

“Follow the Principles of the Party”: State Control of the Media
(and What the Media is Doing to Fight Back)

[CHRD](#)



Chinese Human Rights Defenders (CHRD)

Web: <http://crd-net.org/> Email: networkcrd@gmail.com ↵
Promoting human rights and empowering grassroots activism in China ↵



Photo: *the Guardian* ↵

"Follow the Principles of the Party":

State Control of the Media

(and What the Media is Doing to Fight Back)

Chinese Human Rights Defenders (CHRD)¹

Table of Contents

- I. Executive summary. 3
- II. Laws and Regulations on the Media. 4
 - A. The Chinese Constitution. 5
 - B. Laws. 5
 - C. Administrative Regulations. 5
- III. Non-legal Mechanisms of Media Control 7
 - A. Control of access to information. 9
 - B. Censorship, Self-censorship and Crisis Management 10
 - C. Restrictions on Privatization of Media. 11
 - D. Control over Personnel in Media Organizations. 11
- IV. Recent Trends in Media Control and Censorship. 13
 - A. Restrictions on Access Continue in the Year of the Olympics. 13
 - B. List of "Sensitive" Issues Keeps Expanding; Authorities Get Better at Censorship. 14
 - C. Local Authorities Become Better at Media Censorship. 15
 - D. Threats to Journalists' Safety and Livelihood. 20
- V. Trends toward Greater Freedom of the Media in China. 22
- VI. Recommendations. 25
 - To the Chinese government 25
 - To Chinese civil society stakeholders. 26
- VII. Appendix: Examples of journalists harassed and persecuted in the last five years. 27

I. Executive summary

The Chinese government continues to employ a wide and complex web of regulations and techniques to ensure that the media's primary purpose is to "follow the principles of the Party" (*jianchi danxing yuanze*). China's media remain amongst the least free in the world. Traditional media such as print and television are especially tightly controlled despite sometimes heroic efforts by many journalists and editors to report independently.

The report analyzes the overall institutional framework and administrative mechanisms governing the media in China, with a particular focus on print media. Although the Chinese Constitution guarantees press freedom, numerous national laws as well as administrative regulations issued by ministries, departments, and local governments restrict rather than protect freedom of the press.

The "ground rule" is that the media must submit to the leadership of the Chinese Communist Party (CCP). In the government's view, the primary purpose of the press is to promote a positive image of the CCP. A number of government agencies and CCP offices such as the Propaganda Department, the General Administration of Press and Publication (GAPP) and the State Council Information Office are specifically tasked with media censorship. Together, they make restrictive administrative regulations, control access to information, ban sensitive information, maintain state media ownership, punish those seen to damage the image of the CCP, and carefully vet media workers to ensure only the most compliant rise to leadership positions.

The major findings in this report include several trends in media control:

- The government continues to punish journalists for reporting on "sensitive" topics, the list of which is lengthening.
- Local governments have become better at "managing" the media and often employ a combination of bribery and threats.
- The government has become pro-active in persecuting so-called "fake journalists"—those carrying out journalistic activities without possession of the official "Journalist Accreditation Card" (PC). Accreditation has become one of the most potent and frequently employed mechanisms of media control.
- Chinese journalists who report independently face many forms of abuse including monitoring, intimidation, harassment, beatings, demotion, termination of employment and imprisonment.

In recent years, including during the 2008 Olympics, in spite of the oppression and poor working environment, some developments and initiatives taken by members of the Chinese media have had the effect of promoting greater freedom.

- "Remote supervision"—the practice of non-local journalists reporting on local stories—is increasingly used to evade local government censorship. Because these journalists are located outside of the jurisdiction of local officials, they are able to report on corruption and other scandals without fear of retribution from the affected local officials.
- The rise of the internet has positively affected media freedom. A relatively freer medium, it challenges the conventional media to report more speedily. The competition has had the effect of expanding opportunities for journalists to report more diverse views. The internet provides journalists with leads to stories and is a tool for tracking fast-paced events.
- Weakening government commitment to financing the state-run press has pushed many publications to become bolder and more enterprising in order to appeal to a wider public and generate greater advertising revenue.
- Interaction with the international media has promoted professionalism among Chinese journalists.
- Although the Constitutional guarantee of freedom of the press remains an empty promise, journalists have used it as a tool to press for greater freedom.
- Power struggles within the CCP present occasional opportunities for greater media freedom that the press can seize.

