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The Danger of Democratization in China

Master's Thesis in Political Science

Trondheim, May 2015

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Acknowledgements

The idea for this thesis came to me back in 2009, when I was an undergraduate student. Consequently, many people have helped me during this long process.

I would first like to thank my advisor Paul Midford. In the writing process of this thesis, he has been very helpful in answering all of my questions, giving me detailed comments on my chapters, and, generally making suggestions that have improved this thesis in many ways. He also played a big role in getting me interested in Chinese politics in the first place, which has lead me to experience being a journalist in Shanghai, and later also studying at Fudan University. Living in China twice has been the highlight of my life, and without my interest in China, I would never have experienced this. For all of this, I am very grateful.

I want to thank my fellow students at NTNU and at Fudan University, as they have made my time as a student very enjoyable.

I am also grateful to my friends for having helped me during this entire process, specifically for allowing me to think about things other than my thesis. I want to especially thank Olve and Per for the flashback to our wacky adventures during our time in high school every time we meet up. I also need to mention the members of Hæbbutæja Football Club. Playing football throughout this period has been incredibly important to me.

And last but not least, I want to thank my family. My parents for being so understandable and supportive, my sister for useful comments and for getting me interested in political science, and my brother and his wife for inspiration.

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1.0 Introduction

China's economic rise is one of the biggest events in the world since the collapse of the Soviet Union. The difference from being a poor and underdeveloped country under the dictatorship of Mao, to the reforms imposed by Deng Xiaoping and the massive economic growth, are almost unimaginable. China is now the second largest economy in the world and has become one of the most important countries in the international system. However, the introduction of these previously mentioned economic reforms has not led to a big introduction of political reforms in China. Democracy in China has been slower in coming than capitalism. There has been a massive pressure from the world, mostly "the West", on China to push towards a path of democratization. For many, China can't be fully incorporated in the world system before it's a democracy.

These views on the democratization of China follow much of the same logic as the democratic peace-theory. That is, if China becomes a democracy, it will be peaceful towards other democracies. This view is contested by the democratization and war-theory. As Mansfield and Snyder (1995: 36) write, pushing nuclear-armed great powers, like China, towards democratization is like spinning a roulette wheel, where many of the potential outcomes are likely to be undesirable.

The theory that democratization can lead to a more aggressive state has been widely discussed by academics (Huntington 1968, Dahl 1971, Cain 1985, Mansfield and Snyder 1995, 2001, 2005). This theory has also often been mentioned by academics when specifically discussing the possible future democratization in China as well (Bachman 2000, Gilley 2004, Mansfield and Snyder 2005, Bass 2006, Rowen 2007, Shirk 2007, Wang 2008, Lind 2011). However, it is often mentioned in passing, and rarely discussed any further.

This thesis aims to contribute to the debate about China's democratic future, and if the democratization in China will lead to a more aggressive foreign policy and possibly war. Therefore, my research question is: *Will democratization in China lead to a more aggressive foreign policy?*

This research question follows the logic of democratization and war-theory that states that new democracies are more aggressive than mature democracies and authoritarian regimes. From this theory, I have developed two hypotheses:

My first hypothesis is:

> H^1:"A weak rule of law, threatened elites, aggressive nationalism and a poorly regulated marketplace of ideas will promote an aggressive foreign policy in a democratization process in China".

My second hypothesis is as follows:

> H^2: "A well-developed rule of law and a well-regulated marketplace of ideas will hinder an aggressive foreign policy in a democratization process in China"

The importance of understanding the consequences of democratization in China should be obvious. Experience with recent democratic transitions has not been an especially good one, and discussing possible democratization in one of the leading great powers in the world is important. Additionally, not since the crisis in 1989 has the consensus been stronger that the resilience of the CCP[1] in the People's Republic of China is approaching its limits (Nathan 2013: 20). There seems to be a growing number of academics saying that China is at a "tipping point"[2], and David Shambaugh wrote in a much-discussed article in *The World Street Journal* (06.03.2015) that "the endgame of Chinese communist rule has now begun". Consequently, discussing consequences of a possible democratization process in China is therefore highly relevant.

The outline of this thesis is as follows. First, in my theory and methods chapter, I explain and elaborate on democratization and war-theory, and from this theory, derive my two hypotheses. The methods section of the thesis will focus on operationalizing my variables, and how I will conduct my empirical investigation. This chapter will consequently lay the framework for my thesis.
Then follows the main chapter of this thesis, where I analyze the theory of democratization and war, based on my hypotheses. First, I identify if there are any threatened elites in China. Then I will analyze Chinas development of a rule of law. I will address the issues using

[1] The Chinese Communist Party
[2] This is a reference to a cluster of articles in *The Journal of Democracy*, January 2013, named "China at the Tipping Point?"

quantitative data for the measurement of institutional strength and the rule of law, and show that the data from Polity and the Worldwide Governance Indicator are not in the shape I want them to be in. I then direct my focus on one of the most important institutions in democratization and war-theory, specifically the development of the Rule of Law in China. I will start with examining the development in post-reform China up to today. I will also discuss the most recent development, which some scholars call a "backlash against law", and how this affects my hypotheses.

I will then explore the nature of Chinese nationalism and see if it has some aggressive traits. I begin with the patriotic education campaign and see the change from the victor-narrative to the victim-narrative as it is important factor regarding when it comes to my hypotheses. From there I'll go through various Diaoyu-island conflicts to see how the nationalism is directed towards Japan in China. A large portion of this exploration will be dedicated to the anti-Japanese demonstrations in 2012, and I will here try to dissect what was actually said during these demonstrations.

The last part of the empirical chapter focuses on the media in China. I begin with the commercialization of Chinese media in the post-reform era. This commercialization was the cause of two interesting developments regarding the Chinese media, namely a noticeable rise in investigative journalism and incredible media competition. I discuss how investigative journalism has affected professionalism in the Chinese media. In the end of this section I will see how the media has reported on different conflicts, specifically those involving the Diaoyu islands. This will show if the Chinese media are taking the role as a regulator as the theory of democratization and war says it has to do to mitigate the effect of nationalist myth-making and elite manipulation.

The last chapter summarizes the findings and the conclusion of this thesis. My conclusion in this paper is that that democratization in China today would be dangerous and that it could lead China towards a more aggressive foreign policy, and possibly war, when looking at the domestic political dynamics put in play by democratization. There will be elites in China that will feel threatened by democratization, the rule of law in China is somewhat weak, there are in fact traits of aggressive nationalism in China towards Japan, and the media does not take up its role as a regulator in the marketplace of ideas. Consequently, the research done in this paper supports my first hypothesis.

2.0 Theory and Method

The notion that democracies seldom, if ever, go to war against one another has been called as "close as anything we have to an empirical law in international relations" (Levy 1989: 88) and it has become conventional wisdom among Western policy-makers. This doctrine has long proven practical for presidents, especially of the United States. President Woodrow Wilson emphasized, in a war message to Congress on April 2, 1917 in Washington, that: "A steadfast concert for peace can never be maintained except by a partnership of democratic nations. No autocratic government could be trusted to keep faith within it or observe its covenants" (Wilson, quoted in: Ikenberry et al. 2008: 53).

This firm belief in the superiority of democracy has, in many respects, survived until this day. Former President Bill Clinton defended this belief in his 1994 'State of the Union Address', arguing that "the best strategy to ensure our security and to build a durable peace is to support the advance of democracy elsewhere. Democracies don't attack each other" (Clinton, quoted in: McDonald 2009: 2). The promotion of democracy is also the key to understanding President George W. Bush's struggle against Islamic fundamentalism after '9/11'. In his 2004 'State of the Union Address', President Bush stated: "America is pursuing a forward strategy of freedom in the Middle East. We have no desire to dominate, no ambitions of empire. Our aim is a democratic peace" (The Washington Post 20.01.2004).

2.1 Democracy and democratization

Before discussing the theory of democratization and war, I feel the need to clearly define what actually democracy and democratization is in this thesis. As Coppedge (2012: 11) writes in his book *Democratization and Research Methods*, one of biggest challenges with studying democratization has been reaching an agreement on what "democracy" actually is. There are hundreds of ways to define democracy[3], and consequently, this paper will not go into detail about this discussion. Even though "democracy" is a contested concept, research on democratization is still possible if we are very clear on "what we mean by 'democracy', so that we do not become entangled in semantic confusion" (Coppedge 2012: 13).

[3] For a summary of 72 different characteristics of democracy, see Coppedge 2012: 15-16

With this in mind, the definition of democracy that will be used in this thesis will be a so-called thin and procedural definition. This view of democracy is well represented by Huntington and Dahl.

Huntington has probably one of the thinnest definitions of democracy. He defines democracy as a political system where "the most powerful collective decision makers are selected through fair, honest, and periodic election in which candidates freely compete for votes and in which virtually all the adult population is eligible to vote" (Huntington 1991: 7).

Huntington's definition builds upon one of the most used definitions of democracy, Robert Dahl's concept of polyarchy (Dahl 1971). Dahl's minimal definition of democracy has mainly eight institutional requirements (Dahl 1971: 3). These eight institutional requirements are as follows: (1) almost all adult citizens have the right to vote; (2) almost all adult citizens are eligible for public office; 3) political leaders have the right to compete for votes; (4) elections are free and fair; (5) all citizens are free to form and join political parties and other organizations; (6) all citizens are free to express themselves on all political issues; (7) diverse sources of information about politics exist and are protected by law; and, (8) government policies depend on votes and other expressions of preference.

Dahl's institutional requirements do seem to be a "thicker" definition than Huntington's, as they also focus on freedoms, opportunities, and protections that democracy must provide to its citizens. However, as Huntington writes (1991: 7), his definition also "implies the existence of those civil and political freedoms to speak, publish, assemble, and organize that are necessary to political debate and the conduct of electoral campaigns".

