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Cyber China: Upgrading Propaganda, Public Opinion Work and Social Management for the Twenty-First Century

Rogier Creemers

University of Leiden, The Netherlands

ABSTRACT

The first two years of the Xi Jinping administration saw a thorough reconfiguration of Internet governance. This reconfiguration created a centralized and integrated institutional framework for information technologies, in support of an ambitious agenda to place digital technologies at the heart of propaganda, public opinion and social control work. Conversely, the autonomy and spontaneity of China's online sphere was vastly reduced, as the leadership closed channels for public deliberation. This article reviews the institutional and regulatory changes that have taken place between 2012 and 2014, and analyses the methods and purposes of control they imply.

Introduction

Premier Li Keqiang's 2015 Government Work Report inaugurated a new term for information technology policy: 'Internet Plus'. This initiative, which aims to 'integrate mobile Internet, big data, cloud computing and the Internet of Things',¹ is the latest iteration of a broader strategy to build China into a 'strong Internet power' (*wangluo qianguo*). This announcement followed a thorough restructuring of China's Internet governance landscape. New, high-level regulatory institutions were established which promulgated new rules on subjects ranging from malicious software on mobile app stores to the use of social media accounts. These changes signalled more than a mere reorientation of information technology policy. Rather, they demonstrate an intention to place technology at the centre of an ambitious agenda for comprehensive reform of social and economic governance.

Successive programmes to develop telecommunications access have been highly successful,² connecting Chinese society to the Internet at an unprecedented rate. The numbers of netizens in China surpassed that of the United States in 2008, and approached 700 million at the end of 2015.³ Internet companies such as Baidu, Alibaba and Tencent have joined the ranks of the world's leading technology companies, and are often presented as national innovation champions. Party pronouncements hailed information technology as a key factor in fostering economic growth,

CONTACT Rogier Creemers  r.j.e.h.creemers@law.leidenuniv.nl

¹State Council, '2015 nian zhengfu gongzuo baogao' ['2015 Government Work Report'], (5 March 2015).

²Eric Harwit, *China's Telecommunications Revolution* (Oxford: Oxford University Press, 2008).

³'Disanshiqi ci Zhongguo hulian wangluo fazhan zhuanke tongji baogao' ['37rd Statistical report on Internet development in China'], *CNNIC*, (22 January 2016).

productivity and efficiency, as well as a crucial element in better delivering public services, such as education, culture and healthcare.⁴

Yet on the other hand, the Internet provided a new platform to challenge state power. The Xinjiang riots of 2009 led to a shutdown of the Internet in the entire region, the closure of the domestic microblogging service Fanfou and the blocking of Twitter.⁵ Yet other services came in their place rapidly, most notably Sina Weibo, which boasted more than 300 million members in early 2013. Weibo fostered the emergence of online celebrities and public intellectuals who, without being beholden to the state, became highly influential in shaping public opinion and disseminating information. Celebrities Chen Kun, Yao Chen and Guo Degang and the tech entrepreneur Lee Kai-fu all had more than 50 million followers,⁶ while *People's Daily* claimed that over 3,300 Big Vs⁷ had more than a million followers.⁸ User-generated 'self-media' (*zimeiti*) vied for audiences with official outlets, often successfully. Countering keyword-based censorship, netizens turned to puns and satire.⁹ Technological features enabled hitherto impossible forms of communication: many recent high-profile political scandals were triggered by photographs or footage captured with smartphone cameras. Mobile phones and e-mail have become major conduits for the organization of protests, such as the opposition against the construction of a chemical plant in Xiamen.¹⁰ Mobile Internet also enabled an acceleration of information circulation: in the Wenzhou train crash, for instance, distress messages and pictures of the incident appeared on microblogs and were shared by millions within minutes. In turn, events such as this accident often sparked broader discussions on general political affairs and the role of the Party.¹¹ As individual officials became more vulnerable to online exposure, a 'black PR' industry arose, where officials paid for incriminating information to be removed, and corporations to disparage opponents.¹² The Arab Spring-inspired protests of early 2011 led to profound concern about the use of social media to destabilize the regime.¹³ Reports about the private wealth of Party leaders' families, published in foreign media, spread rapidly on Weibo. Online discussion about political tensions became rife in the tumultuous run-up to the 18th Party Congress and the Bo Xilai affair, culminating in rumours about an attempted military coup in Beijing.¹⁴

In the literature, these tensions are reflected in dual focus points of attention, with the emancipatory or democratizing potential of information technology on the one hand, and the growing ability of the Party-state to manage information flows on the other. On the former question, observers of users' activities online have interrogated whether and how the Internet would generate a public sphere, a

⁴Ministry of Industry and Information Technology, 'Hulianwang hangye "shi'er wu" fazhan guihua' ['12th "Five-Year" Development Plan for the Internet Sector'], (4 May 2012), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2012/05/04/12th-five-year-development-plan-for-the-internet-sector/> (accessed 31 May 2016).

⁵Eric Harwit, 'The rise and influence of Weibo (microblogs) in China', *Asian Survey* 54(6), (2014), pp. 1059–1087.

⁶Who are Weibo's super stars?, *BBC*, (29 November 2013), available at: <http://www.bbc.co.uk/news/world-asia-china-23925364> (accessed 31 May 2016).

⁷Big V (大V) is a term used to describe verified Weibo users (with a V-logo next to their name) with large numbers of followers.

⁸Ma Kai: Zujian Guojia Xinwen Chuban Guangbo Dianying Dianshi Zongju' ['Ma Kai: State Administration of Press, Publications, Radio, Film and Television established'], *People's Daily*, (10 March 2013), available at: <http://finance.people.com.cn/n/2013/0310/c1004-20738004.html> (accessed 31 May 2016).

⁹Qiang Xiao and Perry Link, *Decoding the Chinese Internet: A Glossary of Political Slang* (Berkeley, CA: China Digital Times, 2014); Bingchun Meng, 'From steamed bun to grass mud horse: E Gao as alternative political discourse on the Chinese Internet', *Global Media and Communication* 7(1), (2011), pp. 33–51.

¹⁰Jun Liu, 'Mobile communication, popular protests and citizenship in China', *Modern Asian Studies* 47(3), (2013), pp. 995–1018.

¹¹Maria Bondes and Gunther Schücher, 'Derailed emotions: the transformation of claims and targets during the Wenzhou online incident', *Information, Communication & Society* 17(1), (2014), pp. 45–65.

¹²Neil Thomas, 'China's two greatest Internet rumor mongers and "black PR" philanderers arrested', *Danwei*, (22 August 2013), available at: <http://www.danwei.com/chinas-two-greatest-internet-rumor-mongers-and-black-pr-philanderers-arrested/> (accessed 31 May 2016).

¹³Another, complementary explanation is that this concern was at least partly created by domestic security departments in order to expand their powers and budgets. Bruce Dickson, 'No "Jasmine" for China', *Current History*, (September 2011), pp. 211–216.

¹⁴Gady Epstein, 'Online whispers: the anatomy of a coup rumour', *The Economist*, (5 April 2012), available at: <http://www.economist.com/blogs/analects/2012/04/online-whispers> (accessed 31 May 2016).

platform for protest, dissent or opposition, and how that would impact state–society relationships.¹⁵ Such studies have explored the activism of audiences, for instance through exploring the environments, such as Internet cafes¹⁶ in which people engage with the online sphere; the language or memes they develop;¹⁷ or the extent to which users have organized to counter particular perceived social ills.¹⁸ Observers addressing the state have mostly addressed censorship tactics. Ng, for instance, compiled a lexicon of terms blocked on social media.¹⁹ In a highly publicized paper, King *et al.* examined censorship patterns to conclude that censorship authorities condoned verbal opposition but reacted strongly against calls for organization.²⁰ Regional variations in censorship have been examined from the technological point of view by Wright,²¹ and from the policy angle by Esarey and Qiang.²²

At a more strategic level, some scholars have attempted to characterize the Chinese government's approach to the management of online communications. Perhaps most notably, MacKinnon describes the Chinese government's approach as 'networked authoritarianism'. In this view, consistent with the work of Tsang, and He and Warren²³ on the growing deliberative participation in the Chinese political system, the Internet is conceived as an instrument to elicit, respond to and direct public opinion. Concurrently, however, sanctioning for dissent has become more severe.²⁴ Furthermore, MacKinnon uses the metaphor of water management to describe China's Internet governance system. It is in charge of a resource that might be useful as well as harmful, requires skilful routine and crisis management, and requires learning and innovation as more becomes known about the dynamics of the evolving system. Building on this conceptualization, Noesselt explored how the Party-state has sought to adapt to the pressure brought by popular microblogs²⁵ and Schlaeger and Jiang described how grass-roots governments have experimented with proactive use of new media to develop a more responsive and interactive information ecology.²⁶