Based on its finding that state control of the media is unabated and in many respects more sophisticated and wider-ranging than ever in its applications, CHRD makes the following demands on the Chinese government:

- The government must implement Constitutional guarantees of freedom of expression, of publication and of the press.
- The CCP must end immediately the subjugation of press freedom to the CCP's political interests.
- The CCP and government must cease interfering with the judiciary and using laws to punish individuals for exercising their freedom of expression and right to information.
- The CCP Propaganda Department, the GAPP, and the State Council Information Office must terminate the various mechanisms of control and censorship which unduly infringe upon freedom of expression, of information, and of the press.
- The National People's Congress (NPC) should conduct a review of the constitutionality and legality of administrative regulations that impose restrictions which unduly infringe on freedom of the media.
- The Chinese government should abolish the Press Card (PC) system.
- The government should ratify the International Covenant on Civil and Political Rights (ICCPR), which China signed ten years ago but still has not ratified.

II. Laws and Regulations on the Media

China lacks laws that focus specifically on the media and to protect its freedom. There are many provisions in the existing body of laws and regulations that concern the media. The main purpose of most of these is for the state and the Chinese Communist Party (CCP) to control the media, not to protect its freedom. Thus, although media freedom is guaranteed in the Constitution, it is not protected by domestic law.

The government exerts control over the media through two main mechanisms: state laws and regulations, on the one hand, and CCP policies and directives on the other. In practice, the latter take precedence over the former. Collectively, they determine how the media select the news as well as what news the media select, the careers of all media workers, and the very survival of media organizations. The CCP policies and directives are a particularly effective means of control as they can more easily target particular individuals, media and issues in particular locations and at particular times.

Following are the main laws and regulations relevant to media freedom:

A. *The Chinese Constitution*

Article 22 states that the state promotes the development of media that "serve the people and socialism". Article 35 guarantees freedom of expression and of the press. Article 41 states that Chinese citizens have the right to criticize the government and make suggestions to any state organ.

The Constitution offers little concrete protection of media freedom. Twenty-six years after the Constitution was adopted by the 5th National People's Congress (NPC) in 1982, Article 35 remains an abstract principle that has not been written into domestic law. In addition, because Article 35 is superseded in practice by the requirement to follow the "unified leadership of the central authorities" (*zhongyang de tongyi lingdao*), media freedom is subjugated to the higher goal of serving the Party-state.

B. *Laws*

The Chinese Criminal Code offers little protection of media freedom. Not only does it not explicitly criminalize acts that harm the personal safety and professional rights of media workers, it contains more than twenty criminal offenses for pursuing media-related activities.² Moreover, because of the lack of judicial independence from political influence, those who violate the rights of media workers—usually local government and party officials or those affiliated with officials—are rarely punished. When media workers are beaten or suffer retaliation for their work, the perpetrators are rarely held criminally accountable. At most, the violations are treated as public order or civil law offenses and punished using the Law of Punishment for Public Order and Security Administration³ and the General Principles of the Civil Law⁴, which stipulate comparatively minor punishments. In addition, some legal interpretations issued by the Supreme People's Court have had the effect of furthering limiting freedom of the media

rather than protecting its freedom, such as rulings that included an expansive list of types of publications as "illegal" and as violations of "the Right to Reputation" (*mingyuquan*).⁵

Many provisions in other laws also have an effect on media activities, such as the Law on Guarding State Secrets⁶, the State Security Law⁷, the Copyright Law⁸, the Advertising Law⁹, the Law on the Protection of Women's and Children's Rights and Interests¹⁰, and the Law on the Protection of Minors¹¹.

C. Administrative Regulations

1. State Council Regulations

Numerous regulations announced by the State Council cover different types of media and have more prohibitive than empowering clauses. Their aim is to control, regulate, and restrict the media, not to protect and promote media freedom. There are three types of such regulations:

- Administrative regulations for specific types of media, such as the Regulations on the Administration of Movies¹², Regulations on Publication Administration¹³, Regulations on Broadcasting and Television Administration¹⁴, Measures for the Administration of Internet Information Services¹⁵, and Provisions on the Administration of Newspaper Publication¹⁶.
- Administrative regulations concerning specific issues or aspects of media activities, such as Provisions Concerning the Prohibition of Pornographic Material¹⁷ and Regulations Concerning Foreign Journalists and Permanent Offices of Foreign News Agencies¹⁸.
- Administrative regulations on other issues relevant to media activities, such as the Meteorology Law¹⁹, which regulates how the media announce weather forecasts, and the Decree of Government Information Openness²⁰, which makes it compulsory for the government to disclose information. But this Decree does not specify what kind of public information must be disclosed, nor does it clearly stipulate that such information be unconditionally available to the media.

