15). These and other studies suggest a culture in which Chinese officials, especially those at lower levels of government, are fearful of China’s internet public opinion, which can serve as an “alarm system” for pointing out problems to higher-ups (Lorentzen 2014). Responsiveness, then, does not happen for its own sake, but is seen by many officials as a means to preserve stability and prevent problems from getting out of hand.

Note that I am not arguing that China is particularly effective at combating corruption or very pro-active in pursuing cases of official malfeasance. Most official corruption in China surely goes unpunished, and evidence is strong that corruption is systemic even at the highest levels of the party-state (Barboza 2012). But when such cases are uncovered and appear before the public eye, authorities generally act very quickly to punish those targeted by popular pressure.

## Implications of China’s Responsive Government

From one perspective, the CCP’s sprightly response to public opinion – especially online – is a boon to many of China’s citizens. As in any country, China faces a host of social problems that power holders are either unwilling or unable to tackle. The powerful nexus of an increasingly aggressive media (within limits) and mobilized public opinion has forced reluctant officials to confront problems ranging from official corruption, to choking pollution, poisonous food, an inadequate legal system, worker exploitation and other social ills. The result, when coupled with other practices like allowing citizens to sue the state, “an increasing use of People’s Congresses to discuss policy”, along with “the acceptance of some kinds of autonomous civil society organizations” – admittedly in a regime with “no apparent

interest in regime-level democratization” – has led He Baogang and M. Warren (2011: 269) and others to see China as an emerging example of “deliberative authoritarianism” (He 2006; He and Warren 2011; Jiang 2010).

This optimistic perspective sees the CCP's increasing engagement with citizens as both helping to solve festering social problems and increasing overall regime effectiveness. He and Warren (2011: 280) write that “deliberation may simply function more effectively to maintain order, generate information and produce legitimate decisions” than a commandist approach. For the CCP, of course, the key word is “legitimate”. “Within a context in which ideological sources are fading while development-oriented policies create winners and losers”, they write, “deliberative processes”, including internet discussion, “can generate *legitimacy*” – legitimacy which might help the CCP stay in power (He and Warren 2011: 282, emphasis in original). Although acknowledging that the regime is responding to public pressure for its own selfish reasons, this perspective argues that most Chinese citizens are still better off living in a country that takes public demands seriously.

For the victims of the Wenzhou train crash, for the relatives of those hurt by Li Qiming, for the family of Sun Zhigang, the CCP's increasing responsiveness has been an unalloyed blessing. And indeed, it is hard to object to the punishment of corrupt officials, the opening of government records, and other small signs that the regime is willing to look beyond coercion as the solution to all social problems.

## Chinese Government Responsiveness: A Double-Edged Sword

But a hidden trap might lurk in the party's increasing willingness to bend to public compulsion. First, and most importantly, the “commentariat” – those who read newspapers and internet discussion topics, stay up to date on public affairs and comment on microblogging sites – is not coterminous with China's citizenry. For one thing, although China had an estimated 632 million netizens in July 2014, this impressive group still represents less than 47 per cent of China's population (CNNIC 2014). The major barriers preventing the remaining 800 million people from entering the online fray are either



technical (no knowledge of computer use or a fear that they are “too old”) or financial (internet use fees or lack of a computer/web-capable mobile phone). Only 11.6 per cent of those who do not use the internet claim to be uninterested in doing so, meaning that most of the non-netizens are probably kept informed by TV, radio and newspapers (CNNIC 2012). And even the traditional media do a relatively poor job of providing coverage in Western China and other less developed parts of the country (Stockmann 2013). Although these non-internet users may well be able to keep up to date on national affairs, they have virtually no way to participate in public discussion.

And those who do participate online are hardly representative of the general Chinese population, being younger, more urban, better educated, more male, and richer than average. For example, internet users are estimated to be 55.6 per cent male (compared with 51 per cent of China’s population), with an average age of 19.9 (compared to an estimated 37.9 for China as a whole). Urban residents, comprising less than half of the national population, make up 71.8 per cent of China’s netizens. And in a country where only 8.9 per cent of the population has some university education (including those who do not finish), the fact that 10.7 per cent of netizens have completed at least an undergraduate degree is telling. Meanwhile, more than 70 per cent of netizens earn at least the 2009 national average wage of about 1,400 CNY/month (224 USD), even though nearly 30 per cent of them are current students who likely have very low incomes (Netizen data from CNNIC 2012, 2014. Data on China’s average age estimated from National Bureau of Statistics of China 2010. Sex composition and educational attainment data from National Bureau of Statistics of China 2012).