With this in mind, this thesis will use Mansfield and Snyder's definition of democracy, as it is short, to the point, and includes most of the elements from both Dahl and Huntington's definitions. For Mansfield and Snyder, democracy is a political system where "authorities are accountable to the bulk of the population through fair, regular, and competitive elections. Elected officials set government policies, including foreign and military policy, and act through bureaucratic agents who are subjected to the law" (Mansfield and Snyder 2005: 41).

This definition of democracy also gives a good indication about the definition of democratization. Since popular elections are central to the definition of democracy adopted for this thesis, then the central point of democratization would be "the replacement of a government that was not chosen this way by one that is selected in a free, open, and fair

election" (Huntington 1991: 9). In addition, the focus on elections is central to the democratization and war-theory as well, and Mansfield and Snyder write that their theory applies to countries "that either have held meaningful elections or anticipate imminent elections" (Mansfield and Snyder 2005: 41).

Consequently, in this thesis, the definition of democratization will follow Huntington's definition, and therefore is define as mainly the opening up of public participation in politics in the way of free and open elections.

As I have now clearly stated the definition on democracy and democratization, I will now turn to democratization and war-theory.

2.2 Democratization and war

The democratic peace-theory claims that democratic states don't fight war with each other because they recognize one another, and refuse to fight on that basis[4]. This notion is what Mansfield and Snyder challenge. They write:

> "It is probably true that a world where more countries were mature, stable democracies would be a safer and preferable for the United States. However, countries do not become mature democracies overnight" (Mansfield and Snyder 1995: 5).

There are big differences between mature democracies and immature ones, when it comes to policy-outcomes. This is also something noted and discussed by scholars of the democratic peace-theory. For example, Maoz and Russett (1993: 636) concluded that norms and institutions take time to develop, and that "newly created democracies in Eastern Europe and elsewhere may still experience some significant amount of interstate conflict while their political systems are in the process of transition to democracy". Therefore, in immature democracies, where the norms and the institutions are not fully developed, there would not be the democratic peace-outcome. Risse-Kappen (1995: 495) also writes that "stable democratic

[4] How can we explain the 'democratic peace'? The literature has developed around two primary variants of democratic peace theory. They are namely normative/cultural and structural theories. These divisions can be discussed, since they don't explain the democratic peace alone, and they are really complementary as cultural/norms influence the creation and evolution of political institutions, and institutions shape culture (Russett and Oneal 2001: 53). However, it seems that the structural/norms typology is being used in the literature for analytic convenience (Owen 1994: 92).

systems constitute the main inhabitants of the 'island of democratic peace'," and these systems are therefore less likely to enter into conflict with one another.

The democratic peace-theorists do therefore acknowledge that there is the possibility of conflict during a democratic transition. However, Mansfield and Snyder go further, and hypothesize that countries in a transitional phase of democratization become more aggressive and war-prone than mature democracies and autocracies, and that democratizing states do fight wars with democratic states (Mansfield and Snyder 1995, 2002, 2005).

To test this hypothesis, Mansfield and Snyder use the same database that is typically used to study the democratic peace. In this statistical test, they find considerable evidence for the generalization that democratizing states are more likely to fight wars than are mature democracies and stable autocracies (Mansfield and Snyder 2005, Chapter 5 and 6).

Why does democratization increase the chance of war? From democratization and war-theory, we can identify four main variables: (1) a threatened elite; (2) weak institutions; (3) aggressive nationalism; and (4) an poorly regulated marketplace of ideas. These are also the intervening variables in my hypotheses, and the ones I will now direct my attention to.

2.2.1 Institutional Weakness

In a democracy, institutions are seen as one of the main reasons as to why democracies are more peaceful than other countries. Democratic political institutions allow the people a say in decisions of war and peace. Since democratic institutions force leaders to mobilize public and legislative support for war, it makes fast and not thought-through decisions very unlikely, and also since this process takes time, the institutions creates time to find a peaceful solution (Risse-Kappen 1995: 498). The average voter in mature democracies is both more informed and more likely to acquire accurate information and also punish reckless politicians through elections.

However, these solutions and institutions emerge only in the very long run (Mansfield and Snyder 1995: 22). In newly democratizing states with weak institutions, these institutional checks are missing, and these institutions fail to produce the same policy outcomes as they would in strong institutions as there is in mature democracies. As Samuel Huntington (1968: 5) noted, one of the key problems with political development is that there is a gap between high levels of political participation and poorly integrated institutions. Robert Dahl (1971: 36)

emphasized the importance of establishing institutions for competitive politics prior to holding unfettered mass elections. When suffrage was extended before the establishing of institutions that regulated political competition, transitions were prone to conflict (Dahl 1971: 38). Consequently, when autocracies collapse and the transition towards democracy begins, there is often a gap where autocratic institutions lose their effectiveness before the democratic ones have been built up (Mansfield and Snyder 2005: 59). In other words, there is a period where state institutions are extremely weak and are incapable of doing the job they were created for, and there will be a strong pressure from the population that insists on universal suffrage and election early on in the process, no matter the state the institutions are in.

The way political participation is handled in an immature democracy with weak institutions are therefore often a parody of a mature and institutionalized democracy. As Mansfield and Snyder write:

> "In newly democratizing states without strong parties, independent courts, a free press, and untainted electoral procedures, there is no reason to expect that mass politics will produce the same impact on foreign policy as it does in mature democracies" (Mansfield and Snyder 1995: 22)

The fact that there will be disorganized political parties, corrupt bureaucracies, and partial media monopolies will change the outcome in newly democratizing states away from the outcomes that would have come in mature democracies. And most importantly, these institutions are not mature enough to handle the conflicts that will arise between different social groups and elites when there is an opening of political participation. Consequently, these institutions are weak as a conflict resolution mechanism (Mansfield and Snyder 2005: 59-60).

However, this is evitable. In many transitions, the new regime could use the strong bureaucratic institutions of the previous regime. In these situations, the transition is smoother and does not necessarily create a period without any strong institutions present in the state (Mansfield and Snyder 2005: 59). In other words, where there are strong institutions present in the face of democratization, the transitions are more likely to be "peaceful" and avoid the development of the elements described in the democratization and war-theory.

Consequently, if there are weak institutions present before a state is opening up for popular participation in politics, this could lead to the short-run thinking and reckless policymaking that leads to war. One of the main problems with the institutions in an immature democracy is

that they are not able to act as an effective conflict resolution mechanism as the political spectrum widens because of democratization. If there are effective conflict resolution mechanisms in place, these mechanisms can "confront the challenges of integrating the conflicting interests unleashed by universal suffrage" (Mansfield and Snyder 2005: 59). However, if these mechanisms are missing, the widening of the political spectrum has the potential to lead to a nationalistic bidding war between different social and elite groups. Consequently, an effective rule of law that is able to act as an effective conflict resolution mechanism is important, and therefore is my first intervening variable rule of law. The choice to explore the development of a rule of law in China, and to omit other institutions, will be discussed in the following methods section.

2.2.2 Threatened Elites

In democratization and war-theory, elites have a central role to the process of democratization. Simply put, not everyone ends up being better off by democratic reforms. Certain social groups, including many powerful ones, are likely to be losers from democratization (Mansfield and Snyder 1995: 24). Many elites and social groups will therefore try to hinder this development or try everything in their power to protect their interests in an environment of increased political participation.

Using whatever resources they retain, many elites will attempt to mobilize allies to pursue their own political interests in the face of democratization (Mansfield and Snyder 1995: 28). Often it is not one elite group interest that is threatened, but many. Therefore, the mobilization for mass support takes place in a highly competitive environment. Democratization leads to a more diverse political environment with different social group coming into the political debate. These groups often have diverse and potentially incompatible interests (Mansfield and Snyder 1995: 26). The effective conflict resolution mechanisms engrained in fully mature democracies, such as a developed rule of law, are able to quell this competition by integrating the diverse interests of numerous social groups. However, in an immature democracy where the institutions that regulate competition is not in place, "the wide spread of politically mobilized social interests characteristic of a transition to democracy may make the formation of stable coalitions extremely difficult" (Mansfield and Snyder 1995: 26).

The differing ideals of elites and social groups in a newly democratizing state will inevitably become problematic, as they will enter into a political deadlock with other elites and social

groups (Mansfield and Snyder 1995: 31). This leads to a difficult political situation, where coming to a mutual agreement becomes almost impossible, due to the fact that different social groups and elites will inevitably use everything in their power to prevent political decisions that go against their own interests. Distrust leads to a lack of compromise, as losing any sort of political ground may "lead down a slippery slope toward social extinction" (Mansfield and Snyder 1995: 28), which inevitably creates a political impasse between these same groups.

This political stalemate, and the strategies adopted by social groups and elites alike to settle this impasse, breeds the short-run thinking and reckless policymaking that leads to war. To survive an era of democratization, the elite must attract popular support, and this is often done through the use of nationalist rhetoric (Mansfield and Snyder 2002: 303).

Consequently, my second intervening variable for my thesis is threatened elites. If there are no elites in China that are threatened by democratization, the possibility for a war would drastically go down.

2.2.3 Nationalism

As seen, weak institutions to handle conflict creates a political impasse that becomes increasingly difficult to resolve. One of the best escape mechanisms of the political impasse of democratization is nationalism.

When the interests of the elite are threatened by democratization, there will be a big incentive to play the nationalist card in an effort to try to attract popular support. The nationalist card will not only be played when powerful groups need popular support, but also when they want to avoid giving away any real political power to the average citizen (Snyder 2000: 32). Nationalism provides the elites a doctrine so that they can rule in the name of the people and not necessary by the people. Nationalism is therefore a way for elites to gain popular support without necessarily becoming fully democratic (Snyder 2000: 36).

The opportunity to play the nationalist card to get popular support is also open for other elites, which is problematic due to the fact that different interests among elites often trigger nationalist bidding wars (Mansfield and Snyder 2002: 303). This bidding war can get fast out of the control of elites, and they can trigger policies that are aggressive and expansionist.