2. Local People's Congresses Regulations

Some regulations are passed by local People's Congresses and concern specific media activities in certain local areas. For example, the Publications Regulations of Yunnan Province²¹, the Regulations on Broadcasting and Television Administration of Shanxi Province²² and the Regulations on Media Work Administration of Hebei Province²³.

3. Ministry and Department Regulations

Because there is no specific media law or administrative regulations that regulate the media as a whole, regulations issued by government departments such as the General Administration of Press and Publication (GAPP) and the Ministry of Information Industry (MII) have filled the gap and played a significant role in regulating the media. They can be classified according to the following categories:

- those which contain provisions regarding a certain sub-type of media. For example, the Regulations for Administration of Periodical Publications²⁴ and Regulations for Administration of Newspaper Publications²⁵ issued by GAPP,
- those which contain operational details based on existing laws and administrative regulations, such as the Regulations on Confidentiality in Publishing and the Media²⁶ jointly published by GAPP and the State Secrecy Bureau.
- those on areas not yet covered by existing laws or administrative regulations. For instance, there were no regulations on untruthful media reporting until GAPP issued the Measures for Handling False and Inaccurate Newspaper Reports²⁷ in 1999.

In sum, there is a lack of comprehensive laws dealing specifically with the media. There are a number of rights that are prerequisites of media freedom, the protection of which has not been codified in Chinese law. These include journalists' rights to interview individuals and to edit and report on information of their choosing; citizens' rights to information and supervision of the government; the government's obligation to disclose information; methods for supervising media freedom, and the obligation of those who are supervised.

The Chinese government fills the legal gap mainly through issuing administrative regulations. From its perspective, administrative regulations have the advantage that they restrict the government less than a law would and allow the government to respond by command to arising issues in the media. The fact that Chinese law does not clearly define the relationships between the media and the CCP or between the media and the public allows the CCP to intrude into and restrict at will the space for the media. The government imposes heavy restrictions on the privatization of the media for fear of losing control. Chinese law does not clearly specify measures to be taken in cases of violations of media freedom. The lack of judicial independence means that journalists' personal safety and professional rights lack legal protection.

III. Non-legal Mechanisms of Media Control

The de facto identity of Party and state means in the case of media freedom that the media is required to "follow the principles of the Party" (*dangxing yuanze*) by submitting to the Party's ideology, supporting its political aims and mirroring its organizational principles. Most importantly, the media has to serve the function of propagating the Party's policies and priorities. The Chinese News Workers' Code of Professional Ethics²⁸ requires that:

"The news workers must...make great efforts to learn and propagate Marxism-Leninism, Mao-Zedong-Thought, and Deng Xiaoping's theory of constructing socialism with Chinese characteristics; they must firmly implement the Party's basic orientation and principles...they must firmly grasp the direction of public opinion, serve the people, serve socialist ideals, serve the overall work of the Party and the country; they must promote the construction of a Socialist materialist civilization and the construction of a Socialist spiritual civilization; they must exert themselves in the fight to realize the lofty goal of the Socialist modernization of our country."

The objective of media work is to "grasp the direction of public opinion" (*bawo zhengque di yulun daoxiang*), to ensure there is a "unified public opinion" (*yulun yilu*) that "serves the Party's leadership in news work" (*dang lingdao xinwen gongzuo*). Norms such as truthfulness and media freedom are thus of secondary consideration.