Microblogging, called *weibo* (微博) in Chinese, seems to be a particularly influential medium for influencing government action. The Wenzhou train crash, discussed above, was first broken on *weibo*, as were dozens of other influential cases of citizen-led activism in recent years (Michelle and Uking 2011). But *weibo* users are more demographically skewed toward the social and economic elites than even other netizens, according to a stratified random survey (N=705) of *Sina Weibo* users conducted in August 2013. *Sina Weibo* is the largest of China’s *weibo* services and serves as a stand-in for all microblogging in China. The survey was administered by a commercial survey firm, oversampling active users – those who post at least seven times a

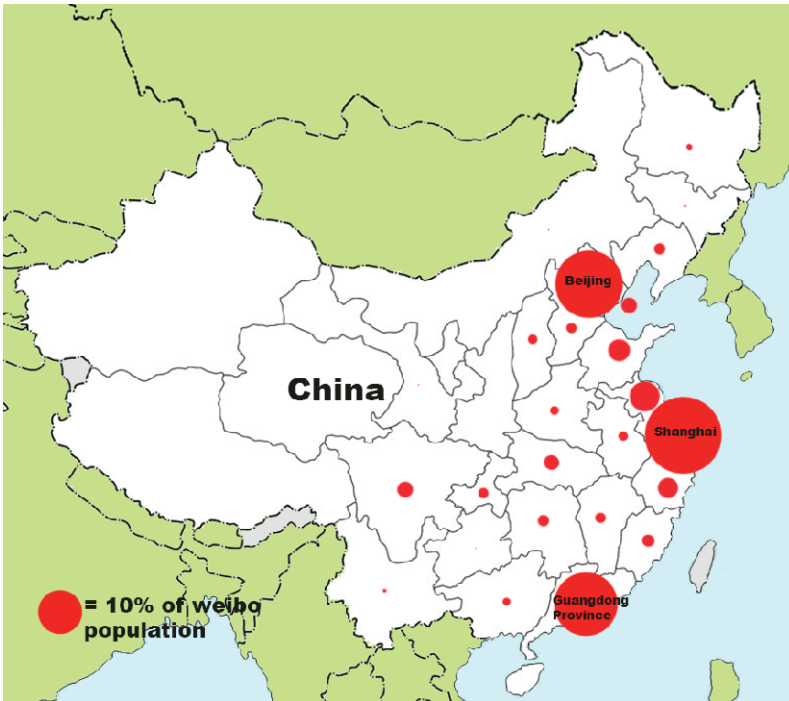
week. Potential participants were randomly selected and contacted directly through *Sina Weibo* itself, with an overall response rate of 11 per cent (7.7 per cent complete and valid). This is low by the standards of traditional offline surveys but broadly in line with online research in other countries (Kaplowitz, Hadlock, and Levine 2004).

The elite bias of Chinese microbloggers is especially apparent in their geographic concentration, with fully 47 per cent of all *Sina Weibo* users concentrated in Beijing, Shanghai and Guangdong Province – the three richest areas of China. Inland areas are hardly represented at all, and this situation has not much improved since 2011 research found similar (but even larger) findings of geographic concentration (Hassid 2011). Figure 1 provides a visual representation of where *weibo* users live in China; note especially how Western China is almost entirely bereft of microbloggers despite climbing internet penetration rates in the region. Surveyed *weibo* users are also far richer and more professionally oriented than ordinary Chinese citizens, with an average monthly income of 6,050 CNY compared to 3,000 CNY for ordinary netizens and a mere 1,400 CNY for the average Chinese citizen. The high income of surveyed *weibo* users is hard to overstate; less than 10 per cent of the sample had incomes below 2,500 CNY/month, an amount already more than 175 per cent of the national average. *Weibo* users are also far more professionally oriented than even China's (already elite) netizens, with more than 50 per cent in "professional" jobs, compared to 20 per cent of netizens and a far smaller percentage of ordinary citizens (CNNIC 2012, 2014; National Bureau of Statistics of China 2010, 2012).