For example, in Germany, elites were pressured to outbid other interests in a nationalist bidding war, which brought the country into two wars over Morocco and towards a decision to launch a preventive war in 1914 (Mansfield and Snyder 2002: 303). Nationalism can therefore be a source of aggression in newly democratizing states, where elites can use nationalism to push the country towards an expansionist and aggressive policy if this is in their interests. However, nationalism also has the potential to take on a life of its own, and push elites and political leaders towards this policy without meaning to do so.

Therefore, one of the sources of war in a democratization process is the ability of elites to play the nationalist card. It is therefore important for this thesis to examine if there is an opportunity for elites to play the nationalist card in China, and if this is a nationalism that can lead China into an aggressive and expansionist path. The nature of Chinese nationalism will therefore be important in order to identify any and expansionist traits. To see if Chinese nationalism is aggressive is therefore important, and therefore is my third intervening variable nationalism.

2.2.4 The media

Early on in a democratization process, there is usually an increase in free speech, and freedom of press. Among many human rights activists, an increase in free speech is undoubtedly a good thing in a democratization process, as this would "reduce the ability of ruling elites to promote nationalist thinking, since critics are better able to scrutinize and refute incorrect, dangerous ideas" (Snyder 2000: 56). This is central to the marketplace of ideas.

The marketplace of ideas has long held a central place in liberal political philosophy. The marketplace of ideas is an analogy that ideas take the place of goods and services in an imagined market. The notion in the marketplace of ideas is that ideas, like goods and services, should be exposed to free competition, with the better ideas winning over the bad ones. This classical liberal view comes from John Stuart Mill's argument that truth is most likely to emerge from a no-holds-barred debate (Snyder 2000: 56).

Snyder and Ballentine note (1996: 12) that a no-hold-barred debate may reveal factual inaccuracies and logical contradictions is probably true in a perfect competition in the

marketplace of ideas. A perfect competition in the marketplace of ideas is for them "a situation of no monopolies of information or media access, low barriers to entry, full exposure of all consumers to the full range of ideas, the confrontation of ideas in common forums, and public scrutiny of faction and causal claims by knowledgeable experts" (Snyder and Ballentine 1996: 12, footnote 23).

However, when it comes to newly democratizing states, the opening up of free speech and freedom of press, and unconstrained debates, does not guarantee that "superior" ideas win in a marketplace of ideas. This is because "democratizing states are likely to have highly imperfect political marketplaces where nationalist myths are fueled rather than refuted" (Snyder 1999: 56) and because the "marketplace of ideas in newly democratizing states often mirrors that of a young , poorly regulated industry, where the barriers to entry are falling, competition is imperfect, and oligopolistic elites exploit partial media monopolies in intense competition to win mass support in a segmented market" (Snyder and Ballentine 1996: 14). Therefore, with poor or absent regulatory institutions, suppliers in the marketplace of ideas are tempted to trade not in fact, but rather to what turns a profit. In this situation, if the marketplace of ideas is not well-regulated, an increase in free speech and freedom of press can often lead to outbursts of nationalist mythmaking and "false advertising" by threatened elites (Snyder 2000: 57).

Well-regulated marketplace of ideas consequently have the benefit of institutions and mechanisms that work to correct errors in a newly democratizing state. If these mechanisms are missing, there is an opportunity for elites to create nationalist myths and to use "false advertising" to attract popular support in a bidding war with other elites. This "false advertisement" will not be stopped by experts or by an open debate, in which the falsity of the advertisement is scrutinized and exposed, due to weak mechanisms. These mechanisms include professional journalists that have training in "the verification of sources and separation of fact from opinion, and the development of expert evaluative institutions whose prestige depends on maintaining a reputation for objectivity" (Snyder and Ballentine 1996: 22). If these mechanisms are present, they can effectively mitigate the propagation of falsifiable nationalist myths and force competing arguments to confront each other, which allows the public to evaluate the foundation of policies and their consequences (Snyder and Ballentine 1996: 22). Consequently, as Snyder and Ballentine write (1996: 6), "just as economic competition produces socially beneficial results only in a well-institutionalized

marketplace, where the monopolies and false advertising are counteracted, so too increased debate in the political marketplace leads to better outcomes only when there are mechanism to correct market imperfections".

Therefore, one of the most important mechanisms in a well-regulated marketplace of ideas is a professional media, as their fact-checking is important in the opposition of the manipulation, false advertising, and nationalist mythmaking of threatened elites. A professional media that can be objective and inform the public with a balanced view will therefore be important, as it can reveal factual inaccuracies, contradictions and the cost of acting on their implications (Snyder and Ballentine 1996: 12). However, if these mechanisms are missing, then the likelihood of nationalist mythmaking that inevitably promotes conflict increases. To see if the Chinese media can have this role as a check towards the elite's manipulation and nationalist myth making will therefore be important. Consequently, to see if the media that can be a regulator in the marketplace of ideas is therefore important.

2.3 My hypotheses

In the democratization and war theory, I have found four important factors to explain both how and why the process of democratization can act as a promotion of war. These four factors include: (1) a weak rule of law; (2) threatened elites; (3) aggressive nationalism; and (4) a poorly regulated marketplace of ideas. From these four identified factors, I have developed and proposed two separate, but related hypotheses. My first hypothesis is as follows:

> H^1:"A weak rule of law, threatened elites, aggressive nationalism and a poorly regulated marketplace of ideas will promote an aggressive foreign policy in a democratization process in China".

My second hypothesis is:

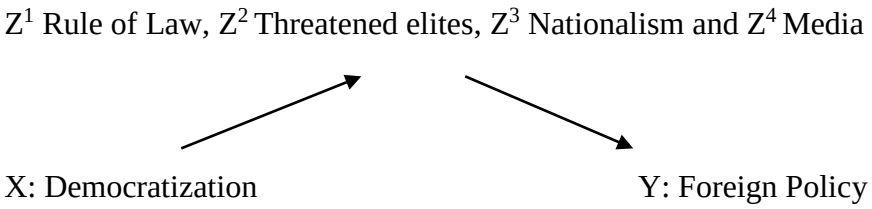
> H^2: "A well-developed rule of law, and a well-regulated marketplace of ideas, will hinder an aggressive foreign policy in a democratization process in China"

These two hypotheses are in direct, empirical competition, as they illustrate two different outcomes when the values for the intervening variables take different values. These hypotheses give me the elements I require to answer my research question. They are conceptually and theoretically sound, and provide a solid framework for my analysis.

As you can see from my research question, my dependent variable, Y, is foreign policy, while my independent variable, X, is democratization, since I am looking at the effect democratization in China will have on the country's foreign policy.

The variables in my hypotheses are intervening variables that explain the relationship between X and Y. These variables, as seen above, are Z^1 Rule of Law, Z^2 Threatened elites, Z^3 Nationalism and Z^4 the Media.

Figure 1.1



2.4 Methods

The previous section has laid down the main foundation of my thesis by identifying the independent variables and hypothesizing the causal relationship between them and the dependent variable. This next section will focus on how these variables will be operationalized and will set down the rules that guide my empirical investigation.

Following Yin's (2003:8) classification system of when to use each method, we do see that this thesis is a single case study of China. A case study is the appropriate choice, due to the fact that this thesis is using theory to understand an intrinsically important case (Van Evera 1997: 55). Even though some scholars rank case studies lower on the methodological hierarchy (Moses and Knutsen 2008: 52), case studies are common and have clear advantages over other methods. As Lijphart (1971: 691) writes: "the great advantage of the case study is that by focusing on a single case, that case can be intensively examined even when the research resources at the investigator's disposal are relatively limited". George and Bennett (2005: 21) also write that "case studies examine the operation of causal mechanisms in individual cases in detail. Within a single case, we can look at large number of intervening variables and inductively observe any unexpected aspects of the operation of a particular causal mechanism or help identify what conditions present in a case activate the causal mechanism".

This thesis will use process tracing. Process tracing compliments other research methods, and can help with theory testing and theory development together with other methods (George and Bennett 2005: 207). As a method, process tracing "explores the chain of events or the decision-making process by which initial case conditions are translated into case outcomes" (Van Evera 1997: 64). This makes it possible for the researcher to go into detail about how some courses of events develop, and to explore the potentially causal relationship between the independent and dependent variable. Process tracing can also be used in predicting an outcome from a theory, if the theory generates or predicts causal processes that lead to an outcome. As George and Bennett (2005:217) write, "process-tracing evidence tests whether the observed processes among variables in a case match those predicted or implied by the theory". Consequently, this makes process tracing an appropriate methodological choice for this thesis.

As I have now clearly stated my hypotheses and the methods used in this thesis, I will now turn to the intervening variables and see how these will be operationalized and how I will conduct my empirical investigation.

2.4.1 Rule of Law

One of the key variables in democratization and war-theory is institutional strength. However, this thesis will primarily focus on the development of a rule of law in China as a mechanism for conflict resolution.

The choice to focus on the rule of law contra institutional strength as a whole is due to the fact that I found the quantitative data sets available to measure institutional strength to be unsatisfactory. This will be discussed in greater detail at the beginning of the Rule of Law section of the analysis. However, shortly, for example using the Polity-data, which Mansfield and Snyder used in their research, was not an option for me. The variable used to measure domestic institutions has been excluded from recent Polity-datasets. Because of this, the only available datasets that include measurements of domestic institutions date back to 1992. Due to the fact that this thesis focuses on the post-1992-period and more recent developments, this data is unsatisfactory.

To examine the development of political institutions in China, this research required a qualitative method. However, institutional strength is a very big topic. Mansfield and Snyder mention different types of intuitions, like bureaucrats or a police force that follows the law,

impartial and active election commissions, well-organized political parties, and a competent legislature, to mention some of them (Mansfield and Snyder 2005: 59). To do a satisfactory analysis of all of those areas in Chinese politics was something that I concluded quite early on to be simply not possible in this thesis because of length restrictions and the lack of data. I consequently have decided to focus on one of the most important institutional features in democratization and war-theory, namely the development of a rule of law.