China's System of Censorship: a Structural Overview



To ensure that the media fulfil its obligations, government administrative departments exert control over the media using a set of well-practiced methods:

- On a macro level, government administrative departments exert control through the issuing of administrative regulations (described in Section II - Laws and Regulations on the Media) while the Party's agencies such as the Propaganda Department place various restrictions over media freedom in accordance with the CCP's political agenda, dictating rules on various aspects of the functioning of the media, including:
 - the medium through which information is disseminated;
 - the target audience;
 - the news content;
 - the requirement that a journalist possess the Press Card (PC);
 - that permission must be sought before interviews; and
 - that all media must seek approval before publication.
- On a micro level, the Propaganda Department and its offices at various levels of the hierarchy can
 - issue direct instructions regarding any news items, any media or any individual media worker;
 - interfere with and even decide the orientation and focus of the editorial department of any media organization;
 - decide what information can be released and discussed;
 - pre-select the news agenda;
 - punish journalists after 'sensitive' news slips through the censorship cracks.

The use of various combinations of these methods constitutes the main extra-legal mechanisms of media control in China:

A. *Control of access to information*

The Chinese government controls access to public information (information about policies and government decisions that affect people's lives) and controls the use of information concerning citizens' private lives.

Control over access to public information is strict. Journalists are refused interviews with government officials most of the time. News stories about governmental affairs are required to receive authorization by the CCP Propaganda Department prior to publication. Journalists who do not receive pre-authorization risk being charged with the crime of "leaking state secrets" (*xielou guojia jimi*). In addition, information about the government is monopolized by the State Council Information Office (and its affiliated offices at various government levels), which normally grants access to Xinhua News Agency, China's official news agency, and a few CCP or state-run newspapers such as *People's Daily*.

The State Council Information Office monopolizes the dissemination of information about the government. Other government departments and officials at the national level are prohibited from directly disseminating information to the public without the permission of the Propaganda Department's External Propaganda Department (*waixuanban*) and the State Council Information Office.²⁹ Once approved, the information is disseminated by the government's local Information Offices at lower administrative levels.

When the Forestry Department of Shanxi Province stirred public controversy after it announced the discovery of a rare South China tiger on October 12, 2007, the Shaanxi Provincial Government ordered the Forestry Department to apologise not because it released allegedly untrue information but because it made the announcement at a press conference without the prior approval of the Shaanxi Information Office.

As for Xinhua, it is not only the official state news agency but also the mouthpiece of the CCP and the government, responsible for controlling and monopolizing the release of news. On many issues and events, such as "mass unexpected incidents" (*quantixing tufa shijian*, e.g. protests and riots), no other media are allowed to directly report but must instead take their lead from Xinhua, which essentially means reprinting whatever news and views Xinhua presents.

While at first glance, there appear to be few restrictions on access to information on matters not directly related to the government, such as when a reporter wants to interview an individual or owner of a company, in practice there are many. First of all, even if the information concerns only individuals, GAPP and the Propaganda Department can veto or censor the content by ordering the recall of publications or punishing reporters and editors. Secondly, GAPP has the authority to issue "Press Cards" (PC), which media workers are legally required possess.³⁰ Not only are journalists without PCs more likely to not be recognized as journalists, they are also more frequently victims of violence against media workers. (See p.17 for further discussion of the PC.)

B. *Censorship, Self-censorship and Crisis Management*

All media, whether the press, television, radio or internet, are supervised by their local Propaganda Department. The Propaganda Department issues daily media directives to ban the reporting or discussion of issues that it deems "sensitive" (*mingan*), such as unexpected incidents (*tufa shijian*, for example, the wrongdoing of an official or a scandal) that could tarnish the image of the government or trigger public controversy and anger. It is often not easy to foresee the kinds of news that authorities will deem "sensitive", as the CCP leadership is sensitive to all kinds of criticism, threats to its image, and incidents which may cause it to "lose face", however small they appear to be. All kinds of social and economic issues, even celebrity scandals, can be classified as "extremely sensitive" political issues. As a result, it is risky for journalists to report on a large range of topics that might get them into trouble. "Sensitive" is a vague word that allows the CCP to extend its control and monitoring of the media at will.

In this atmosphere, media workers protect themselves by practicing self-censorship, restricting coverage to "soft news" and avoiding any issue, wording or analysis which may be construed as "sensitive". Since the Propaganda Department uses no clear, consistent or objective criteria for censorship, media workers live in uncertainty, fearing they might overstep the invisible line and face punishments ranging from official criticism to losing a bonus, revocation of their PC, or dismissal from their job for simply carrying out their work.