This body of literature presents us with two challenges. First, little attention has been dedicated thus far to the organizational side of Internet governance. While it is often recognized that the Party-state is not a monolithic, unitary actor, the question of how different governing bodies act and interact has not been comprehensively addressed. Second, China Internet research has, for the most part, focused on the Internet as a platform for communication and association. Yet, in what Austin calls eDemocracy

¹⁵Bingchun Meng, 'Moving beyond democratization: a thought piece on the China Internet research agenda', *International Journal of Communication* 4, (2010), pp. 501–508; Stanley Rosen, 'Is the Internet a positive force in the development of civil society, a public sphere and democratization in China?', *International Journal of Communication* 4, (2010), pp. 509–516; David Herold, 'Development of a civic society online? Internet vigilantism and state control in Chinese cyberspace', *Asia Journal of Global Studies* 2(1), (2008), pp. 26–37; Guobin Yang, *The Power of the Internet in China: Citizen Activism Online* (New York: Columbia University Press, 2009); Yongnian Zheng, *Technological Empowerment: The Internet, State, and Society in China* (Stanford, CA: Stanford University Press, 2007); Min Jiang, 'The co-evolution of the Internet, (un)civil society and authoritarianism in China', in Jacques deLisle *et al.*, eds, *The Internet, Social Media, and a Changing China* (Philadelphia, PA: University of Pennsylvania Press, 2016).

¹⁶Helen Sun, *Internet Policy in China: A Field Study of Internet Cafes* (Lanham, MD: Lexington, 2010).

¹⁷Xiao and Link, *Decoding the Chinese Internet*; Meng, 'From steamed bun to grass mud horse'.

¹⁸David Herold, 'Human flesh search engines: carnivalesque riots as components of a Chinese democracy', in David Herold and Peter Marolt, eds, *Online Society in China: Creating, Celebrating and Instrumentalising the Online Carnival* (Abingdon: Routledge, 2011).

¹⁹Jason Ng, *Blocked on Weibo: What Gets Suppressed on China's Version of Twitter (and Why)* (New York: New Press, 2013).

²⁰Gary King, Jennifer Pan and Margaret Roberts, 'How censorship in China allows government criticism but silences collective expression', *American Political Science Review* 107(2), (2013), pp. 1–18.

²¹Joss Wright, 'Regional variation in Chinese Internet filtering', *Information, Communication & Society* 17(1), (2014), pp. 121–141.

²²Ashley Esarey and Xiao Qiang, 'Understanding Chinese information control and the role of state preferences in stability maintenance', paper presented at the conference *Complex Evolutions: Media and Democratization in Contemporary Asia*, University of Oxford, 5–6 September 2014.

²³Steve Tsang, 'Consultative Leninism: China's new political framework', *Journal of Contemporary China* 18(62), (2009), pp. 865–880; He Baogang and Mark Warren, 'Authoritarian deliberation: the deliberative turn in Chinese political development', *Perspectives on Politics* 9(2), (2011), pp. 269–289.

²⁴Rebecca MacKinnon, 'China's "networked authoritarianism"', *Journal of Democracy* 22(2), (2011), pp. 32–46.

²⁵Nele Noesselt, 'Microblogs and the adaptation of the Chinese Party-state's governance strategy', *Governance* 27(3), (2013), pp. 449–468.

²⁶Jesper Schlaeger and Min Jiang, 'Official microblogging and social management by local governments in China', *China Information* 28(2), (2014), pp. 189–213.

and iDictatorship,²⁷ and the leadership itself ‘informatization’, the Chinese leadership has sought to leverage the power of technology in various aspects of socio-economic life,²⁸ including surveillance and monitoring of officials and citizens alike. Conversely, much recent literature has investigated how the leadership seeks to develop innovative means to tackle the perennial challenges of China’s characteristically Leninist system, including propaganda,²⁹ public opinion management³⁰ and social management.³¹ Yet this corpus has largely overlooked the potential transformative impact of technology in these areas.

This article argues that the reconfiguration of Internet governance entails a proactive approach to harness the power of information technology to tackle the Party’s key challenges in propaganda, public opinion and social management: maintaining stability, ensuring Chinese Communist Party (CCP) dominance, preventing organized opposition and enhancing intra-Party discipline. It has upset many of the findings and assumptions of the previous literature, in particular the tolerance of autonomously generated political deliberation. Having rapidly diagnosed online public discourse as a high-priority risk to ideological security, the Xi leadership embarked on a thorough and sustained campaign to ‘occupy the [online] public opinion battlefield.’³² Furthermore, it has sought to interlock propaganda and public opinion work with advanced data-gathering and processing techniques, ensuring it maintains the power to define and police the ends and means of social, economic and political life. Surveillance and monitoring are being moved from paper *dang’an* and neighbourhood informers to cameras, big data algorithms and cloud storage. Nearly half of the Chinese population now possesses smartphones, generating growing quantities of data, ranging from geo-location to online payments, which enable the state to ‘see’ society³³ in increasingly sophisticated ways. In short, China’s cyberspace is evolving from a Panopticon,³⁴ a static model of centralized, one-way observation and surveillance,³⁵ into what Manuel DeLanda has termed a Panspectron. According to DeLanda:

Instead of positioning some human bodies around a central sensor, a multiplicity of sensors is deployed around all bodies: its antenna farms, spy satellites and cable-traffic intercepts feed into its computers all the information that can be gathered. [...] The Panspectron does not merely select certain bodies and certain (visual) data about them. Rather, it compiles information about all at the same time, using computers to select the segments of data relevant to its surveillance tasks.³⁶

This article explores the means by which the Chinese leadership has sought to reposition technology within its architecture of public power. The first section will briefly describe the evolution of the regulatory framework for the Internet, sketch how state actors described the shortcomings and loopholes of that framework, and most importantly, how regulatory, rhetorical and institutional means were deployed in order to assert the Centre’s dominance. The second section aims to identify and analyse the underlying drivers for these reforms. First, it discusses how the Party-state seeks to deploy technology in a manner that renders society legible and predictable. Second, it will discuss how the state has assumed the mantle of a Leviathan, claiming to protect citizens from harms that might befall them through the Internet. A final section discusses implication for further change in Chinese state–society relations.

²⁷Greg Austin, *Cyber Policy in China* (Cambridge: Polity, 2014).

²⁸On the introduction of technology in public administration, see Jesper Schlaeger, *E-Government in China: Technology, Power and Local Government Reform* (Abingdon: Routledge, 2013).

²⁹David Shambaugh, ‘China’s propaganda system: institutions, processes and efficacy’, *The China Journal* 57, (2007), pp. 25–60; Anne-Marie Brady, *Marketing Dictatorship: Propaganda and Thought Work in Contemporary China* (Lanham, MD: Rowman & Littlefield, 2009).

³⁰Patricia Thornton, ‘Retrofitting the steel frame: from mobilizing the masses to surveying the public’, in Sebastian Heilmann and Elizabeth Perry, eds, *Mao’s Invisible Hand: The Political Foundations of Adaptive Governance in China* (Cambridge, MA: Harvard University Press, 2011).

³¹Frank Pieke, ‘The Communist Party and social management in China’, *China Information* 26(2), (2012), pp. 149–165.

³²Xi Jinping, ‘Speech at the National Ideology and Propaganda Work Conference’, *China Digital Times*, (4 November 2013), available at: <http://chinadigitaltimes.net/chinese/2013/11/网传习近平8-19讲话全文：言论方面要敢抓敢管敢/>. (accessed 31 May 2016).

³³James Scott, *Seeing Like a State; How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, CT: Yale University Press, 1998).

³⁴Lokman Tsui, ‘The Panopticon as the antithesis of a space of freedom: control and regulation of the Internet in China’, *China Information* 17(2), (2003), pp. 65–82.

³⁵Thomas Mathiesen, ‘The viewer society: Michel Foucault’s “Panopticon” revisited’, *Theoretical Criminology* 1(2), (1997), pp. 215–232.

³⁶Manuel DeLanda, *War in the Age of Intelligent Machines* (New York: Swerwe Editions, 1991), pp. 205–206.