When discussing the rule of law, many political scientists do not really come up with an answer regarding what kind of rule of law they are actually discussing[5], which is obviously a problem. When defining the rule of law, this paper will base its definition on Huntington's criteria for political institutionalization. Huntington writes that "an effective organization requires, at a minimum, substantial consensus on the functional boundaries of the groups and on the procedures for resolving disputes which come up within those boundaries" (Huntington 1968: 22). Consequently, a rule of law, in this sense, is a mechanism that is able to set effective rules and framework to solve disputes that arise in a society.

To guide my evaluation of the effectiveness of the rule of law in China, I will use Lon Fuller's influential criteria for establishing a stable system of laws. He writes that law should be general, public, prospective, clear, consistent, stable, enforceable, and capable of being followed (Fuller 1964: 39). Fuller notes that a total failure in the fulfillment of these elements does not simply result in a bad system of law, "it results in something that is not properly called a legal system at all" (Ibid).

Consequently, my paper will look at the rule of law as a conflict resolution mechanism, and will evaluate this mechanism based on Fuller's criteria for a stable legal system.

The validity of the findings of this thesis then come into question due to my choice of narrowing my intervening variable regarding institutions to focus solely on the development of a rule of law. I argue that this is not the case. Of course, the findings would not include an analysis of all the institutions mentioned in democratization and war-theory. Instead, this thesis will include a deep analysis of one of the most important institutional features of the democratization and war-theory. As previously mentioned, the lack of effective conflict resolution mechanisms early on in a democratization process is one of the main reasons that

[5] For example, Carothers mentioned that the lack of a definition of the rule of law was a problem in a sequencing debate with, for example, Snyder and Fukuyama in 2007. Listen to "Debating the "Sequencing Fallacy"" available at http://carnegieendowment.org/2007/01/30/debating-sequencing-fallacy/qei.

creates the various dynamics that encourage belligerence abroad. Consequently, the rule of law as a conflict resolution mechanism helps to resolve the conflicts of interests stemming from growing demands for political participation, and is in democratization and war-theory one of the most important institutional features that can mitigate the effects democratization has on encouraging aggressive foreign policy.

Because of this, my choice to focus on the rule of law is a defensible one and this focus will not make my findings any less valid.

2.4.2 Nationalism

What actually is nationalism, and what is aggressive nationalism? Before examining Chinese nationalism, clear definitions of both these terms and an appropriate vocabulary are necessary.

Nationalism can be a difficult concept to define. Different people have different understandings and ideas of what nationalism consists of. However, the definition of nationalism that is most widely used by scholars is Ernest Gellner's definition. In his book *Nations and Nationalism*, Gellner defines nationalism as a: "political principle, which holds that the political and the national unit should be congruent" (1983: 1). According to this definition, the state, the organization that exercises sovereign authority over a given territory, and the nation, defined as a group of people who feel they share a common culture, should cover the same area. Furthermore, Gellner (1981:1) notes that "nationalist sentiment is the feeling of anger aroused by the violation of the principle, or the feeling of satisfaction aroused by its fulfillment". It is a clear and quite simple definition, and as Snyder (2000: 22) writes, "this formulation is theoretically clear and historically plausible". Because of this, Gellner's definition will also be used in this thesis.

Is nationalism, in itself, aggressive? Van Evera (1994: 5) noted in his article *Hypotheses on Nationalism and War* that many scholars have taken "the war-causing character of nationalism for granted", and have then automatically assumed that nationalism is, in itself, aggressive. This was noted by Anthony Smith in his book *Theories of Nationalism*, in which he states that: "the prevailing image of nationalism in the West today is mainly negative" (Smith 1983: 8). However, the effects of nationalism on the probability of war are varied.

Meaning, some types of nationalism are more aggressive than others (Van Evera 1994: 7, Schrock-Jacobsen 2012: 825).

Research on the effects of nationalism on the probability of war is varied and focuses on numerous topics. However, as research done by Van Evera shows, the effect that nationalism has on war does "depend heavily on the beliefs of nationalist movement, especially their self-image and their image of their neighbors" (Van Evera 1994: 26).

In this thesis, if nationalists "portray other nations as more threatening, more implacable, more culpable for historic wrongs, yet also more easily countered by resolute opposition than they really are" (Snyder 2000: 67), we can define this as aggressive nationalism. It plays on the insecurity of the nation, while also being overly optimistic about militant solutions. This view suggests a potential bidding war between threatened elites in a democratization process. If people believe that their national territory and identity, reputation, and self-rule are endangered by "others" and that military action is an acceptable solution, they could push a bidding war between threatened elites towards initiating or continuing aggressive foreign policies to achieve the state's nationalistic objectives.

Because of the fact that people can have different ideas about what nationalism truly is, this can lead to problems on how to measure nationalism, and specifically regarding this thesis, how to measure if Chinese nationalism has aggressive traits. However, as Magnus Rom Jensen notes (2011: 13-16), nationalism can be measured by focusing on the actions of people that are motivated by nationalistic sentiments. Actions such as demonstrations, books, films etc. can be nationalistic actions that express an underlying nationalistic sentiment. We can therefore measure nationalism by examining these actions, and selecting actions that are obviously a response to a violation of the nationalistic principle. In other words, this thesis will focus on nationalistic anger, and not nationalistic satisfaction.

Consequently, this paper will look at different types of nationalistic actions to measure if nationalism in China has some aggressive traits, and to what extent.

This thesis will also focus on nationalistic actions towards Japan. This is a natural choice. First, nationalistic actions towards Japan have the highest probability of being aggressive, and, consequently, focusing on Japan is an easy test to see if Chinese nationalism has some aggressive traits. In addition, since the 1970s, most demonstrations with underlying nationalistic sentiment in China have been directed at Japan.

Second, focusing on nationalistic actions that target Japan is highly policy relevant. Japan is the third biggest economy in the world and a growing tension between China and Japan in recent years can be observed.

2.4.3 Media

As I aim to examine the extent to which the Chinese media can act as a regulator in the marketplace of ideas, I must, at the outset, address certain issues. Firstly, Chinese media is a vast landscape with many different actors, including television, newspapers, radio, and more. Due to their availability, this thesis will focus on newspapers, both in print and online. Focusing on the print and online versions of newspapers, and no other media platforms, including television and radio, is also defendable when looking at media consumption in China. The three biggest sources of information in China are the internet (including online versions of newspapers), television, and print newspapers, in that order (Hu Yong et al. 2012: 34). Consequently, I will be focusing on one of the biggest media platforms in China.

Secondly, I do not know the Chinese language. This is obviously an issue when it comes to doing a good analysis of Chinese media. I spent an incredible amount of time gathering primary sources from a Chinese newspaper database. However, when I found out the costs of translating the articles, I had to turn away from that. I also tried keyword searches in these articles, but found that to be very unreliable. In the end, I ended up with mostly articles from the English versions of Chinese newspapers, as well as translations done by different, reliable internet sites that specialize in translations, for example, *China Digital Times*, *China File, Tea Leaf Nation,* and *Sinocism.* I have also relied on research conducted by Chinese and Western scholars. Consequently, my findings are based on a solid foundation of primary and secondary sources.

3.0 Analysis

As the theory-chapter shows, I have specified four intervening variables that need to be discussed in order to address and answer my research question. These four intervening variables are: (1) threatened elites; (2) rule of law; (3) nationalism; and, (4) the media. In this main chapter of the thesis, I'll go through each of these variables and measure the values of these variables in China.

At first, I will promptly discuss the presence of threatened elites in China. This section will be quite short as it is not controversial to conclude that there are, in fact, elites in current China that would feel threatened by democratization. I will also in this section show that there will also be elites and social groups that would welcome democratization. One example of this in recent times is Bo Xilai.

From there, I direct my attention towards the rule of law in China. I will briefly discuss the quantitative data regarding institutional strength, before going into detail about the development of a rule of law in China, as it is one of the most important institutions that regulate conflict between different elite and social groups.

From there I'll discuss nationalism in China. This is an important element, as it suggests how the eventual playing of the nationalist card by elites would play out in a democratization process in China. An important question here is how aggressive is Chinese nationalism? Consequently, how attractive and dangerous is playing the nationalist card in China?

The last intervening variable that will be discussed is the media in China. The media is an important check against elite manipulation, and can be an important variable to mitigate the dangers of war in a democratization process. Consequently, to see if the media can take up the role of regulator in the marketplace of ideas in a democratization process is therefore important, and especially towards nationalistic issues in China.

3.1 Threatened Elites

I will not dedicate a lot of space to this intervening variable. This is not because it is a less important variable, but it is more that it is not a controversial conclusion to say that there will probably be some elite or social groups that will feel threatened by a democratization process in China. Few authoritarian rulers in history have accepted to cede their power (Minxin Pei 2007: 55), and it is unlikely that all elite-groups will accept this easily. Corruption can be an example that there are elite-groups that are threatened. In short, the corrupt fear democracy. Holders of power and the rich are afraid of openness, transparency, revelations, journalist interviews, public condemnation, direct elections, legislatures, hearings, testimonies, public trials and the leaking of insider scandals (Gilley 2004: 57). Corrupted elites are afraid of the witch hunt that can follow democratization.

Corruption is a big problem in China. Transparency International's Corruption Perception Index ranks China as the hundredth most corrupt nation out of the 174 nations in the world (Transparency International 2014). It is one of the biggest challenges to the legitimacy of the CCP, and corruption scandals are quite common in China. To illustrate the problems of corruption in China, we can look at one of the most extreme cases, specifically former deputy chief engineer at the Ministry of Railways, Zhang Shuguang. Zhang was regarded as the "father of China's high-speed railways" (Asia Times 08.03.2011), and it was reported that he had stashed away $ 2,8 billion in Swiss and US bank accounts, while simultaneously owning three luxury homes in Los Angeles (Forbes 01.08.2011). He did this as a prefecture-level official, with an official monthly salary of just $1240 (Ibid).