The fact that China's netizens represent a relatively elite slice of the national population is not itself troubling, but it does suggest that internet users and commentators have been relative economic and social "winners". As such, the issues the commentariat brings to government attention are likely to be biased against those who need the most help. In a 2004 example, workers in one Chongqing factory decided that going on strike was the only way to prevent the sale of their employer to a lowball bidder. These savvy factory hands, knowing that mobilizing the media and public opinion was perhaps their only route to success, organized a journalists' seminar the day before the planned strike. Despite the seminar and preparation of a written press release, however, "there was no mainstream media response and little internet mobilization on behalf of workers". Media scholar

Zhao Yuezhi asserts that the lack of public response was due to bias among journalists, who create the same “superficial, manipulated and one-sided research and analysis that have contributed to a policy-formation process detrimental to the interests of workers” (Zhao 2008: 311). Moreover, Zhao argues, the news media “are the main channels of propaganda for government officials and factory managers, and they play a major role in amplifying neoliberal reform ideas” (Zhao 2008: 311). Internet commentators are often just as biased against poorer workers.

Figure 1: Geographic Location of Surveyed *Sina Weibo* Users (N=705)



Source: Author survey (August 2013).

If Sun Zhigang, the graphic designer beaten to death in police custody in 2003, were a more typical migrant worker, it is unlikely that his case would have garnered any attention at all from the internet or mainstream media. By official figures, over one million Chinese citi-

zens, mostly poor migrant workers, were detained each year in the early 2000s, with “abysmal living conditions, beatings, sexual abuse and deaths” being commonplace (Hand 2006: 120–121). Yet none of the earlier deaths attracted the same kind of media and internet attention as Sun’s, and his death was seen as potentially threatening to the very sort of people who were likely to be online (especially in 2003). Despite the fact that *Nanfang Dushibao* asked, “In the state apparatus of a great country, who is not a nobody? [...] Who is not an ordinary citizen?” (Hand 2006: 122), if Sun were a “nobody” rather than a white-collar university graduate, his death would most likely have passed unnoticed.

A further worry is that CCP responsiveness to public pressure will undermine recent attempts to build a more powerful and independent Chinese judiciary – albeit one within circumscribed limits. Since the reform era began, the CCP has made fitful progress in improving the quality of the Chinese legal system. A major push began in the aftermath of the Fifteenth Party Congress in 1999, when the Supreme People’s Court (SPC) issued a blueprint for legal reform, calling for a “fair, open, highly effective, honest and well-functioning” judiciary (Gechlick 2005: 98), apparently for the first time since the 1949 founding of the People’s Republic (Zhang 2003: 71). Among other reforms, the SPC has required since 2002 that “new judges [be] required to be university graduates and to pass the difficult national bar exam (which has a pass rate of about ten per cent)”, a reform which has resulted in increasing the number of university-qualified judges from 12 per cent in 1995 to more than 50 per cent just ten years later (Liebman and Wu 2007: 267).

This is not to say that China has created a Western-style independent judiciary. Major political cases are still decided in consultation with CCP functionaries, and their pre-ordained verdicts are rarely in doubt. The current president of the SPC has reaffirmed party supremacy over the court system, noting that judicial power “is a significant way for the party and the people under its leadership to administer state and social affairs” (Hou and Keith 2012: 63, quoting SPC President Wang Shengjun). Nonetheless, for most day-to-day cases, judges have increasing latitude in adjudicating according to the merits of a case. Judges are even able to rule on potentially sensitive environmental cases with a degree of judicial professionalism, though this autonomy often depends on the local situation (Stern 2010). As

Zhu Suli, the former head of the Peking University Law School, puts it,

the party's influence is "ubiquitous at every level and in every aspect of contemporary Chinese society", but [...] its influence on the judiciary is "general and diffuse" (Hou and Keith 2012: 63, quoting Zu Suli).