Restructuring Internet governance: priorities, organization and regulation

China's Internet until 2012: fragmentation and policy challenges

The Internet governance framework developed during the 2000s was fragmented, as different sections of the bureaucracy each pursued diverging agendas. The telecommunications administration, as part of its economic growth strategy, pushed the adoption of information technology and the spread of telecommunications nationwide.³⁷ The public security apparatus pursued the development of surveillance and monitoring technology.³⁸ Propaganda authorities were somewhat less eager to embrace the emerging Internet. While not completely Luddite, they saw online media mainly as an extension of traditional propaganda tools, and regulated it accordingly. Institutionally, this system consisted of two Central Committee leading groups that outlined broad policies, the Central Propaganda Department that was in charge of the daily administration of the propaganda *xitong*, the State Council Information Office that monitored news, and a number of ministry-level bodies that exercised oversight over media outlets, which were all state-owned.³⁹ In regulatory terms, the system was buttressed by licensing obligations that imposed sectoral and geographical boundaries and thereby fragmented audiences, and by professional qualification schemes that enabled the state to monitor and manage media staff.

In contrast with traditional media, however, the online sphere was dominated by private companies. To better connect government with these corporations, the Internet Society of China (ISC) was established. To a certain degree, the ISC is an organization in the vein of the All-China Journalists' Association or the All-China Lawyers' Association: a self-regulatory body that connects a profession to the Party. It has issued a number of conventions through which Internet companies voluntarily accept duties and obligations in areas including blog and search engine management, fair-trading and copyright.⁴⁰ Its growing role as a conduit between not only the technical and telecommunications side of the Internet, but also the online content industry, is underlined, amongst others, by changes in its governing council. In 2008, some of China's best-known Internet entrepreneurs, including Alibaba's Jack Ma, Tencent's Pony Ma and Baidu's Robin Li, were selected among the 25 vice-directors of this Council. Before, such positions were mostly taken up by academics or high officers in state-owned media and telecommunications enterprises.⁴¹

As Internet use further expanded, however, the fractures in this system became visible. The division of labour between the different regulators made less and less sense in the light of rapid technological convergence, yet plans to integrate telecommunications and television networks with the Internet (*sanwang ronghe* 三网融合) proceeded only at glacial pace.⁴² Departmental turf battles arose in the dispersed censorship administration, such as when the popular game *World of Warcraft* was taken offline for a year due to a dispute over licensing powers between press regulator GAPP (General Administration of Press and Publications) and the Ministry of Culture. Most importantly the propaganda authorities seem to have underestimated the rapid emergence of social media, which permitted new forms of online interaction to which well-established management techniques did not apply. Instead of professional 'engineers of human souls' (*renlei linghun de gongchengshi* 人类灵魂的工程师),⁴³ trained to programme

³⁷Harwit, *China's Telecommunications Revolution*.

³⁸Murray Scot Tanner, 'Changing windows on a changing China: the evolving "think tank" system and the case of the public security sector', *The China Quarterly* 171, (2002), pp. 559–574; Greg Walton, *China's Golden Shield: Corporations and the Development of Surveillance Technology in the People's Republic of China* (Montreal: Rights & Democracy, 2001).

³⁹Shambaugh, 'China's propaganda system'.

⁴⁰Rogier Creemers, 'The privilege of speech and new media', in deLisle *et al.*, eds, *The Internet, Social Media, and a Changing China*.

⁴¹Zhongguo Hulanwang Xiehui di'erjie lishihui' ['The Second General Assembly of the Internet Society of China'], *Internet Society of China*, (1 November 2004), available at: <http://www.isc.org.cn/zxzx/xhdt/listinfo-1190.html> (accessed 31 May 2016); Zhongguo Hulanwang Xiehui disanjie lishihui mingdan: Ma Huateng deng ruxuan' ['Third General Assembly of the Internet Society of China: Ma Huateng and others elected'], *QQ Tech*, (22 September 2008), available at: <http://tech.qq.com/a/20080922/000376.htm> (accessed 31 May 2016).

⁴²Zhengrong Hu and Hong Li, 'The issues and challenges facing three-network convergence in the Chinese media landscape', *International Journal of Digital Television* 2(2), (2011), pp. 215–221.

⁴³On the origin of this term, see Richard Curt Kraus, *The Party and the Arty in China: The New Politics of Culture* (Lanham, MD: Rowman & Littlefield Publishers, 2004), p. 156.

audiences' worldviews in state-determined ways, social media were dominated by public intellectuals and characterized by explosive, interactive forms of communication and organization. In many cases, propaganda authorities were visibly unable to manage information flows concerning incidents such as the Wenzhou train crash. One particular regulatory failure concerned real-name registration. Since the mid-2000s, self-regulatory conventions and administrative regulations had called for the introduction of real-name registration systems for blogging⁴⁴ and other online services. However, these rules were often more honoured in the breach than in the observance, as Internet companies, perhaps understandably, were rarely eager to chastise their users and delete their accounts, while government departments rarely pressed for strong compliance.⁴⁵

The responses of the propaganda and public security departments were, perhaps, characteristic. Among propaganda authorities, the growing swell of online criticism was seen as a cultural deficiency. A steady stream of high-profile publications by scholars from institutions including the Central Party School and the Chinese Academy of Social Science, in Party journals like *Seeking Truth* and *Red Flag Manuscripts* called for closer allegiance to the 'main melody' (*zhuxuanlü*), embodied in a 'Socialist core value system' (*shehuizhuyi jiazhi tixi*) that provided a politically desirable definition of civility.⁴⁶ Both Internet users and the companies tasked with regulating their behaviour were called upon to act with cultural awareness and self-confidence, in order to ensure order in cyberspace. Public security departments, on the other hand, carried out trials with grid-based urban management models that combine real-time geo-mapping technology, surveillance cameras and informants in order to provide comprehensive monitoring of social management indices.⁴⁷ Data mining and online discourse analysis became cornerstones of stability maintenance efforts, as well as a lucrative business. The industry leader is the People's Daily Online Public Sentiment Monitoring Office (*Renminwang yuqing jianceshi*), established in 2008. All together, it is reported that more than 800 public opinion monitoring businesses and governments now employ more than two million analysts to dissect China's online public opinion and report social trends to government departments.⁴⁸

Initial regulatory reforms were made towards the end of the Hu administration. The newly enacted Tort Law explicitly circumscribed the use of the Internet to infringe personal rights.⁴⁹ A new department, the State Internet Information Office (SIIO), was established within the State Council Information Office, in order to coordinate online content regulation. Although it did not have its own staff, and its formal authority was unclear, the SIIO was put in overall charge of online content in draft regulations for all

⁴⁴Boke fuwu zilü gongyue' ['Self-discipline convention for blog services'], *Internet Society of China*, (21 August 2007), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2007/08/21/self-discipline-convention-for-blog-services/> (accessed 31 May 2016).

⁴⁵Johan Lagerkvist, 'Principal-agent dilemma in China's social media sector? The Party-state and industry real-name registration waltz', *International Journal of Communication* 6, (2012), pp. 2628–2646.

⁴⁶See, for instance Mingxue Zhang, 'Wangluo "redian shijian" de chuanbo yu yulun yindao' ['Communication and public opinion guidance concerning online "hot incidents"'], *Qishi* [*Seeking Truth*] 2010/22, (2010), available at: http://www.qstheory.cn/hqwg/2010/201022/201011/t20101125_57507.htm (accessed 31 May 2016); Tan Yangfang, 'Gaodu guan Zhu wangluo meiti zai quntixing shijianzhong de yingxiang' ['Pay great attention to the influence of online media on mass incidents'], *Hongqi Wen'gao* [*Red Flag Manuscripts*] 2011/08, (2011), available at: http://www.qstheory.cn/hqwg/2011/201108/201104/t20110427_78516.htm (accessed 31 May 2016); Chen Hua, *Zouxiang wenhua zijue: Zhongguo wangluo meiti hangye zilü jizhi yanjiu* [*Marching Towards Cultural Awareness: A Study of Sectoral Self-Discipline in Chinese Online Media*] (Beijing: Renmin Chubanche, 2011); Qiang Wei, 'Tigao wenhua zijue, zengqiang wenhua zixin, shixian wenhua ziqiang' ['Raise cultural self-consciousness, strengthen cultural self-confidence, realize cultural self-strengthening'], *Qishi* [*Seeking Truth*] 2012/06, (2012), available at: http://www.qstheory.cn/zxdk/2012/201206/201203/t20120315_145647.htm (accessed 31 May 2016).