The problems of corruption in China spans over many sectors. The sectors considered high-risk with regards to corruption are land acquisition, the financial sector, state-owned enterprises, the pharmaceutical industry, and infrastructure projects (Minxin Pei 2008: 238-241). One example of corruption in the infrastructure sector is the previous mentioned case of Zhang Shuguang. However, the most well-known case is that of Liu Zhijun. Liu Zhijun was the Railway Minster of China from 2003 to 2011, and did oversee a multiple of projects and Liu personally campaigned for the construction of numerous high-speed railways (New York Times 12.02.2011). This rapid expansion "left the Ministry of Railways saddled with debts of nearly $ 645 billion" (New York Times 10.04.2013). The investigation of his case "resulted in the recovery of almost 350 flats and more than 900 million yuan" (South China Morning Post 11.06.2011), and he was sentenced for "using his position of influence to help business

associates win promotions and project contracts, and of accepting 64.6 million yuan in unspecified bribes between 1986 and 2011" (South China Morning Post 11.06.2011).

The problems with corruption is also the case in the absolute top of the CCP. This can be illustrated with the recent anti-corruption campaign that Xi Jinping launched after he took office in 2012. Between 2012 and 2014, 182 000 party officials on various levels had been investigated. This investigation led to the arrests of "32 leaders who rank at the level of vice minister or above, including five leaders who are members of the 18th Central Committee of the CCP" (Cheng Li and McElveen 2014). Just how many of these investigations were politically motivated remains unclear. It does however illustrate that corruption is a problem that CCP takes seriously, and that it is a problem from lower ranking officials to the top of the CCP.

Corrupt officials and members in the high-risk industrial sectors of the Chinese economy are examples of elite groups that would feel threatened by democratization.

However, there are also numerous elite and social groups that would benefit from a democratization process, and people like for example Bo Xilai is a good example of this. Bo Xilai was "aggressively and unprecedentedly campaigned to obtain a seat in the next Politburo Standing Committee" (Cheng Li 2012: 603). Bo Xilai's policies in Chongqing won wide populist support, and especially by the poor. Bo Xilai spent "billions of pounds on low income housing", which was considered a major triumph (The Telegraph 17.04.2012). When Bo Xilai was purged from his position, there was a short lived demonstration in Chongqing in support for him (Ibid). Bo Xilai was also voted the "man of the year" in 2009 in an online poll by *People's Daily* (Cheng Li 2010: 22).

I feel that a conclusion that says that there are elites in China that are threatened by democratization is not controversial. There are elite and social groups in China that would be afraid of the uncertainties that a democratic breakthrough would bring, while there are simultaneously elite and social groups that would equally benefit from a democratization process. Because of this, the initial phase of democratization in China would most likely be a highly competitive environment where threatened elite and social groups would fight for popular support with themselves as well as with elite and social groups that would welcome democratization in China. This would lead to the same political impasse described in democratization and war-theory.

Therefore, the way in which institutions can act as conflict resolution mechanisms between threatened elites and rising social groups is important, and will be discussed in the following section.

3.2 Rule of Law

As noted in the theory-chapter, one of the main variables in the theory of democratization and war is institutional strength. Mansfield and Snyder write that "In newly democratizing states without strong parties, independent courts, a free press, and untainted electoral procedures, there is no reason to expect that mass politics will produce the same impact on foreign policy as it does in mature democracies" (Mansfield and Snyder 1995: 22).

This section will focus primarily on a specific institutional feature, namely the development of a rule of law in China. This institutional feature will be discussed on the basis of its importance as one of the preconditions for sequencing democracy successfully and consequently mitigate the danger of war in a democratization process as described by Mansfield and Snyder (2005: 59). However, before directing my focus in this, I will first discuss the different quantitative datasets regarding institutional strength, namely the Polity-dataset and the Worldwide Governance Index, both of which are frequently used by scholars.

From there, I will discuss in depth the impact of the rule of law as my dependent variable. The causal link between, for example, the media and foreign policy in democratization is probably easier to see than the link between the rule of law and foreign policy. However, the rule of law is important in the theory of democratization and war, and one of the most important features of the sequencing debate. The rule of law helps to cope with increased political participation, as it instills "guarantees that reassure all constituencies while the reformers negotiate golden parachutes with old elites to induce them to relinquish power" (Mansfield and Snyder 2007: 8).

3.2.1 Quantitative measures of Institutional strength

Measuring institutional strength is a difficult task and there are few available datasets for doing so. However, in their research, Mansfield and Snyder have used Gurr's method for calculating domestic concentration, alongside the Worldwide Governance Indicator, which has variables that measure institutional strengths.

By using Gurr's method for calculating domestic concentration, we see that China scores a 5 on the composite index. Following the results presented by Mansfield and Snyder, they note

that an incomplete democratization with a level of domestic concentration that is below 5 is "more likely to stimulate war than any other set of conditions that we consider" (Mansfield and Snyder 2005: 111). Using this index, we therefore see that China is just on the border when it comes to what Mansfield and Snyder would define as dangerously weak institutions. However, the predicted probability of war is quite low in face with democratization with this amount of institutional strength based on the variable from the Polity II-data. However, there are problems with using this index, primarily because it is outdated. The variable used to measure domestic institutions has not been added to the most recent Polity-datasets. Jennifer Lind (2011) writes that the institutions in China, based on this index, are robust enough to go through a process of democratization. When discussing that the data is quite dated, Lind argues that it is unlikely that the domestic concentration scores have changed in a negative directive in China (Lind 2011: 431). Lind writes that "China appears to be deepening the rule of law and strengthening its political institutions" (Ibid: 430). Although it is tempting to make the same conclusion, especially since it is not possible to recreate the previous variable from the new Polity, I find this to be unsatisfactory.

In an article from 2012, Mansfield and Snyder use the Worldwide Governance Indicator to measure government effectiveness in countries that experienced popular uprisings during the Arab Spring (2012: 727). The Government Effectiveness in the Worldwide Governance Indicator captures the "perceptions of quality of public services, the quality of civil service and the degree of its independence from political pressures, the quality of policy formulation and implementation, and the credibility of the government's commitment to such policies" (Kaufman, Kraay, and Mastruzzi 2010: 4).

Using this, China ranked in the 60th percentile - the same level as Tunisia prior to the Arab Spring. Tunisia was seen as having relatively strong institutions (Mansfield and Snyder 2012: 738).

However, as Mansfield and Snyder note, these estimates should be treated with some skepticism as they "reflect individuals' perceptions on government effectiveness and because factors being assessed do not exhaust the institutions needed to manage social change and political mobilization" (Mansfield and Snyder 2012: 727). The Worldwide Governance Indicator is based on several hundreds of variables that are obtained from 31 different data sources, which include non-governmental organizations, commercial business information providers, and public sector organizations worldwide (Kaufman, Kraay and Mastruzzi 2010:

2). To go to these data sources directly to uncover their methodology is incredibly difficult. I have contacted many of them to no avail. I can further discuss my choice of not using these indexes by using the variable "rule of law" on China from the data. Using the Worldwide Governance Indicator shows us that China scores a 41.8 on the percentile rank, which is lower than Egypt, and just above Vietnam (Kaufman, Kraay, and Mastruzzi 2011). The "rule of law" variable in the Worldwide Governance Indicator measures "perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence" (Kaufman, Kraay, and Mastruzzi 2010). Using this variable, we can conclude that the development of a rule of law in China can therefore been seen as below average, as compared to other countries.

How much does this really tell us about the development of a rule of law in China? As I have written, the Worldwide Governance Indicator is based on several hundreds of individual underlying variables, taken from a wide variety of existing data sources (Kaufman, Kraay, and Mastruzzi 2011). The problem with these data sources is really noticeable when it comes to analyzing the data the "rule of law" variable is based on, as it shows that the data sources are extremely varied. For example, the score from Gallup World Poll is a 0,70 (from 0,00 to 1,00) and the Bertelsmann Transformation Index has given China a 0,20 (Ibid). Another example of is that the dataset from Global Integrity Index that gives China a score of 76 (from 0-100) on "Judicial Independence, Fairness, and Citizen Access to Justice". One question that affects this score is "In law, the independence of the judiciary is guaranteed." The answer to this is "Yes", which is not wrong, as Judiciary independence is written in the Chinese constitution. However, a comment under this question, they have written: "Despite the law, in practice, there is no institutional independence". This does not affect Chinas score as a whole. That question, which affect the total score Global Integrity Index gives China on the category on the development of a rule of law, and as an effect also the Worldwide Governance Index, are in my opinion saying not much about the real development of a rule of law in China. It does show however that a deeper look into China's development of a rule of law is necessary in order to answer my questions about institutional strength. It is possible that this discussion will lead to either a more positive or more negative view on the process than this index is showing.

The quantitative measures of institutional strength are therefore inadequate for my analysis. I therefore adopt a qualitative method to answer my questions, which will be focused on in the following section on the development of a rule of law.

3.2.2 The rule of law in China

One of these institutional featured which are a precondition to democracy, are the development of a rule of law (Mansfield and Snyder 2005: 59). The rule of law is one of the preconditions for the peaceful development towards democracy, as it regulates competition between old and new social and elite groups in a process of democratization. A well-established rule of law has therefore an important implication on my dependent variable in democratization, as it's able to manage elite interest groups and newly politicized mass groups. The rule of law helps to resolve or suppress the conflicts of interests stemming from growing demands for political participation, which creates the various dynamics that encourage belligerence abroad.

The path of institution building, including establishing rule of law, was a path that was followed by the US, England and Western Europe. It was also followed by recently democratized states, such as Mexico, Chile, and some Central European countries. The role of the rule of law can also be seen in previous East Asian transitions. In Taiwan and South Korea, the development of a rule of law was instrumental in making the transition as peaceful as possible[6].

To see how the development of the rule of law in China is therefore important to judge their institutional strength and is in Mansfield and Snyder one of the most important institutional features that can mitigate against the effects democratization has on encouraging aggressiveness. Since I have concluded in the previous section that there are elites in China that will be threatened by a democratization, a developed rule of law that regulate competition between these elites is therefore incredible important in China.