When the media manage to evade official censorship and report on "sensitive issues", the Propaganda Department's External Propaganda Department (*waixuanban*) is responsible for "putting out the fire". Common steps taken to manage such "crises" include:

1. Preventing the new organization from releasing the story or continuing with the investigation;
2. Negotiating with the journalists and trying to resolve the crisis by means such as bribery;
3. Informing internet censors, who then delete or block the relevant information posted on the internet;
4. After the crisis, evaluating its management and handing down rewards and punishments. Those who successfully put the fire out are rewarded and those who fail to police their turf—that is, censor and gag the local media—are punished. Those responsible for reporting "sensitive" news – reporter, editor and/or publisher – are also punished

The Propaganda Department uses a system of "red and yellow cards" to warn or punish newspapers, magazines, publishers, television broadcasters and internet groups. As in football, a yellow card means a warning from the Propaganda Department, and two yellow cards equal a red card. Media organizations which receive a red card may be fined, and their editor-in-chief or director may be dismissed. In more serious cases, the organization's permit to operate may be revoked. In 2003, for example, *21st Century Global Report* got a red card and was forced to stop publishing after it printed suggestions for political reform by Li Rui, a retired CCP official and a liberal intellectual. The *Beijing New Times* was also closed after publishing an article that made fun of the CCP.

C. *Restrictions on Privatization of Media*

Privately-owned newspapers are not allowed in China. Since all news media are state-owned enterprises, they must be operated and supervised by recognized official work units. For example, *People's Daily* is operated by the CCP Central Committee, and *China Youth Daily* is operated by the Chinese Communist Youth League. Both are supervised by the CCP Propaganda Department. Local newspapers are supervised by the provincial- or municipal-level Propaganda Department.

It is extremely difficult for any private capital to enter the media market. Even if it did, the private investor would have no decision-making power in terms of the content of the newspaper, which is under the firm grip of the Propaganda Department. It is almost impossible for foreign media to enter the market. Even Rupert Murdoch, the global media mogul who spent ten years cultivating his relationship with the Chinese government, made no inroads into the country's media market.

In addition to the print media, book publishers and television stations are also tightly controlled by the GAPP and the Propaganda Department. The GAPP has sole authority to issue book numbers for newspapers, books and other publications. If one of the more than 2,000 newspapers and 10,000 magazines closes down, the GAPP allows another one to open in order to maintain a "balance of control". Furthermore, in order to start any kind of organization which publishes or disseminates information, the authorization of the GAPP must be obtained, no matter whether the organization is a television station or a small bookstore. Article 11.2 of the Regulations on the Administration of Publication³¹, promulgated in 1997 by the State Council, requires that each publisher obtain the sponsorship of a government agency (a "sponsoring office") and of the agency supervising the sponsoring agency (an "oversight office"), which must be recognized by



the GAPP. Although it is not stipulated in the "Regulations on the Administration of Publication", the authorization of the Propaganda Department is often also required in order to legally register such organizations. For example, the People's Bookstore in Zhejiang Province needed the authorization of the Propaganda Department before it could register with the GAPP, while Liaoning Publishing Media Corporation, a large publishing group, needed the approval of the Propaganda Department before it could be listed on the Shanghai Stock Exchange. Thus, the Propaganda Department and the GAPP control not only the ideological discourse and content of publications but also their organizations.

The GAPP also has a range of protocols forming a strict media regulatory framework. For example, there is an annual inspection of the content and quality of newspapers and other publications as well as of printers and printing houses to ensure that no illegal publications are being printed. In addition, the GAPP often demands that newspapers and magazines submit samples for inspection.

D. Control over Personnel in Media Organizations

Accreditation is a potent mechanism used by the GAPP to control journalists. According to Management Methods of the Press Card³², to be issued a PC, the journalist has to have worked in the media sector for over a year and to pass a national examination administered by the GAPP. Every year, the GAPP conducts a review of all journalists. GAPP also ensures that other government departments and local governments are aware that the PC alone is the only acceptable form of journalistic accreditation. Journalists without PCs are considered "fake journalists". Those who have "violated" media regulations may find the renewal of their PC delayed or may even be stripped of their

accreditation altogether. The system effectively discourages journalists from being critical of the government, as in doing so, they risk revocation of their accreditation.