⁴⁷For a detailed case study of the experiment in Yichang, Hubei, see Xigen Wang, 'On the legal value orientation of social management innovation in China, based on the empirical analysis of "Yichang model"', paper presented at the ECLS 2013 Conference: *New Approaches and New Questions in Chinese Law*, University of Oxford, 19 September 2013.

⁴⁸Michelle Fong, 'China monitors the Internet and the public pays the bill', *Global Voices*, (29 July 2014), available at: <http://advocacy.globalvoicesonline.org/2014/07/29/china-monitors-the-internet-and-the-public-pays-the-bill/> (accessed 31 May 2016).

⁴⁹National People's Congress, 'Zhonghua Renmin Gongheguo Qinquan Zerenfa' ['Tort Law of the People's Republic of China'], (1 July 2010), available at: <http://english.mofcom.gov.cn/article/policyrelease/Businessregulations/201312/20131200432451.shtml> (accessed 31 May 2016).

online information services.⁵⁰ Under the auspices of a then little known propaganda official called Lu Wei (鲁炜), municipal-level rules targeting microblogs were introduced in Beijing, instituting licensing requirements, information censorship demands and a real-name system.⁵¹ The 6th Plenum of the 17th Party Congress in October 2011 was dedicated to regaining ideological leadership, and paid particular attention to the emerging online sphere.⁵² Perhaps in order to forestall stricter regulation, Sina Weibo instituted a self-policing system for its microblog community.⁵³

Strengthening online content control under Xi Jinping

The Xi administration rapidly demonstrated a firmer commitment to online order. Partly in response to an escalating online debate about constitutionalism,⁵⁴ a secret Central Committee communiqué was circulated among senior officials.⁵⁵ This document, later nicknamed Document No. 9, identified seven categories of potential ideological risk, and noted that the Internet in particular was a channel for 'mistaken thinking trends' to enter mainstream discourse. It was accompanied by a media campaign in which central Party media published a series of articles calling for ideological rectitude and vigilance against infiltration and a loss of control, particularly on the Internet. One noteworthy contribution in left-wing Party journal *Red Flag Manuscripts* came from Ren Xianliang (任贤良), the director of the Shaanxi provincial Propaganda Department, who would be promoted to vice-director of SIO later that year. Ren stated that

the rise of network and other new media, and especially the emergence of blogs, microblogs and other social media have, in fact, disintegrated policy regulations about not permitting private persons to run the media, prohibiting supervision across regions, etc. [...] Some Weibo Big Vs have amassed fans easily numbering into the hundreds of thousands or even million, Weibo periodicals and Weibo stations have even been set up [...] their dissemination strength and influence greatly exceeds that of print media. [...] If we do not take this serious, but take a laissez-faire attitude, a 'broken window' effect is bound to ensue, which will further engender and aggravate online public opinion disorder. In fact, we must dare to boldly confront those powerful media, famous websites, famous bloggers and Weibo Big Vs in terms of management, warn those that should be warned, shut up those that should be shut up, and close those that should be closed.⁵⁶

Simultaneously, a number of institutional and regulatory measures were taken. GAPP and audiovisual media supervisor SARFT (State Administration for Radio, Film and Television) were merged into the State Administration of Press, Publications, Radio, Film and Television (SAPPRFT),⁵⁷ which immediately issued a notice prohibiting journalists from filing stories based on online information, and requiring

⁵⁰These regulations never took effect, being superseded by the new Internet governance efforts initiated by the Xi administration. State Council, 'Hulianwang xinxi fuwu guanli banfa (xiuding cai'an zhengqiu yijiangao)' ['Internet Information Service Management Rules (Opinion-seeking Version of Revision Draft)', (7 June 2012), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2012/06/07/internet-information-service-management-rules-opinion-seeking-version-of-revision-draft/> (accessed 31 May 2016).

⁵¹Beijing Municipal People's Government, 'Beijingshi weiboke fazhan guanli ruogan guiding' ['Some Beijing municipal provisions on microblog development and management'], (16 December 2011), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2011/12/16/some-beijing-municipal-provisions-on-microblog-development-and-management/> (accessed 31 May 2016).

⁵²Central Committee, 'Guanyu shenhua wenhua tizhi gaige de jue ding' ['Decision Concerning Deepening Cultural Structural Reform'], (9 November 2011), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2011/11/09/central-committee-of-the-chinese-communist-party-decision-concerning-deepening-cultural-structural-reform> (accessed 31 May 2016).

⁵³Xinlang Weibo shequ guanli guiding (shixing) ['Sina Weibo community management regulations (trial)'], *Sina*, (8 May 2012), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2012/05/08/sina-weibo-community-management-regulations-trial/> (accessed 31 May 2016).

⁵⁴Rogier Creemers, 'China's constitutionalism debate: content, context and implications', *The China Journal* 75, (2015), pp. 91–109.

⁵⁵Central Committee, 'Guanyu dangqian yishixingtai lingyu qingkuang de tongbao' ['Communiqué on the Current State of the Ideological Sphere'], (22 April 2013), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2013/04/22/communiqué-on-the-current-state-of-the-ideological-sphere-document-no-9/> (accessed 31 May 2016).

⁵⁶Xianliang Ren, 'Tongchou liangge yulunchang, ningju shehui zhengnengliang' ['Comprehensively plan both public opinion fields, concentrate social positive energy'], *Hongqi Wen'gao* [*Red Flag Manuscripts*] 2013/07, (2013).

⁵⁷Ma Kai: State Administration of Press, Publications, Radio, Film and Television established, *People's Daily*.

they obtain permission before opening Weibo accounts.⁵⁸ The SIO gained relative independence from the State Council Information Office (SCIO), and was given independent staff. Its new director, Lu Wei, previously headed the Beijing Municipal Propaganda Department and had demonstrated a commitment to a strict line on online journalism and public opinion management.⁵⁹ Lu immediately launched two campaigns, targeting online rumours⁶⁰ and web media.⁶¹

However, it rapidly became clear that Lu's main targets were the opinion-leading Big Vs. While still in his Beijing post, he organized amicable dinners with a number of them, which he repeated in May.⁶² By the summer, the conviviality had ended. In August, Lu Wei convened a CCTV television broadcast, hosting a number of online celebrities, in order to lay down seven so-called baselines (*dixian* 底线): respect for laws and regulations, the Socialist system, the national interest, citizens' lawful rights and interests, public order, morality and the accuracy of information.⁶³ A few days after this shot across the bow, Xi Jinping's secret speech declared that the Party found itself in a new public opinion struggle, with the Internet as the most important battlefield. With regard to Big Vs, Xi indicated that 'we must strengthen education and guidance of online opinion leaders, we must encourage the good ones and restrain the bad ones, we cannot let things slide.'⁶⁴ A *People's Daily* editorial on 26 August 2013 stated that 'Big Vs' must not become 'Big Rumours' (*dayao* 大谣). On 30 August, the American-Chinese businessman Charles Xue (or Xue Manzi), a Big V with 12 million followers, was arrested and publicly pilloried on CCTV. While he was officially charged with solicitation, his detention was widely seen as retaliation for his online behaviour.

Where foreign observers mainly focused on Xue, the Chinese Party press made examples of two other online culprits, nicknamed Qin Huohuo and Li'erchaisi. They were accused of mobilizing an 'Internet Water Army' (*wangluo shuijun*), which flooded social media with false information, often for commercial gain. According to the Party press, such rumours, including murmurs about a resurgence of the SARS virus, exorbitant compensation being paid to foreign victims of the Wenzhou crash, and iodine salt and nuclear pollution after the Fukushima incident

are even deeper than the flashpoints of real contradictions. An irresponsible rumour online might easily trigger an eruption of social panic. [...] This sort of rumour fundamentally destroys the trust of citizens in government, society and the political system, creates grave ideological chaos, and influences the faith of the masses in social and economic development.⁶⁵

Qin Huohuo was later convicted to three years imprisonment, Li'erchaisi to four. In early September, the Supreme People's Court and Supreme People's Procuratorate issued a judicial interpretation that imposed criminal liability and possible prison terms for the publication of false information online under

⁵⁸SAPPRFT, 'Guanyu jiaqiang xinwen caibian renquan wangluo huodong guanli de tongzhi' ['Notice concerning Strengthening the Management of Newsgathering and Editing Personnel's Online Activities'], (16 April 2013), translation, available at: <http://china-copyrightandmedia.wordpress.com/2013/04/16/notice-concerning-strengthening-the-management-of-newsgathering-and-editing-personnels-online-activities/> (accessed 31 May 2016).