When discussing the importance of the "rule of law", Mansfield and Snyder, and many others in the sequencing-debate[7], do not really come up with an answer as to what kind of rule of law we are actually discussing. This is problematic, as "rule of law" has no clear and widely

[6] See Zakaria 2003, Polterovich and Popov 2007, Gilley and Diamond 2008, and Peerenboom (2009)
[7] For more on the sequencing-debate see, for example, Carothers (2007), Berman (2007), Mansfield and Snyder (2007), and Peerenboom (2009). Also the discussion arranged by Carnegie Endowment for International Peace available at http://carnegieendowment.org/2007/01/30/debating-sequencing-fallacy/qei

accepted definition. Among legal theorists, there is debate on the definition of "rule of law", which is in no way within the scope of this thesis to examine[8]. In short, theories about the rule of law can roughly be divided into two main types: thin and thick. Thin definitions stresses the formal and instrumental aspects of rule of law. The thick conceptions of a rule of law link it up to particular forms of economic, social and political systems. For example, the dominant thick conception of the rule of law in "the West" is the liberal democratic version. In this concept, the essential ingredients to the rule of law are recognition and protection of civil liberties, human rights, and fundamental freedoms. There has also been considerable debate about the competing thick conceptions of rule of law within China, specifically. The liberal democratic is one of the concepts in this debate. Another is the socialist rule of law, which emphasizes "a nondemocratic system in which the Party plays a leading role; and an interpretation of rights that emphasizes stability, collective rights over individual rights, and the subsistence as the basic right rather than civil and political rights" (Peerenboom 2002: 3).

As previously mentioned, this thesis will base its definition on Huntington's criteria of political institutionalization. As Huntington notes, "an effective organization requires, at a minimum, substantial consensus on the functional boundaries of the groups and on the procedures for resolving disputes which come up within those boundaries" (Huntington 1968: 22). Consequently, a rule of law, in this sense, is a mechanism that is able to set effective rules and framework to solve disputes that arise in a society.

I will use Lon Fuller's influential criteria for establishing a stable system of laws as a guide to evaluate the effectiveness of the rule of law as a conflict resolution mechanism. These criteria include that law should be: general, public, prospective, clear, consistent, capable of being followed, stable, and enforced (Fuller 1964: 39). Consequently, this thesis will use a thin definition of a rule of law.

I will first broadly discuss China's development of a legal system, before concentrating on the most recent development and consequences this development has had on the strength of the legal institutions in China as conflict resolution mechanisms.

[8] On more, read Peerenboom 2002: Chapter 3.

3.2.2.1 Historical background

In the traditional Chinese legal system before the CCP came to power, the law was subordinate to the dominant political philosophy, Confucianism (Dreyer 2008: 166). However, Confucius realized that there will always be someone "who refuse to participate in creating a harmonious order and insist on pursuing their narrow self-interest in any manner possible. For such people, law and punishment are necessary" (Peerenboom 2002: 29). Consequently, in Confucianism, it was not advocated to completely abandon laws. However, the end goal was to create a society and environment in which laws would be needed as little as possible. Therefore, the application of law as a tool to rule wasn't the first choice for Confucianism. Confucius thought that the people ruled by law won't have the sense of shame, because it isn't a civilized way to rule the people but the supplementary of moral. Consequently, we can argue that Confucian saw norms and law as mutually undermining instead of mutually reinforcing.

However, the focus on an underdeveloped rule of law in China's old history could be a cultural bias, and, therefore, I won't go into it in detail. We should be cautious about using Confucianism as an explanatory factor for or against the development of the rule of law. Confucianism can be, and has been, used in many debates, in many different ways, to argue for and against things like modernization, industrialization, democracy, and of course, the rule of law.

When the Communists came to power, the development of a legal system was given little attention, as they saw it as a "tool in the hands of the ruling class to oppress and exploit the workers and peasants and to inhibit the forces of progress" (Dreyer 2008: 165). During the revolution, from 1949 to 1956, there were small changes undertaken to the position of the rule of law. Under the Hundred Flowers period in 1956 and 1957, Mao tried to ease the tension that was building up in the Chinese society. Mao held a speech in 1956 where he urged to "let a hundred flowers bloom; let hundred schools of thought content" (Dreyer 2008: 88). Mao was inviting people to criticize the government. During this period, judges, lawyers and legal scholars were among the groups directing their criticism at the government: "laws were too vague and inconsistent; the emphasis on law as a tool of class struggle was wrongheaded; there was little or no separation between law and politics" (Peerenboom 2002: 45). Mao, possibly surprised by the amount of criticism, responded in a brutal way. The Anti-Rightist

Campaign in 1957 labeled many judges, lawyers, and academics as capitalists and rightists. They were persecuted and sent to the countryside to learn from the peasants. During a brief period in the 1960s, efforts were made to try to build up the legal institutions again, however, these efforts were stopped in 1966 when the Cultural Revolution started. The Cultural Revolution really destroyed the little that had been built up. During the Cultural Revolution, Mao Tse-tung called for the "smashing of Kung-chien-fa" (public security, procuratorate, and judicial organs)"' (Shao-Chuan Leng 1977: 356). Mao's objective seemed to be to destroy all formal laws. For example, an article in the *People's Daily*, from 1967, entitled "In Praise of Lawlessness" called for "the complete destruction of the "bourgeois" law so that the proletarian legal order could be established" (Shao-Chuan Leng 1977: 359). The entire legal system was one of the things the Red Guard aimed their terrible acts at.

Effectively, the legal system was at ground zero when reforms began in the late 1970s (Saich 2011: 161, Peerenboom 2008: 1). This is important to have in mind when we now direct our focus to the development of the rule of law in modern China, as we could argue that it is roughly a 30 year young process.

3.2.2.2 Post-reform development

When the reforms started in the end of the 1970s, and as economic reforms developed in the 1980s, it became evident that there was a need for the development of a rule of law. Therefore, in the 1990s and the early 2000s, Party authorities embraced legal reforms. In 1997, the Party adopted "rule of law" as a core Party slogan (Minzner 2012: 349). The environment for a legal system to evolve was completely different from the time of Mao and his eradication of all laws, and as a consequence, the legal system developed in an impressive way in the 90s and early 2000s. Many steps were taken, and China made remarkable progress in a short time in improving their legal system. Law schools reopened after they were shut down during the Cultural Revolution. People were sent on professional and academic exchanges in an attempt to aggressively import foreign legal concepts, and it were issued "hundreds of new statues and regulations, creating a comprehensive framework of civil, commercial, criminal, and administrative law" (Minzner 2013: 66).

Other examples of this rapid development towards a rule of law can be seen in the changes to legal education. From 1978 to 2005, the number of law schools in China increased from 5 to over 300 (He Weifang 2012: 138). In the 1970s and the 1980s, The National People's Congress and the Standing Committee made over 160 different laws. By 1997, the number of persons employed in the various courts and the procurators' offices exceeded 290,000 and 210,000, respectively (Qianfan Zhang 2006: 138).

The reasons for these reforms are many. Many Party leaders had personally suffered at the hands of the lawless acts of the Red Guards during the Cultural Revolution, and they were ready to advocate a greater reliance on law. In addition, "legal reforms were seen as a way for the Party, whose image had been badly tarnished, to regain legitimacy both domestically and abroad" (Peerenboom 2002: 55). However, most importantly, these reforms and the strengthening of the rule of law were seen by the CCP as new mechanisms to resolve social conflicts that was mounting (Minzner 2013: 66), and as a way to help further economic development. "A market economy is a rule of law economy" became the rallying cry (Peerenboom 2002: 55).

During the 1990s and the beginning of the 2000s, the Chinese legal system seemed to be development steadily. This lead to a great deal of optimism regarding China and the rule of law, and this optimism peaked in 2003, around the same time as the Sun Zhigang-incident. Sun Zhigang was a migrant worker who went to Guangzhou to seek his fortune. However, he did not have a temporary residence card as required by law. At that time, the police could detain and deport anyone who did not have a valid residence card back to their home town, and they frequently did so, rounding up suspects in shakedown operations across the city. In Sun's case, this ended in tragedy, as he was beaten to death while awaiting deportation. This resulted in media frenzy, and newspapers and websites throughout China were quick to publish the account. There was an explosion of outrage in chatrooms and bulletin boards, and legal experts called for the abolition of the custody and repatriation centers (China Digital Times 27.05.2005).

One of the most interesting elements of this case was how it was challenged by legal experts in the aftermath. He Weifang, and five other legal scholars from Beijing, submitted a request

stating that the "Regulation for Internment and Deportation of Urban Vagrants"[9] violated Article 37 of the PRC Constitution[10] . The argument made by the petition was both compelling and solid, and those who drafted it were careful in their wording. As Keith Hand (2006: 145) notes, they were "using the law as a weapon to protect citizen rights and calling on the NPCSC[11]to exercise its constitutional supervisory function, just as Hu Jintao had instructed". Using Hu Jintao's own rhetoric was an important element to its success, since the new Party General Secretary had emphasized the supremacy of the PRC Constitution, and during a speech in 2002, he had called for education to both "improve the consciousness of observing the Constitution among the whole people", and to ensure that the "broad masses know the Constitution is a legal weapon for safeguarding citizen rights" (Hand 2006: 144). This petition led to an abolition of the regulations a month later, bringing an end to legal discrimination against migrants.

This outcome was seen as a huge success for legal reforms in China, and many thought of this as a milestone. The *Southern Metropolitan Daily* wrote that "The Sun Zhigang incident has become a milestone, a milestone in the history of citizen rights. We believe that this milestone will always remind us to cherish and strive for every right to which our citizens are entitled and to promote political civilization, the rule of law, and social progress in China" (Cited in Hand 2006: 129). Many legal professionals gave interviews regarding the incident, and furthered the idea that the incident had opened the way for change in China, and to push for further legal, political and social reforms in the future. He Weifang also noted, in the *New York Times* in 2003, that this was a better way of changing China than what they did during the Tiananmen Square Movement (New York Times 02.06.2003). When going back to the different thick definitions of a rule of law, the enthusiasm was heavily linked up to the liberal democratic concept of a rule of law.