In order to qualify for senior leadership positions in media organizations, media workers have to be CCP members. CCP membership is also required of all new journalists at Xinhua and *People's Daily*. Xinhua even requires new recruits to set a recording of Mao Zedong's directive to Xinhua as their mobile phone ringtone: "Xinhua is a red news agency under the leadership of the Party..." to remind them that Xinhua's role is to propagate the Party's ideology and promote its image.

Authorities often re-structure the editorial departments of media organizations, changing editors-in-chief in order to punish and threaten publications that dare to independently release "sensitive" information.

In addition to operating under the shadow of the GAPP and the Propaganda Department, media organizations are also monitored and their work is often interfered with by the Ministry of National Security (*guojia anquan bu*), the United Front Work Department (*tongzhan bu*) and the Ministry of Public Security (*gongan ju*), among others. Media workers who deviate from the official version or touch upon "sensitive" topics could face harassment and criminal charges. "Endangering state security" (*weihai guojia anquan*) and "leaking state secrets" (*xielou guojia jimi*) are two of the most common crimes with which journalists are charged.

IV. Recent Trends in Media Control and Censorship

A. *Restrictions on Access Continue in the Year of the Olympics*

In response to the international community's demand for greater media freedom during the Olympics, the State Council issued Regulations on Reporting Activities in China by Foreign Journalists during the Beijing Olympic Games and Preparatory Period³³, effective from January 1, 2007 to October 17, 2008. According to the Regulations, foreign journalists and journalists from Hong Kong, Macau and Taiwan no longer require official authorisation for interviews, and they can work without being accompanied by government officials. After the Olympics, on October 17, the State Council extended this freedom to foreign journalists (but not to journalists from Hong Kong, Macau and Taiwan).

Although some consider this a significant step in opening space for the media, the regulations apply only to foreign journalists. Moreover, in practice, geographical restrictions still exist. For example, foreign journalists are still barred from going to the Tibet and Xinjiang Uyghur Autonomous Regions without a permit. In addition, the Regulations were never fully implemented. In 2007 and 2008, a number of Hong Kong and foreign journalists were barred from covering "sensitive" issues such as illegal detention facilities, protests and other "mass incidents" (*quntixing shijian*). The Foreign Correspondents Club of China recorded "more than 335 cases of reporting interference since January 1, 2007".³⁴ Below is a sample of incidents documented by CHRD.

- In October 2007, Aidan Hartley, a journalist with British TV Channel 4, was detained for visiting a "black jail" in Beijing.
- In December 2007 foreign media were barred from Dongzhou Village in Shanwei, Guangdong Province when fishermen and villagers attempted to stop the construction of a power station.
- On December 5, 2007, Lei Yu, a reporter from Hong Kong, was roughly handled by local police when she tried to visit injured miners and the families of miners killed in a mine explosion in Hongdong County, Shanxi Province. She was forced to abandon her attempt.
- On January 3, 2008, two reporters from *Sidney Pioneer Morning Post* interviewing villagers about a local land dispute were taken to the police station for questioning in Dongnangang Village, Changan Township, Fujin City, Heilongjiang Province. Lu Guangliang, Fujin City's vice-mayor, told the reporters that they could not interview villagers without government authorization.
- On March 26, 2008, journalists from the British television station, Channel 4, arrived in Wuhan, capital of Hubei Province, to report on Wuhan Psychiatric Hospital. The next day, police from Wuhan "welcomed" the journalists to the city and followed them wherever they went. Ms. Zhu, a Wuhan petitioner connected to individuals held at the psychiatric institution, met the journalists. She was subsequently summoned by the local Party committee and questioned about the meeting. Around the same time, those held at Wuhan Psychiatric Hospital were warned against being interviewed.
- On June 4, 2008, Swedish journalist, Ou Fengrui was prevented from reporting in Cifeng Township, Pengzhou City and Puyang Township, Dujuangyan City in the aftermath of the May 12 Sichuan earthquake. Although Ou had a journalist's ID issued by the earthquake relief authorities in May, local police said that he needed one issued in June, of which no journalists appeared to be in possession.

B. *List of "Sensitive" Issues Keeps Expanding; Authorities Get Better at Censorship*

The government has continued to warn the media against and punish them for reporting on an ever-expanding list of "sensitive" issues. The authorities have kept the media guessing at what topics are considered "sensitive". A sample of media organizations punished for reporting on "sensitive" issues is given below.