⁵⁹Wei Lu, 'Makesizhuyi xinwenguan zai dangdai Hongguo de xianhuo shijian' ['The lively practice of the Marxist news view in contemporary China'], *Seeking Truth* 2012/07, (2012).

⁶⁰Guojia Hulianwang Xinxiban bushu daji wangluo yaoyan' ['State Internet Information Office deploys attack on online rumour'], *Xinhua*, (2 May 2013), available at: http://news.xinhuanet.com/politics/2013-05/02/c_115612608.htm (accessed 31 May 2016).

⁶¹Guojia Hulianwang Xinxiban bushu kaizhan guifan hulianwang xinwen xinxi chuanbo chengxu zhuanxiang xingdong' ['State Internet Information Office deploys and launches special campaign to standardize Internet news information dissemination order'], *Xinhua*, (10 May 2013), available at: http://news.xinhuanet.com/politics/2013-05/10/c_115720522.htm (accessed 31 May 2016).

⁶²Josh Chin and Paul Mozur, 'China intensifies social-media crackdown', *Wall Street Journal*, (19 September 2013), available at: <http://www.wsj.com/articles/SB10001424127887324807704579082940411106988> (accessed 31 May 2016).

⁶³'Wangluo mingren gongshi gongshou "qige dixian"' ['Online celebrities' common understanding and joint respect of the "seven baselines"'], *People's Daily*, (11 August 2013), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2013/08/13/online-celebrities-common-understanding-and-joint-respect-of-the-seven-baselines/> (accessed 31 May 2016).

⁶⁴Xi, 'Speech at the National Ideology and Propaganda Work Conference'.

⁶⁵Lü Qiqing, Li Shaomei and Zhu Xudong, 'Zhengzhi wangluo yaoyan bixu chu zhongquan (bitan)' ['The heavy fist must come out to deal with online rumours (written conversation)'], *Hongqi Wen'gao* [Red Flag Manuscripts] 2013/16, (2013), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2013/08/31/the-heavy-fist-must-come-out-to-deal-with-online-rumours-written-conversation/> (accessed 31 May 2016).

certain circumstances.⁶⁶ One of these circumstances was the reach of such information: if an unlawful post was retweeted 500 times, or viewed 5,000 times, the poster faced up to three years imprisonment. In early October, the head of the *People's Daily* Public Opinion Monitoring Office already reported that the influence of Big Vs had drastically reduced, and were increasingly being replaced by official Party and government microblogs.⁶⁷ The crackdown was accompanied by, and hastened, an exodus from the public microblog platforms to Tencent's new, more private messaging application WeChat.⁶⁸

The social media crackdown and associated propaganda campaign of 2013 addressed some of the more pressing short-term concerns about the Internet, and were the logical product of a process of escalation of content control that had started at the 2011 6th Plenum. Afterwards, a series of more long-term documents was issued with the purpose of instituting a regulatory 'new normal'. Online video websites now bear responsibility themselves when posting films uploaded by individuals, and the new rules also mandated stricter checks on commercially produced content.⁶⁹ In a subsequent crackdown, Sina lost its license to distribute online content, while *The Big Bang Theory*, a few other popular US television series and the edgy domestic programme *Dior Man* (*diaosi nanshi* 屌丝男士) were banned from streaming websites.⁷⁰ In August, a plan to facilitate the convergence of traditional and online media was approved, followed by guiding opinions on reforming the online literature sector in December.⁷¹ Journalists in selected online news outlets were permitted to apply for press cards, subject to their obtaining an 'Internet Newsgathering and Editing Training Certificate'.⁷² Regulations on public information services clearly targeted WeChat's public accounts: service providers were obliged to report public account details to the SIO, and special permission was required to set up a public account to disseminate news and current affairs.⁷³

New Internet governance structures

In parallel with these regulatory evolutions, significant institutional changes took place in order to consolidate and streamline Information and Communication Technology (ICT) policymaking processes.

⁶⁶Supreme People's Court and, Supreme People's Procuratorate, 'Guanyu banli liyong xinxi wangluo shishi feibang deng xingshi anjian shiyong falu ruogan wenti de yijian' ['Interpretation concerning Some Questions of Applicable Law When Handling Uses of Information Networks to Commit Defamation and Other Such Criminal Cases'], (6 September 2013), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2013/09/06/interpretation-concerning-some-questions-of-applicable-law-when-handling-uses-of-information-networks-to-commit-defamation-and-other-such-criminal-cases/> (accessed 31 May 2016).

⁶⁷Huaxin Zhu, 'Daji yaoyan beijingxia de wangluo yulun xin geju' ['The online public opinion structure against the background of the attack on rumours'], *People's Daily*, (11 September 2013), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2013/10/14/peoples-daily-official-on-anti-rumour-campaign-and-online-public-opinion-management/> (accessed 31 May 2016).

⁶⁸Malcolm Moore, 'China kills off discussion on Weibo after Internet crackdown', *The Telegraph*, (30 January 2014); David Caragliano, 'K-pop, cat GIFs, and constitutionalism', *Foreign Policy*, (11 February 2014), available at: http://www.foreignpolicy.com/articles/2014/02/11/China_weibo_internet_censorship_constitutionalism (accessed 31 May 2016).

⁶⁹State Administration of Press, Publications, Radio, Film and Television, 'Guanyu jinyibu wanshan wangluoju, weidianying deng wangluo shiting jiemu guanli de buchong tongzhi' ['Supplementary Notice concerning Further Perfecting the Management of Online Dramas, Microfilms and Other Such Online Videos'], (2 January 2014), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2014/01/02/supplementary-notice-concerning-further-perfecting-the-management-of-online-dramas-micro-films-and-other-such-online-videos/> (accessed 31 May 2016).

⁷⁰Tuidong zhuliu meiti zai ronghe fazhan zhi lu shang zouqian zouhao' ['Promoting a stable, quick and good march for mainstream media on the path of convergence'], *Xinhua*, (20 August 2014), available at: http://news.xinhuanet.com/politics/2014-08/20/c_1112160707.htm (accessed 31 May 2016).

⁷¹State Administration of Press, Publications, Radio, Film and Television, 'Guanyu tuidong wangluo wenxue jiankang fazhan de zhidao yijian' ['Guiding Opinions concerning Promoting the Healthy Development of Online Literature'], (18 December 2014), translation, available at: <https://chinacopyrightandmedia.wordpress.com/2014/12/28/guiding-opinions-concerning-promoting-the-healthy-development-of-online-literature/> (accessed 31 May 2016).

⁷²State Administration of Press, Publications, Radio, Film and Television, and Cyberspace Administration of China, 'Guanyu zai xinwen wangzhan hefa xinwen jizhezhang de tongzhi' ['Notice concerning Approving and Issuing Journalist Credentials in News Websites'], (21 October 2014), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2014/10/21/notice-concerning-approving-and-issuing-journalist-credentials-in-news-websites/> (accessed 31 May 2016).

⁷³Cyberspace Administration of China, 'Jishi tongxin gongju gongzhong xinxi fuwu fazhan guanli zanzheng guiding' ['Provisional Regulations for the Development and Management of Instant Messaging Tools and Public Information Services'], (7 August 2014), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2014/08/07/provisional-regulations-for-the-development-and-management-of-instant-messaging-tools-and-public-information-services/> (accessed 31 May 2016).

A new Central Leading Group for Cybersecurity and Informatization (*zhongyang wangluo anquan he xinxihua lingdao xiaozu*) was established early in 2014.⁷⁴ This new group, chaired by Xi Jinping himself, put the realization of the informatization agenda at the heart of political and economic reform. Its membership comprises economic and technological policymakers on the one hand, and departments concerned with ideological and international security on the other. The SIO was reformed as an independent entity, separate from the SCIO, and designated as the host for the administrative office of the Leading Group. Its English name was changed into Cyberspace Administration of China (CAC), and it gained explicit responsibility in regulating online content.⁷⁵ Expert and technical bodies, such as the Advisory Committee for State Informatization and addressing registry CNNIC (China Internet Network Information Centre) were made directly responsible to the CAC.