However, there are some important things to have in mind when it comes to the incident and what followed. Hand (2006: 132-135) argues that there was room for this challenge from the public and legal actors as the succession of power in 2002 just have happened and many

[9] The State Council issued the Measures for the Internment and Deportation of Urban Vagrants and Beggars in 1982, which define beggars and other homeless people without a proper source of income as targets to be detained and repatriated to their home municipalities.
[10] For more on this, see Keith Hand 2006: 138-141
[11] The Standing Committee Of the National People's Congress

thought there was a power-struggle between Jiang Zemin and Hu Jintao[12]. It can be argued that the context in which the Sun Zhigang-incident occurred shows us that reform was dependent on social conditions, such as the politics of the leadership transition, and the recent SARS-controversy in 2002. Consequently, we can see that the enthusiasm and the receptivity of the leadership around this legal reform can be overestimated. As I will later discuss, the hope that these events could lead to greater legal and political reforms, as well as further development of the rule of law, dwindled, as many scholars argue that there has been an active "backlash against law" in the years that following the Sun Zhigang-incident (Minzner 2013). This leads towards the second point, namely the CCPs reaction after the incident. The reaction was aimed to reassert control over the discussions surrounding reforms following the incident. The discussion surrounding constitutional reforms became increasingly limited, and there was even a prosecution of editors of the *Southern Metropolitan Daily* who broke the news about Sun Zhigang's death (Hand 2006: 184). However, this case illustrates the optimism around the development of a rule of law in China at the start of the 2000s.

I should however mention that not everyone was optimistic about the development of the legal system in China during that time. However, Peerenboom (2002: 560) states that an optimistic view regarding the "two decades of reforms have produced remarkable changes with respect to institutions, laws, and practices". This shows how different a view on the development of, for example, a rule of law can be depending on the time frame and perspective you adopt. Taking a snapshot on China's development and you will become more of a pessimistic when it comes to the rule of law. Also, if you view China's progress since the late 1970s the gains appear remarkable, but when considering how close China is to the rule of law enjoyed in developed nations the distance left to travel can look daunting.

[12] See for example Joseph Fewsmith (2003): "The Sixteenth National Party Congress: The Succession That Didn't Happen" in *China Quarterly* no 173, 1-16

3.2.2.3 Recent development: A backlash against law?

As I have previously mentioned, the development of a legal system in post-reform China, can be seen as quite remarkable. However, the most difficult reforms are those still to come and we can also ask questions about the quality of the legal reforms that have already been enacted, and especially towards it as an efficient conflict resolution mechanism. Qianfang Zhang (2006: 138) mentions that even though China had seen quantitative achievements in the development of the legal system, we could ask questions about their quality. In other words, even though China could advocate that laws are now in place for sustaining a growing country, we can often see that these laws are neither being followed or enforced. Furthermore, Qianfang Zhang (Ibid) argues that writing words on paper is quite an easy step in a hitherto lawless society. What is difficult, however, is to make them count in daily life, and this "fulfillment is the very touchstone for rule of law" (Ibid). Meaning, setting up a framework does not do much if they are not followed in practice. We can also argue that most of the reforms in the 90s and early 2000s were of the more limited technical type. Peerenboom notes that the legal institutions had reached an impasse and that without deeper reforms, the legal institutions would be too weak to actually be able to handle the responsibilities of facilitating economic development, social justice and a more harmonious society. This will inevitably lead to people seeking other ways to pursue their interests, including demonstrations (Peerenboom 2007: 229), and therefore would the legal-system lose its credibility. Consequently, we can see that the development in the 90s and the early 2000s had been incredible, but it still have problems in achieving Fullers basic criteria for a stable legal system. We can therefore argue that the rule of law was still early in the process, and that the reforms in the 90s and the early 2000s had not established an effective conflict resolution mechanism.

Recently, there has been a noticeable shift in the enthusiasm of some academics towards the development of a rule of law in China. Many argue that the CCP is turning away from the legal reforms they started in 1978. As Jiang Ping, a legal scholar from China notes in a speech from 2010: "I think we are in a period where the rule of law is in retreat" (Clark 2010). If this is the case, it will have consequences for my hypotheses.

It is true that since 2003 the focus shifted there was an emphasis on the "harmonious society" and re-emphasize on courts loyalty to the party. This is very noticeable in, for example, Luo Gan's speech from 2006, who served as the head of the Party's Central Political-Legal Committee:

> "In his speech Luo appeared to be drawing a distinction between "rule of law" and "socialist rule of law" with the latter emphasizing the legal system's obligation to follow Party leadership, and in particular Hu Jintao's theory of harmonious society" (Liebman 2007: 628)

The reason behind the change in focus was that the legal institutions were not able to handle the increasing responsibilities that they had to take care of (Minzner 2011: 947). Courts remained weak actors compare to local Party, government and commercial interests, while at the same time the courts had to take care of an increasing number of economic and social disputes as a result of the rapid economic growth[13]. As pointed out by Peerenboom and Qianfang Zhang, the legal reforms, though impressive, were unable to keep up with the rapidly changing Chinese society, and deeper institutional reforms were obviously needed. Also, as the Sun Zhigang-incident illustrates, there was an increase in the number of cases where public interest activists and lawyers launched increasingly well-organized legal challenges against local and central government policies (Minzner 2011: 948). These trends made the CCP to rethink their reform policies, and from 2003 onwards, the CCP started to emphasize other practices and policies, namely a reemphasized on mediation practices. These new policies are what Minzner characterize as a "backlash against law" in China. Minzner writes that the CCP are now trying to "neuter the very rule-of-law pressures that they themselves unleashed in the late twentieth century" (Minzner 2013: 69).

Since the early 2000s, one of the biggest changes to Chinese society is that the CCP has somewhat moved away from court trials according to law as a way to resolve social grievances. This is a step away from the policies of the 1990s, where courts were heavily emphasized. Instead, there has been a resurrection of mediation practices[14]. In short, mediation is an effort from a third party resolve disputes by encouraging disputing parties to voluntarily reach an agreement. Minzner points out that these practices are influenced by the revolutionary era of the 1930s and 40s, and these practices emphasize a "fusion of mediation,

[13] For a summary of these increasing responsibilities, see Peerenboom 2007: 226-227

[14] More on mediation in the legal system under Mao, see Jerome Cohen (1966) "Chinese Mediation on the Eve of Modernization" in *California Law Review,* Vol. 54, Issue 3

populism, and Party political work as a preferred means to resolve citizen grievances, instead of trial adjudication according to formal legal norms" (Minzner 2011: 944). Mediation in China is done in many different ways. One is done through People Mediation Committees, administrated by local villager and resident committees. These resemble the mediational practices of Maoist China, where mediation was aimed to educate and persuade parties to adopt the ideology and values promoted by the CCP (Halegua 2006: 1). The focus has changed in the reform-era, and now the focus in on "resolving disputes and thus ensuring social stability required for economic development" (Ibid).

Mediation is also, more recently, performed within the judiciary system. Here, judges are the mediators, and they effectively resolve cases outside of the courtroom. In 2007, the Supreme Court of China issued an opinion where they instructed courts to increase training for judges in the use of mediation, establish systems of rewards that encourage judges to resort to mediation, and to include success in using mediation in the regular career assessments of judges.

For Minzner, the strategy of using mediation creates a short-term stability for CCP, but he writes that it is rather worrying in the long-term since it is actually undermining the development of China's legal norms and institutions. Minzner, and other that are critical of this development, does favor a court-centric approach to dispute resolution based on formal law. Consequently, moving away from adjudication is in itself a negative development in this perspective. However, for my thesis, emphasizing mediation over adjudication is not necessarily a bad development, if the mediation practices is a more effective conflict resolution mechanism than the emphasis on the courts of the 90s and 2000s.

One of the critics of the mediation practices, and especially the judiciary mediation practices, is that it is seen in the context of achieving a harmonious society which have created an incredible pressure for Chinese judges to resolve social grievances. Some argue that the mediation processes and the focus on a harmonious society also creates an incentive for the judges to "persuaded the parties to accept solutions that actually benefited the judges themselves, for example, by reducing the rate of appeals" (Xin He 2009: 436). Consequently, according to Minzner (2011:959), the judges are essentially forcing settlements on parties. This goes against notion that mediation should be voluntary between the parties, as stipulated in the Civil Procedure Law of 1991 (Pissler 2013: 964). However, there is no agreement about

that this is actually happening in China. Pissler (2013: 971) writes that "recent studies contain anecdotal evidence about how judges are pressing parties to a settlement of the dispute in order to restore social harmony". Peerenboom (2002: 288) writes that "it is up to debate".

If the law that the mediation should be voluntary is not followed, then this creates problem for China's development of the rule of law as an effective conflict resolution mechanism. It is problematic for the criteria for the rule of law if the legal frameworks that are set up are not followed. It is difficult to actually check if pressuring in a mediation process is a common thing in the legal institutions in China. However, if people, in large part, are being forced into a decision they do not agree with, and they feel this decision was both unfair and unjust, we should expect a drop in people's trust in the justice system in China. Using the World Values Survey, we find that the trust in the legal institutions in China has not changed that much after mediation and focus on a harmonious society was reemphasized (World Value Survey 2014).

When conducting these surveys in non-democratic nations, it is natural to ask if the results are, in fact, skewed because of political fear. However, the research done by Qing Yang and Wenfang Tang (2010: 420-422) show that these results are valid after checking for political fear. They also find that trust in legal institutions is genuinely high in China, and what greatly shapes people trust is individual's evaluations of the institutional performances (Ibid: 429). Consequently, we could argue that pressuring people to a settlement through mediation is not really a problem in China, as people appear to still trusting the legal institutions in China. This point towards that in most of the cases, the people are quite satisfied with the outcome of the resolutions done through the legal institutions in China.