The result is a system that more Chinese and even foreign companies see as increasingly non-partisan and fair, especially in regard to commercial cases (Peerenboom 2010). Recent years have seen a partial "turn against the law", where judges have been encouraged to mediate rather than litigate, and in the context of which a "suspicion of lawyers has risen" (Minzner 2011: 936). Eva Pils has similarly seen an "increasing number of repressive strikes against human rights lawyers, petitioners" and others as the CCP partially backtracks from its earlier legal reforms (Pils 2009: 141). The CCP's reduced emphasis on law in recent years, however, still allows far more judicial autonomy and professionalism than in the early years of the reform era, and as Minzner notes, "There is still some (albeit reduced) room for progressive institutional reform in China under the 'rule of law' rubric" (Minzner 2011: 937).

The party-state's susceptibility to public pressure, however, can sometimes undermine progress toward a more professional judiciary. While the power of the internet can promote justice – as in the case of She Xianglin, freed by internet pressure after being wrongly convicted of murdering his wife (Liebman and Wu 2007: 275) – it can also easily distort China's fragile judicial gains. Writing about the Maoist era, Sumei Hou and Ronald Keith write that "undue subscription to due process was easily conceived as throwing water on the masses who demanded justice", but a similar dynamic persists today when public demands for accountability become overwhelming (Hou and Keith 2012: 67).

One of the most ominous cases involves the trial (and retrial) of admitted Shenyang mob boss Liu Yong. In 2003, Liu was convicted by the Liaoning court system of "a range of crimes, including organizing a criminal syndicate, bribery and illegal possession of firearms" and sentenced to death. After two appeals, however, the Liaoning High People's Court vacated the execution order and sentenced him to lifetime imprisonment. "One reason for the reduction", legal scholars Benjamin Liebman and Tim Wu write, "was the fact that

Liu's confession had been obtained through torture" (Liebman and Wu 2007: 283). After *Bund Pictorial*, a Shanghai news magazine, questioned the commutation of Liu's sentence, "Web discussion forums filled with angry commentary, denouncing Liu's 'lenient' treatment" (Liebman and Wu 2007: 283). Goaded by public pressure, the SPC quickly invoked a never-before-used rule and sentenced Liu to death (*People's Daily* 2003). The sentence was carried out the same day (Liebman and Wu 2007: 283).

And the Liu Yong case is not unique. During the 2002 trial of Zhang Jinzhou, an official at a state-owned construction company on trial for economic crimes, the media repeatedly called Jiang a "criminal" before his conviction, and "at least one newspaper ran a headline stating that 'execution will be too light a punishment'" (Liebman 2005: 72). A similar story in 1997 ended with the court's conclusion that if the defendant were not killed, "it would not be enough to assuage popular rage" (Liebman 2005: 71). Needless to say, the defendants in both cases were quickly executed.

This and other cases demonstrate the potential danger of CCP responsiveness. As Susan Shirk writes,

The elite's extreme nervousness about potential protests makes them highly responsive when the media report on a problem [...]. Once the media publicize an issue and the issue becomes common knowledge, then the government does not dare ignore it (Shirk 2011: 17).

If a case becomes enough of a *cause célèbre*, party authorities are apparently willing to ignore established rules and procedures and instead turn to rough and ready judgement to appease popular anger.

## Conclusion

Despite its authoritarian bent, the Chinese party-state is surprisingly responsive to public demands when the clamour for change becomes loud enough – especially when the internet is involved. A typical pattern involves a newspaper reporter finding about a potential scandal on the internet, either by chance or because netizens increasingly funnel story tips to journalists online. After publication in a newspaper, the story attracts much greater attention online, prompting further stories in the mainstream press and even more internet commentary. Eventually the pressure reaches a tipping point, forcing

Chinese officials to act to avoid social instability. In the short to medium term, such responsiveness keeps social tensions from building too high, as on most issues the CCP reacts decisively to assuage public anger before the people can take to the streets (Hassid 2012).