Central Leading Group for Cybersecurity and Informatization Membership⁷⁶

| | |
|-------------------------------------|---|
| Xi Jinping (Chair) | General Secretary, PRC President |
| Li Keqiang (Vice-Chair) | Premier |
| Liu Yunshan (Vice-Chair) | Chief Secretary, CCP Central Secretariat; Chairman, Central Ideology and Propaganda Leading Group |
| Lu Wei (Head, Leading Group Office) | Director, Cyberspace Administration of China |
| Ma Kai | Vice Premier |
| Wang Huning | Director, CCP Policy Research Office |
| Liu Qibao | Director, Central Propaganda Department |
| Fan Changlong | Vice Chairman, Central Military Commission |
| Meng Jianzhu | Director, Central Political–Legal Committee |
| Li Zhanshu | Director, CCP General Office |
| Yang Jing | Secretary General, State Council |
| Zhou Xiaochuan | Governor, People’s Bank of China |
| Wang Yi | Minister of Foreign Affairs |
| Fang Fenghui | PLA Chief of Staff |
| Lou Jiwei | Minister of Finance |
| Cai Wu | Minister of Culture |
| Yuan Guiren | Minister of Education |
| Miao Wei | Minister of Industry and Information Technology |
| Guo Shengkun | Minister of Public Security |
| Xi Shaoshi | Chairman, National Development and Reform Commission |
| Wang Zhigang | Party Secretary, Ministry of Science and Technology |
| Cai Fuchao | Director, State Administration of Press, Publications, Radio, Film and Television |

The structure of this new ICT *xitong* mimics that of its propaganda counterpart: a high-level coordination body that groups the heads of all important administrations, combined with an administrative entity that is in charge of drafting policies and high-level regulations on the basis of the decisions made in this coordination body. In turn, the State Council and its ministries are responsible for shaping the concrete measures implementing the CAC’s decisions, although the formal relationships of authority between these bodies are still unclear. Tensions between the CAC and other departments remain, particularly in the field of security.⁷⁷ Nevertheless some observers have suggested the CAC is rapidly

⁷⁴Xi Jinping: Ba woguo cong wanguo daguo jianshe cheng wangluo qiangguo’ [‘Xi Jinping: build our country from a large network country into a strong network country’], *Xinhua*, (27 February 2014), available at: http://news.xinhuanet.com/politics/2014-02/27/c_119538788.htm (accessed 31 May 2016).

⁷⁵State Council, ‘Guanyu shouquan Guojia Hulianwang Xinxu Bangongshi fuze hulianwang xinxu neirong guanli gongzuo de tongzhi’ [‘Notice concerning Empowering the Cyberspace Administration of China to Be Responsible for Internet Information Content Management Work’], (26 August 2014), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2014/08/26/notice-concerning-empowering-the-cyberspace-administration-of-china-to-be-responsible-for-internet-information-content-management-work/> (accessed 31 May 2016).

⁷⁶Compiled from ‘Zhongyang wangluo anquan he xinxihua lingdao xiaozu chengyuan mingdan 12 zhengfu guoji jianzhi shen-gaizu’ [‘Central Cybersecurity and Informatization Leading Group members’ name list, 12 full and vice-national level [members] also on the Leading Group for Deepening Reform’], *Guancha*, (28 February 2014), available at: http://www.guancha.cn/politics/2014_02_28_209672.shtml (accessed 31 May 2016).

⁷⁷Interview with Internet scholar, Wuzhen, December 2015.

exceeding the traditional propaganda system in terms of importance.⁷⁸ The Wuzhen World Internet Conference it organizes has rapidly become an event of great political prominence. Moreover, the CAC now has direct authority over a number of crucially important technical bodies, including domain name registrar CNNIC.⁷⁹

Building Panspectron

The reorganization of China's Internet governance apparatus was largely justified through broadly defined threats to the stability of the regime. Partly, these have arisen from the continued suspicion of foreign hostile powers' regime change intentions. The role of (often American) social media in the Arab Spring and colour revolutions worldwide, for instance, became a focus element in Party publications. A *Red Flag Manuscripts* article, for instance, raised the spectre of a foreign-owned network of solar-powered drones, just off the Chinese coast, providing wireless Internet coverage outside of Chinese government control.⁸⁰ Concerns also arose about China's reliance on foreign technology, as evinced by the Snowden revelations and the exposure China faced after security support for Windows XP—which still powered more than two-thirds of computers in China—was ended. The response to these foreign concerns has been relatively simple: barriers against foreign content, including the Great Firewall, have been strengthened, and stricter requirements for foreign hardware and software have been announced,⁸¹ and an indigenization drive is underway.⁸² With regard to the domestic environment, however, a more sophisticated approach is currently being adopted. This seeks to leverage both the economic potential of the Internet, as well as the possibilities for social control, management and governance it permits. This presents us with two questions: a first about the *method* of control, a second about the *purpose* of that control.

Making society legible

The central element of the leadership's control strategy is to enhance society's legibility. As Scott has argued, for any state to be able to govern effectively, it must rationalize and simplify social forms, transforming a complex territory into a readable map.⁸³ A corollary for cybergovernance proposed by Lessig is that, for governments to be able to assert power online, the chief challenge is regulability, which depends on their capability to find out *who* is doing *what* from *where*.⁸⁴ In the online environment, legibility can be conceived at two levels: the level of the platform and of the individual user. With regards to companies, it is easier to govern an environment dominated by a few large players, than one in which many small actors exist. As indicated earlier, the regulatory environment for the Internet created in the 2000s focused largely on the former. Licensing requirements have been imposed for online operators, enabling the state to shut down unlicensed operators and easily sanction licensed ones. Furthermore, market forces and network effects conspired to create large, dominant players in the Internet environment. The sheer size of companies such as Baidu, Alibaba and Tencent means that effective control over a few companies enables the state to regulate the majority of online activities.

⁷⁸David Bandurski, 'Ali Baba's cave and Pandora's box', *China Media Project*, (5 November 2014), available at: <http://cmp.hku.hk/2014/11/05/36885/> (accessed 31 May 2016).

⁷⁹Interview with CNNIC employee, Beijing, April 2015.

⁸⁰Zhoujian Zhao and Xu Zhilian, 'Xinxi jishu fazhan yu yishixingtai anquan' ['Information technology development trends and ideological security'], *Hongqi Wen'gao* [*Red Flag Manuscripts*] 2014/24 (2014), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2015/01/01/information-technology-development-trends-and-ideological-security/> (accessed 31 May 2016).

⁸¹In January 2015, Apple became the first foreign corporation to publicly announce it would comply with security review procedures. Yin Cao, 'Rule to protect security "on the way this year"', *China Daily*, (22 January 2015), available at: http://www.chinadaily.com.cn/china/2015-01/22/content_19373572.htm (accessed 31 May 2016).

⁸²For more detail on these policies, see Rogier Creemers, 'The pivot in Chinese cybergovernance: integrating Internet control in Xi Jinping's China', *China Perspectives* 2015/4, (2015), pp. 5–13.

⁸³Scott, *Seeing Like a State*.

⁸⁴Lawrence Lessig, *Code: And Other Laws of Cyberspace, Version 2.0* (New York: Basic Books, 2006).

Yet where the government previously largely outsourced the burdens of regulating individual behaviour to those enterprises, it has now drastically expanded the range and scope of legal and regulatory measures directly affecting Internet users.

One dominant element of this strategy is the expansion of real-name registration requirements. Learning from earlier failures of such attempts, recent efforts have focused on incentivizing compliance. SAPPRFT documents on audiovisual works and online literature put full responsibility for the negative consequences of harmful content on online publication platforms, if their creators cannot be identified. The SIO demanded real-name registration for WeChat accounts, with the proviso that users would be permitted a public handle or nickname. A Judicial Interpretation on online infringement of personality rights, promulgated in October 2014, provides that courts may order Internet companies to provide names, addresses and contact methods of users, where these are deemed to have published defamatory information. Companies refusing to carry out such requests would be liable for punitive measures.⁸⁵ A self-regulatory convention on mobile telephone apps passed in November 2014 committed developers and app stores to broaden the implementation of identity authentication systems.⁸⁶ These efforts seem to have had some success: it was reported in January 2015 that more than 80% of WeChat users had registered under their real identities.⁸⁷ Moreover, real-name registration duties are not limited to online content; they were also mandated for the purchase of telephones, enabling the identification of online activities through individual pieces of hardware.⁸⁸ In February 2015, the CAC mandated a real-name registration system for all account-based online information services.⁸⁹

Real-name registration sits at the heart of the effort to connect the vast amount of potentially useful information generated through individuals' interactions with technology. Partly, these data are generated through conscious activity, for instance through posts on social media platforms or online purchases. However, sensors in mobile gadgets may also be used less wittingly, in order to geo-locate users, for example. It is in this respect that the Panspectric mode of surveillance and monitoring differs considerably from the Panopticon. Where the latter relied on the capturing of impressions by a central observer, information is now actively generated by multiple sensors scattered across the lives of its subjects. Furthermore, as the cost of storing and processing that information has greatly decreased, it now becomes available for longitudinal or interregional analysis.