- *Caijing*, a liberal journal covering financial issues, was unable to publish issue five as planned on March 5, 2007 during the annual sessions of the NPC and the Chinese People's Political Consultative Conference (CPPCC). *Caijing* had included in the issue an interview with legal scholars, Jiang Ping and Ying Songnian, who said, "The General Office of the CCP Central Committee asked that the Property Law be passed during the NPC meeting." Before publication, the authorities demanded that the magazine remove the article. As a result, the issue came out ten days later, its editor was criticized by the CCP Propaganda Department, and the company lost between RMB 200,000 and 300,000 (USD 2,933 and 4,400).³⁵

- In April 2007, the Beijing weekly magazine, *Sanlian Lifeweek*, received a yellow card for publishing without prior approval an article on the Cultural Revolution along with a photo of Jiang Qing, Mao Zedong's wife. *Lifeweek's* executive editor, Miao Wei, was given a "serious internal warning" and demoted to the position of assistant editor. The magazine has also been asked to publish fewer articles concerning politics and society and focus more on life and entertainment.
- At a press awards ceremony in 2007 organized by *Southern Weekend*, the newspaper received a phone call from the Propaganda Department objecting to its awarding of the top prize to the magazine, *Yanhuang Chunqiu*, a well-known outspoken liberal magazine often featuring reports and stories with sensitive content. Although *Southern Weekend* awarded the prize to *Yanhuang Chunqiu* in the end, the latter's name was not read out at the ceremony.
- On June 26, 2008, *Southern Metropolitan News* was punished by the Propaganda Department because of the publication of a commentary on the May 12 Sichuan earthquake. The commentary, written by columnist Zhu Xueqin, contained a sentence in which the author asserted that the earthquake was the Chinese government's "karma". Following the publication of the commentary, official newspapers heavily criticized the newspaper. Under the pressure of the Propaganda Department, the relevant editor was reportedly sacked, the newspaper's journalists were recalled from Sichuan Province, and all articles on Sichuan had to be "reviewed" before publication.

The case of *Yanhuang Chunqiu* is typical of how the Propaganda Department interferes with the work of media organizations. The Propaganda Department is careful not to leave any paper trail when it issues directives so that nobody will be held accountable in case the interference is exposed and causes public outrage. The Propaganda Department usually issues a warning or a directive verbally through a phone call, rather than in writing. If asked who is issuing the order, the department gives no direct response. In 2007, after an internal document with a speech by Long Xinmin, the then-head of the GAPP, calling for the banning of several books was leaked, it caused public uproar on the internet and lawsuits against the GAPP. It is believed that the leaked speech eventually led to Long's demotion. After that, other officials appeared to come to the realization that they had to be careful to not leave any "incriminating evidence".³⁶

A number of issues were more clearly marked as "sensitive," and few media dared to address them. For example, a new "sensitive" topic in 2007 was the 50th anniversary of the "Anti-Rightist" Campaign, of which the Propaganda Department forbade commemoration. Only a few publications dared touch on the matter at all, such as *Yanhuang Chunqiu*, a magazine backed by members of the CCP who are favourably disposed to democracy, and *Biaonanchao*, *Shuwu*, and *Suibi*, publications focusing on social and historical issues that have small circulations. The publications suffered various forms of retaliation. The ban is likely to continue as the anniversary of the campaign stretches into 2009. In 2009, government censors will have to devote considerable effort to suppressing or managing the commemoration of a plethora of "sensitive" anniversaries, including the 80th anniversary of the May 4 movement, the 60th anniversary of the founding of the PRC, the 50th anniversary of the Tibetan uprising, the 30th

anniversary of the crackdown on the Democracy Wall Movement, and the 20th anniversary of the Tiananmen demonstrations and crackdown.

C. Local Authorities Become Better at Media Censorship

A nascent civil rights movement has become especially active at grassroots levels. More and more citizens have become involved in activities collectively known as "rights defense mobilization", participating in public debates (mostly online) and taking actions to address abuses of rights. As these actions have become more frequent, local Propaganda Departments have become more alert and skilled at and experienced in controlling the media that report on the actions. The Propaganda Department has developed a set of tactics to control the media, which include partnering with local universities to organize special courses to train government officials in managing "unexpected incidents" (*tufa shijian*).