This responsiveness can have salutary effects, improving the quality of governance, preserving stability and helping central authorities learn about local problems that would otherwise be hidden from Beijing's view. And Beijing seems serious about uncovering local problems. In May 2008, for example, the party-state initiated regulations (the "Open Government Regulations" or 政府信息公开条例, *Zhengfu Xinxi Gongkai Tiaoli*) forcing local authorities to release more government information in an effort to improve transparency across the country. Although few local governments had met even the basic legal requirements years later (Lorentzen, Landry, and Yasuda 2010; Distelhorst 2014), the effort demonstrated that there is at least some support in the CCP for increasing the flow of information and, presumably, bettering the quality of governance. After all, if Beijing can learn about problems early, scandals – and subsequent public pressure on the CCP – can be prevented.

But this responsiveness also presents hidden dangers. First, the online commentariat is not synonymous with China's population as a whole. Having a distinct bias toward urban, rich, well-educated males, the online community may well advocate for issues that help them, the relative "winners", at the expense of other segments of society. This bias is especially prevalent among China's microbloggers, who represent an online "super-elite" with an overwhelming professional orientation and more than four times the monthly income of the average Chinese citizen. Such opinion makers are generally far more interested in their own concerns than the plight of the rural (and urban) underclass. For example, although the death of Sun Zhigang was tragic, countless other migrant worker deaths in custody before his had failed to garner much public attention. It is the fact that he was a member of the university-educated elite, rather than his death in particular, that helped spawn the massive public outcry. Given netizens' bias toward those already relatively well off, CCP responsiveness to public opinion may exacerbate, rather than help, China's growing social inequality and promote short-term, urban-oriented solutions at the cost of long-term stability. If the attention of senior officials to local problems is limited, any increased attention to the



problems of elite urban netizens might come at the expense of rural residents – residents who already protest more than 100,000 times a year (*China Labor Bulletin* 2009).

And second, there is a danger that the CCP may undermine its own nascent efforts to build an effective, competent judiciary. Legitimacy is, in part, derived from procedural fairness, and if officials are seen to bow to mob justice, people's trust in the system may suffer in the long run (Tyler and Fagan 2008; Sullivan 2013). Although China has made some progress toward establishing a competent, neutral judiciary, these gains are still fragile. For a system already suffering from what Thomas Friedman calls a "huge trust deficit", the end result might be dire indeed (Friedman 2012).

Although this paper has sketched out the CCP's surprising responsiveness to public pressure and examined some of the positive and negative ramifications of this trend, future research is needed in a number of areas. For one, it is still unknown why authorities decide to allow discussion on some sensitive topics while ruthlessly censoring others. Direct criticism of high-level leaders is clearly not allowed, and recent research has indicated that the CCP is most vigilant about controlling potential organizational threats (King, Pan, and Roberts 2013). Beyond these broad parameters, however, the mechanisms of general state response to potentially sensitive topics are quite murky. On a related note, it is unclear why some (potential) scandals capture public attention while others disappear without a trace. Perhaps there is some common element to those scandals that capture public attention? And finally, future research should examine how the changing demographics of China's internet users might affect the dynamics outlined above. As the average netizen becomes more similar to the average Chinese citizen, it is possible that in time the system will become more responsive to all, rather than just a lucky few. Until that happens, party-state responsiveness to an unaccountable online elite might slowly increase China's potential for instability, especially if attention to the concerns of rich, coastal internet users redirects official attention from the increasingly troubled plight of rural residents.

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## Appendix

The prison category counted the following words and stems:

“hard labour”, “imprison\*”, “incarcerate\*”, “jail\*”, “prison\*”, “re-educat\*”, “reeducat\*” and “sentenced”. Punishment measured: “demoted”, “execute”, “executed”, “fined”, “fired”, “punish\*” and “stripped”. Judiciary measured: “appeal”, “appellate”, “attorney(s)”, “barrister(s)”, “charged”, “court(s)”, “defendant(s)”, “indict\*”, “judge(s)”, “lawyer(s)”, “magistrate(s)”, “plaintiff(s)”, “procurator\*”, “prosecut\*”, “solicitor(s)”, “trial(s)”, “tribunal(s)”.

The asterisk indicates a “wild-card” search that allows any terms. For example, a search for “jail\*” would get results that included the terms “jail”, “jailing”, “jailer”, “jailed” and “jails”, while a search for “procurator\*” would include “procurator”, “procurators” and “procurator-ate”.

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