Where the authorities desire to make society legible to themselves, they equally seek to prevent horizontal legibility among social actors. In that sense, messaging applications such as WeChat are much preferable over the greater publicity of Weibo. Its private nature means it is more difficult to rapidly spread information, while it is still reportedly possible for public security departments to monitor conversations.⁹⁰ These surveillance and monitoring capabilities are increasingly being integrated

⁸⁵Supreme People's Court, 'Guanyu shenli liying xinxi wangluo qinquan renshen quanyi minshi jiufen anjian shiyong falü ruogan wenti de guiding' ['Regulations concerning Some Questions of Applicable Law in Handling Civil Dispute Cases involving the Use of Information Networks to Harm Personal Rights and Interests'], (9 October 2014), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2014/10/09/supreme-peoples-court-regulations-concerning-some-questions-of-applicable-law-in-handling-civil-dispute-cases-involving-the-use-of-information-networks-to-harm-personal-rights-and-interests/> (accessed 31 May 2016).

⁸⁶Capital Internet Society, 'Beijingshi yidong hulianwang yingyong chengxu gongzhong xinxi fuwu zilü gongyue' ['Beijing Municipality Self-Discipline Convention on Internet Application Programmes and Public Information Services'], (26 November 2011), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2014/11/26/beijing-municipality-self-discipline-convention-on-internet-application-programmes-and-public-information-services/> (accessed 31 May 2016).

⁸⁷Sha Liu, 'Govt. takes down illegal websites', *Global Times*, (14 January 2015), available at: <http://www.globaltimes.cn/content/901784.shtml> (accessed 31 May 2016).

⁸⁸Ministry of Industry and Information Technology, 'Dianhua yonghu zhenshi shenfen xinxi dengji guiding' ['Telephone User Real Identity Information Registration Regulations'], (16 July 2013), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2013/07/16/telephone-user-real-identity-information-registration-regulations/> (accessed 31 May 2016).

⁸⁹Cyberspace Administration of China, 'Hulianwang yonghu zhanghao mingcheng guanli guiding' ['Internet User Account Name Management Regulations'], (4 February 2015), translation, available at: <https://chinacopyrightandmedia.wordpress.com/2015/02/04/internet-user-account-name-management-regulations/> (accessed 31 May 2016).

⁹⁰Beware the WeChat spy', *China Digital Times*, (12 August 2013), available at: <http://chinadigitaltimes.net/2013/08/beware-the-wechat-spy/> (accessed 31 May 2016).

with technology-driven systems that provide consistent nudges towards compliance. Perhaps most importantly, an ambitious proposed social credit scheme is intended to create a range of benefits and sanctions for online and offline behaviour. According to State Council plans, it is intended that social credit information will be connected with individuals' identity card numbers, creating unique and traceable files that can be used to facilitate citizens' access to financial and government services. At the same time, the plan called for the introduction of real-name identity-based appraisal and scoring of individual online comportment, as well as of blacklists for those perpetrating various kinds of fraud, deception and 'harm to others' lawful rights and interests.⁹¹ In other words, it is not unlikely that undesired behaviour online may affect citizens' ability to gain a livelihood, find schools for their children or take out insurance.

Reconfiguring the purpose of control in the online sphere

What is the purpose of these modes of control? Citing Lenin's *What Is to Be Done*, Thornton suggests that the evolution of public opinion management can be conceived as an iterative project to contain the spontaneity of China's citizenry⁹² and create a predictable political environment. At the most basic level, the pursuit of predictability has led the leadership to attempt to eliminate the possibility or limit the impact of unforeseen events, particularly those resulting from unfettered public activities. After the Democracy Wall movement of 1979, and again after Tiananmen, the leadership took measures to exclude the citizenry from the political process and prevent the possibility of organized, cross-cutting opposition. One tactic has been to fragment the public environment and erect spill-over barriers between different localities and social strata. Traditional media were subjected to licensing criteria that constrained their audience on the basis of geographical or sectoral definitions. This ensured that damage from rogue media outlets could be contained relatively easily, and that propaganda authorities would have some time to respond.

Online media, however, tore down these barriers, and introduced an environment in which information goes viral rapidly. With far less time to respond, propaganda authorities were often reduced to passive responses. One often-cited *cause célèbre* was the Wenzhou train crash. Not only did some of the first distress calls and pictures from the accident appear on Weibo nearly immediately, the subsequent clumsy response from government officials dominated Chinese news and social media for weeks, greatly damaging public confidence in China's railway ministry.⁹³ Other scandals often became known by the catchphrases and memes they generated, such as 'brother wristwatch' (*biaoge*) and 'uncle house' (*fangshu*) for two officials who had respectively amassed a collection of expensive timepieces and real estate through improper means. While Big Vs rarely generated this kind of information themselves, the impact of their retweets brought these stories to the attention of millions in a very short time span. In response, the '500 retweets' rules provide a strong disincentive against amassing an online following, and in favour of more private communications platforms, such as WeChat. There as well, public accounts came under closer scrutiny, as demonstrated by the deletion of dozens of public accounts in March 2014 and January 2015. The March crackdown hit left and right, closing accounts belonging to liberal-leaning news organizations Truth Channel and Phoenix WeMedia, as well as the neo-Maoist collective Utopia.⁹⁴ In other words, one way of generating predictability is to render it technologically impossible or for sudden online incidents to occur.

⁹¹State Council, 'Shehui xinyong tixi jianshe guihua gangyao (2014–2020 nian)' ['Planning Outline for the Construction of a Social Credit System (2014–2020)'], (27 June 2014), translation, available at: <https://chinacopyrightandmedia.wordpress.com/2014/06/14/planning-outline-for-the-construction-of-a-social-credit-system-2014-2020/> (accessed 31 May 2016).

⁹²Thornton, 'Retrofitting the steel frame'.

⁹³Bondes and Schücher, 'Derailed emotions'.

⁹⁴Tyler Roney, 'China's sudden WeChat crackdown', *The Diplomat*, (14 March 2014), available at: <http://thediplomat.com/2014/03/chinas-sudden-wechat-crackdown/> (accessed 31 May 2016); 'Partial list of deleted WeChat accounts', *China Digital Times*, (13 March 2014), available at: <http://chinadigitaltimes.net/2014/03/partial-list-deleted-wechat-accounts> (accessed 31 May 2016).

Apart from the fragmentation and policing of the public communications sphere, surveillance and monitoring are also intended to provide Party and state bodies with information about socio-economic processes and early warning about the occurrence of potential unrest and incidents. In fact, one of the centrepieces of the informatization and social credit initiatives is the expansion of big data analysis.⁹⁵ At a broader level, the reassertion of online control has accompanied systemic efforts to impose top-down, predefined notions of civility and public morality, such as the Socialist core value system and the untranslatable (and ungraspable) concept of *suzhi*. In contrast, counter-narratives are marginalized. Part of these efforts are directed to generate 'positive energy' (*zheng nengliang*), a term that has become a *leitmotif* for online governance. In short, rather than pointing out what's wrong in China, online commentators should focus on positive examples and uplifting stories of effort and heroism.⁹⁶

In rhetoric, central Internet authorities seek to present the benefits that the Internet brings as conditional, enabling a legitimizing role for state power. Only with strong, Leviathan-like leadership are citizens protected online against abuses committed by officials, and against harm from private individuals or corporations. Online fraud, blackmail, defamation and data insecurity were foregrounded as threats to citizens' ability to use the Internet in a safe manner, and many of the initiatives of 2013 and 2014 were justified primarily with reference to economic abuses and infringement of personality rights. In fact, the first regulatory document on the Internet enacted during the Xi administration was a National People's Congress Standing Commission decision concerning the protection of online information,⁹⁷ which precipitated the promulgation of a series of data protection norms and standards. The '500 retweets' rule is part of a document aimed at preventing and punishing defamatory statements. Recent campaigns have taken aim at malicious software⁹⁸ and black PR. The latter followed the arrest of Gao Jianyun, a high official in the SIIO, who was charged with taking bribes to remove online information.⁹⁹ In other words, going far beyond media control, the state presents Internet governance as part of a social contract in which stability and material welfare are guaranteed in return for loyalty and legitimate authority. In Lu Wei's words: 'The more we pursue freedom, the more we require order.'¹⁰⁰ This social contract is, however, defined and interpreted by the Party-state alone.