An article entitled "The Government's Role in Directing Public Opinion in Emergencies"³⁷ by Yi Hao, the Propaganda chief of Nanjing, Jiangsu Province, who is regarded by the government as an expert in "media management"³⁸, is a classic example of the intentions of the Propaganda Department in regard to managing "mass incidents" (*quantu shijian*). According to Yi, in managing these incidents, the most important role of the government is to "direct" public opinion. To do so, "members of the Propaganda Department and other government departments should immediately arrive at the site of the unexpected incident. They should manage the

Case Study 1: Jiangsu Propaganda Department Blocks Reporting on Chemical Disaster

On November 27, 2007, an explosion killed an unknown number of people in an area with many chemical factories in Chenjiagang, Xiangshui Township, Yancheng City, Jiangsu Province. Soon after the explosion, the Yancheng and Xiangshui Subdivisions of the Propaganda Department executed an emergency plan and "successfully" blocked journalists from covering the explosion.

Propaganda officials quickly mobilized and coordinated high-level officials and the police in Yancheng and Xiangshui. Sixty-nine journalists who arrived to report on the disaster, including representatives of Xinhua, *China Youth Daily*, China News Agency, *Xinhua Daily*, *Jiangsu Legal System Post*, *Yangze Evening Post*, and "Safety Online" (a CCTV program), were prevented from doing so. A variety of means was used to discourage the journalists from reporting, including an offer of RMB 1,000 (USD 145.8) to each reporter and an expenses-paid visit to prostitutes. Li Renwen from *China Youth Daily* refused the bribes and was the only journalist who reported on the explosion. One reporter from *China Regional Economic Post* not only accepted all the bribes but also actively discouraged fellow journalists from reporting on the disaster and urged them to attend banquets organized by the local Propaganda Department.

On the one hand, the local Propaganda Department received the journalists, inviting them to stay and dine at a local hotel; on the other, the Department made sure that local officials responsible for handling the incident kept a close eye on the area of explosion so that no journalists could enter the area and that the PSB checked local hotels and inns daily in search of stray journalists. The crew from CCTV's "Safety Online" was detected while lodging at a local inn. The local Propaganda Department quickly dispatched a team of officials to follow the TV crew around the clock. The Propaganda Department managed to thwart the crew's efforts to film on four separate occasions. Eventually, the team had to abandon its project altogether.

When the local Propaganda Department later summarized its experience in a report, it praised its officials for "responding quickly, coordinating well and using appropriate means...[to] effectively suppress the opportunity to spread rumors, and to prevent and stop untrue reporting and protect social stability". The cover-up of the local Propaganda Department was so water-tight that to date, it is still unclear what exactly happened and how many people were killed in the explosion.

journalists there...they should prepare immaculately in order *to strictly examine and verify the information released to the outside world and to ensure that the information released is accurate and controllable*" (italics added for emphasis). If there is any "untrue" or "unfriendly" reporting, the journalist should be punished and the media organization for which he/she works should be warned. In more serious cases, the publication permit of the media organization and the PC of the journalist should be cancelled. Yi also makes a number of other suggestions to the Propaganda Department. He suggests that there be a mechanism for daily coordination across regions, professions and departments. He also suggests that the Department focus on managing public opinion on the internet during unexpected incidents. Other ideas are 24-hour internet monitoring and a rapid response mechanism, according to which public opinions and trends would be analyzed and timely information and commentaries released online in order to "direct" public opinion and to "create a positive image of the government". Yi's article sheds light on some more sophisticated techniques the Propaganda Department continues to develop to improve its ability to censor the media.

Case Study 2: A PC is Not Enough as Local Authorities Erect More Hurdles for Journalists

On November 12, 2007, Liu Wanyong, a reporter for *China Youth Daily*, went to Jia County, Henan Province, to report on official misconduct involving the local Land Bureau. At the Bureau, Liu presented his PC and explained the reasons for his visit. The staff at the Bureau then gave him a document which stated that "to strengthen the work of news propaganda, journalists who come to Jia County...must report to the county's Propaganda Department. The journalist must present his/her PC, introduction letter and work permit".

According to the relevant GAPP regulations, journalists are not required to present any other identification except a PC, yet Liu was told he had to present all three documents. In the end, Liu was unable to interview any government officials in the county.