The Internet reconfiguration has also had considerable impact on internal Party discipline. The numerous revelations of corrupt acts on Weibo were problematic for Party organization, as they constituted an autonomous platform to censure officials, external to the Party's intricate web of patronage, *guanxi* and discipline inspection. However, it was also recognized that corruption tainted the image of the Party as a whole and—more cynically—crowd-sourced corruption monitoring could provide easier means to alleviate the pervasive principal–actor tensions that characterize central–local relationships.¹⁰¹ At the end of 2014, therefore, the Central Discipline Inspection Committee (CDIC) launched an online

⁹⁵Ministry of Industry and Information Technology, 'Guanyu jiaqiang dianxin he hulianwang hangye wangluo anquan gongzuo de zhidao yijian' ['Guiding Opinions concerning Strengthening Cybersecurity Work in the Telecommunications and Internet Sectors'], (28 August 2014), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2014/08/28/guiding-opinions-concerning-strengthening-cybersecurity-work-in-the-telecommunications-and-internet-sectors/> (accessed 31 May 2016).

⁹⁶Wei Lu, 'Wangju zheng nengliang, gongjian Zhongguo meng' ['Concentrate positive energy online, jointly build the Chinese Dream'], Speech at the 13th Chinese Online Media Forum, 30 October 2013.

⁹⁷National People's Congress Standing Committee, 'Guanyu jiaqiang wangluo xinxi baohu de jue ding' ['Decision concerning Network Information Protection'], (28 December 2012), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2012/12/28/national-peoples-congress-standing-committee-decision-concerning-strengthening-network-information-protection/> (accessed 31 May 2016).

⁹⁸Ministry of Industry and Information Technology, 'Guanyu yinfa daji zhili yidong hulianwang eyi chengxu zhuanxiang xingdong gongzuo fang'an de tongzhi' ['Notice concerning Issuance of the Work Plan for the Special Campaign to Attack Malicious Software on the Mobile Internet'], (15 April 2014), available at: <http://www.miit.gov.cn/n1146290/n4388791/c4230909/content.html> (accessed 31 May 2016).

⁹⁹'Downfall of Party Internet policeman "helped lead to national cleanup campaign"', *Caixin*, (22 January 2015), available at: <http://english.caixin.com/2015-01-22/100777518.html> (accessed 31 May 2016).

¹⁰⁰Lu Wei, 'Speech at the 13th China Online Media Forum', (30 October 2013), translation, available at: <http://chinacopyrightandmedia.wordpress.com/2013/10/30/siio-director-outlines-eight-objectives-for-online-media/> (accessed 31 May 2016).

¹⁰¹Joseph Fewsmith, *The Logic and Limits of Political Reform in China* (Cambridge: Cambridge University Press, 2013).

procedure for reporting corruption and embezzlement, followed by the launch of a mobile app in January 2015, which currently permits the direct filing of corruption reports to the CDIC. Furthermore, the CAC has spearheaded initiatives to improve information circulation on central and local government websites, and has encouraged and assisted local governments with setting up their own social media accounts, for closer engagement with the citizenry.¹⁰²

Implications

At first glance, two years of Internet government reforms have delivered clear results. Among the officialdom, concern about the volatility of a social media environment beyond regulatory control has made place for assertions of a 'new normal' (*xin changtai*) with more positivity and a cleaner cyberspace.¹⁰³ Illustratively, the stock value of Sina, the operator of the popular microblog service Weibo, halved over the course of the year.¹⁰⁴ The Big Vs, who had been influential in the Weibo environment, have largely disappeared, being replaced with WeChat public accounts that are under consistent close scrutiny. A new institutional framework for Internet governance is established, and its head, Lu Wei, is one of the most visible faces of the Chinese leadership. Many prominent reformists have either withdrawn or been removed from public view, reshaping opposition activities: where earlier generations of dissidents called for regime change, they tend to now concern themselves with lower-profile socio-economic issues, using the legal system to foster incremental change.¹⁰⁵ In short, while the Party claimed to attempt to build closer connections with the masses, it has curtailed the masses' ability to autonomously influence politics—even if the Centre has also come to rely on reports concerning corruption from the public.

This has considerable implications both for the study of Chinese politics and technology. First, the Xi regime seems to have rigorously constrained public channels for information circulation and policy input. This is evidenced not only in online governance, but also with respect to a crackdown on academia and the legal profession. Yet at the same time, there have been moves towards greater responsiveness. Instead of public activism, agenda-setting and organization, the reforms have aimed to create shorter, more direct channels between government and citizens. But whichever effect these measures may have on good governance, they have allowed the state to control the extent to which interests, issues and values can be made public. A similar move has been made with regard to oversight on public officials, where public shaming on Weibo is replaced by closed, controlled channels for reporting. These steps challenge the—increasingly popular—notion that the resilience of the Party-state was largely due to its consultative or deliberative nature. Rather, it seems the Xi administration has clearly indicated that it alone remains the overall arbiter that decides who is heard within the halls of power.

Second, although the new Internet governance system, as well as measures such as the social credit scheme, are still in their infancy, it can safely be said that propaganda, public opinion and social management work will be increasingly integrated through technological processes. Technology has moved to the centre of nearly all considerations in social, economic and political reform. For Party governance of society, this means that traditional spatial, temporal and quantitative barriers to surveillance and control of individual behaviour are increasingly overcome through ubiquitous data generation, integration and analysis. The social credit scheme will extend the logic of the *dang'an* system to every connected member of society, tempting towards compliance through the promise of middle-class aspirations, backed up with the threat of ostracism, joblessness or reduced access to public goods.

¹⁰²State Council, 'Guanyu jiaqiang zhengfu wangzhan xinxi neirong jianshe de yijian' ['Opinions concerning Strengthening the Content Construction of Government Websites'], (17 November 2014).

¹⁰³2014 Zhongguo wangluo yulun shengtai huanjing baogao: Zhongguo jinru huanliangwang "xinchangtai" ['2014 China Internet public opinion ecology and environment report: China enters a "new Internet normal"'], *Xinhua*, (25 December 2014), available at: http://news.xinhuanet.com/newmedia/2014-12/25/c_1113781011.htm (accessed 31 May 2016).

¹⁰⁴Leo Sun, 'SINA Corp's stock crashed 55% in 2014: can it bounce back in 2015?', *Fool.com*, (1 December 2014), available at: <http://www.fool.com/investing/high-growth/2014/12/01/sina-corps-stock-crashed-55-in-2014-can-it-bounce.aspx> (accessed 31 May 2016).

¹⁰⁵Hualing Fu, 'Politicized challenges, depoliticized responses: political monitoring in China's transitions', in F. Davis, N. McGarrity and G. Williams, eds, *Surveillance, Counter-Terrorism and Comparative Constitutionalism* (Abingdon: Routledge, 2013).

If, however, it seems at this time that social opposition and activism online has been largely quelled, the technology agenda also generates new questions about risk and cohesion within the Party-state structure. Seemingly, a new nexus between the central state and private enterprise is emerging. Instead of seeking to ensure that all important players in the online sphere are state-owned, the state seems to not only have made its peace with the prevalence of private Internet companies, it may actively pursue the benefits they bring. It is unlikely that direct government input would have resulted in products and services including WeChat and Alibaba that are highly successful commercially as well as of considerable political utility. Private companies are also not beholden to the same patronage networks and interest groups within the Party in the same way as state-owned enterprises. Yet they do allow for autonomous, often crowd-sourced data-gathering in a manner bypassing potential local interference. The lens of the Panspectron is thus increasingly transcending the proverbial mountains that kept the Emperor away, reducing the ability of grass-roots cadres to deflect or ignore central demands. Yet, it also means that the Centre has fewer excuses to be unaware of local abuse. One area for further inquiry therefore addresses new political norms and conventions to enable administrative performance in the absence of external oversight mechanisms. At the elite level, there are the usual questions of coordination between different bureaucracies and individuals with highly divergent agendas. But more importantly, it is not unlikely that officials in charge of the new information bureaucracy meet with concerns similar to the fear that internal security czar Zhou Yongkang had become overly powerful. Control over the massive amounts of data produced in China's cyberspace may well become high-value currency in the political stakes.

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Notes on contributor

Rogier Creemers is a Post-Doctoral Scholar in the Law and Governance of China at the University of Leiden Van Vollenhoven Institute and the Leiden Institute for Area Studies. The research for this article was funded by a Rubicon Grant from the Netherlands Organization for Scientific Research (NWO).