Another problem regarding the reemphasize on mediation is that there has been problems with the enforcement of the decisions made through mediation. This problem has been generally accepted as one of the main problems with mediation (Minzner 2011, Pissler 2013). This is specifically problematic in the development of a rule of law in China that fits with the criteria presented earlier in this paper. Mediation has been emphasized as one of the main conflict resolution mechanisms in the legal system of China. However, if decisions made through mediation are not properly enforced, the mechanisms are inherently weak. To create an efficient and trusty conflict resolution mechanism, enforcement is important. This is central to Fuller's basic criteria of a stable legal system. In 2002, the Supreme People's Court tried to clarify that the mediation agreement had the legal effect of a contract, which may not be

unilaterally modified or rescinded (Pissler 2013: 973). This was noted to be too ambiguous a statement, and legal observers questioned the binding effect of the mediation agreement. However, this problem is something CCP was aware of, and, in 2010, they issued a new People's Mediation Law. In article 31, it states that "a mediation agreement reached upon mediation by a people's mediation commission is binding to all parties concerned, and the parties concerned shall fulfil it as agreed" (translation from International Labour Organization). Pissler (2013: 993-994) writes that there is hope that the previous worries about enforcement have become irrelevant with the new law. There have also been several other measures taken to enforce settlements agreed upon through mediation in the courts and by People's Mediation Committees (Pissler 2013: 974-978). Consequently, the CCP was aware of these challenges, and have taken action to improve the conflict resolution mechanisms in China with laws and some reforms. The legal framework has been both specified and clarified.

To get a better impression of the realities regarding the change from adjudication to mediation as a conflict resolution mechanism in the Chinese legal system, we can compare the propaganda campaigns of the 1990s and that of 2010, which provide an official picture of the "Model Judge" that other judges should strive to emulate. In 1999, one of the judges honored was Judge Qin Lingmei. She was nicknamed as the stone-cold Judge, which referred to her reputation for cool-headedness, rationality, and adherence to neutrality (Minzner 2011: 954). Another example was Judge Gao Binghuan who was praised for her fearless efforts in executing court judgments. In one case, Gao actually triggered a riot. This just shows that the focus in the 1990s was for judges who were "exalted for adhering to a somewhat autonomous concept of law. They were depicted as enforcing legal norms in civil disputes, even at the cost of social discontent, and in criminal (or administrative) disputes, even at the cost of conflict with core local Party leaders" (Minzner 2011: 955).

In 2010, Judge Chen Yanping was highlighted as the model judge. The reasons for this were that she handled "over 3100 cases in 14 years without a single complaint or appeal; without a single petition by a disgruntled party; without one wrongly decided case" (Ibid: 950). It is clear by looking at this that the CCP's view on the legal system has changed and that there is now more focus on efficiency and achieving a harmonious society.

The change between ideal judges is striking. When interviewed in 2011, Judge Qin Lingmei, the praised judge in 1999, shared her experience of the change of focus and of her new job as a mediator:

> "When I was a judge a few years ago, I was once criticized online for my judgment in a bank loan case. The post is still online. In fact, it was written by another judge ... I just smiled at such misunderstandings. I didn't find it necessary to explain myself. I was confident that I knew my profession. But for my new job, there are no written rules specified for me to follow. And whether I've done a good job is up to those people involved," she said. "Honestly speaking, it troubles me." (Interview in Global Times 15.02.2011).

Comparing the Propaganda Campaigns tells us a tendency with the switch to mediation. The interview with former praised Judge Qin tells us the reality of the judges in a mediation-process, as they are not really guided by any written rules, but rather they have to trust their own instinct: "Since there are no written standards, I can't tell whether I've done a good job. It's not like before, when I could assess my performance by looking at how many of my cases were successfully appealed" (Interview in Global Times 15.02.2011). Liebman notes (2008: 37) that this is problematic, emphasizing that the "courts are under pressure to resolve disputes that come before them in ways that prevent claims from escalating but often lack clear guidance as to how to do so". The lack of clear guidance is a problem, and going back to our criteria for a good conflict resolution mechanism, this goes against the necessary consistency and clarity of the legal system. The roles of the mediator and of the institution need to be clear, and China needs to address the problem of vagueness in the legal system. This issue has, however, been addressed. Before the People's Mediation Law of 2010, the duty of the mediator was quite vague. However, this has been clarified by the law of 2010 (Pissler 2013: 988), but the efficacy of this law has been difficult to assess as of yet. However, this is a necessary step in achieving some of the criteria for establishing an effective conflict resolution mechanism, as presented earlier in this paper.

Regardless of the problems, mediation is considered to be a very successful conflict resolution mechanism in China (Pissler 2013: 992). Statistics show that between 2003 and 2007, the People's Mediation Committees mediated 16 million disputes. They successfully resolved 95 % of all cases (Ibid).

What is also important here is that the courts remain an important element of the legal system in China and an important conflict resolution mechanism. From 1999 to 2009, civil disputes that has been settled by courts in China has steadily raised. In 2002, there were 4,420,123 cases accepted by the courts in China. In 2009, the number of accepted cases was 5,800,144 (Pissler 2013: 999). The number of disputes settled through mediation decreased throughout the 1990s and early 2000s, before increasing rapidly from 2004 to 2009, where disputes settled through mediation increased from 4,414,233 in 2004 to 5,797,300 in 2009 (Ibid: 995-996). This means that the court as a conflict resolution mechanism has not been marginalized by the recent development towards mediation.

Therefore, in this thesis, the recent emphasis of mediation as a conflict resolution mechanism cannot be viewed as a bad development. In the 2000s, the CCP acknowledge that there was, in fact, a problem with their conflict resolution mechanism, as they could not handle the mounting social grievances in the Chinese society. The re-emphasizing of mediation can consequently be seen as a supplementation to adjudication in China, one that has not marginalized the courts, as the courts do still serve an extremely important role as a conflict resolution mechanism in China. Consequently, the change from adjudication to mediation can be seen as a "moderate policy adjustment in response to changing social circumstances" (Chen 2012: 16).

However, it is not without its problems. Enforcing the decisions through mediation has been difficult, and as of as late as 2010, was still specified and made clearer with the People's Mediation Law. There is also a problem with the lack of a clear guideline and framework for mediators and others within the legal system itself, which the statement from the previous model judge illustrates. However, this is also something the CCP is aware of, and is moving to address. However, it is too early to see if the steps that have been made to address these issues in the legal system in China have solved the problems of enforcement and vagueness.

3.2.3 An effective conflict resolution mechanism?

As seen in this chapter, the attitude scholars and analysts have towards the development of the rule of law in China depends on what glasses you put on. There are almost as many definitions of the rule of law as there are legal theorists, and this also explains the big difference in the quantitative data about the development of a rule of law. Having a thick

definition of the rule of law, for example the liberal democratic definition, while examining China, will lead to a very negative view on the development of a rule of law in China. In this thesis, I have taken a thin and very basic definition of the rule of law, and have found that the development of the rule of law in China has been quite remarkable, following the reforms of the 1970s. However, in the early 2000s, China was still some way off achieving a thin rule of law.

Around 2003, the CCP changed both its policy and focus when it came to the development of its legal institutions, as mediation practices were re-emphasized as a conflict resolution mechanism. The focus was that the civil disputes should be more settled through mediation, as the courts could not cope with the increase in disputes in a changing Chinese society.

As seen here, the court-centric view will have a negative perspective on this recent development, as the importance of the courts have not been nearly as emphasized in the recent developments as they were previously in the 1990s and early 2000s. However, in the context of this thesis, I see these developments as more positive. The CCP identified the problems within the legal system causing it to be an ineffective conflict resolution mechanism, and consequently made several policy changes aimed to directly solve those problem. It is also important to note that the CCP directed their focus on mediation practices in order to supplement the more traditional court system, rather than to replace it. As seen, the number of disputes settled in court continues to rise in China, and therefore, mediation has not marginalized the courts in China.

However, there remain challenges in the development of an effective conflict resolution mechanism in China. The current mechanism for handling conflicts must be further strengthened. Most importantly, a clear framework, from which both the court system, as well as the mediation practices, can follow and work from, must be properly set up. It is also important to make sure that this framework translates to practice. This is important, because it allows citizens to plan their life accordingly and allows disputes to be resolved consistently. This is essential in achieving an efficient and clear conflict resolution mechanism in China. This framework needs to be in place if the legal institutions should act as a conflict resolution mechanism in a democratization process.

Consequently, China is still on the long march towards a thin version of a rule of law, and are some off establishing it as an effective resolution mechanism.

3.3 Nationalism

My hypothesis is that aggressive nationalism in China can be one of the forces that can push China towards a warpath in a democratization process. Therefore, it is important to identify if nationalism in China has any aggressive traits. When the nationalist card is played by elites, how likely is it that the elites can link this to expansionism and aggression, and can nationalism in China take on a life on its own and pressure political leaders towards an expansionist and aggressive policy?

To answer these question I will go back to the 1980s, and go through the change of historical narrative and the Patriotic Education Campaign. The content of the Patriotic Education Campaign is of particular relevance to this thesis and the testing of my hypotheses, as I argue that the Patriotic Education Campaign and the change towards the victimization-view of Chinese nationalism has had consequences for the way Chinese nationalism actually are today. I also identify that these are not a creation of the CCP in the face of ideological bankruptcy after 1989, but rather a supplement to the nationalistic ideals already present in Chinese society.

I will then turn to popular nationalism and explore the dynamic between popular nationalism and the CCP. Here, I will discuss the source of popular nationalism, and the dynamic between popular nationalism and the more state-led nationalism, including the actions taken by the CCP when faced with nationalistic demonstrations. Here, we can see that popular nationalism in China has grown quite substantially in recent years, and that it is now a force that is influencing the CCP's foreign policy (Gries 2004: 134).

A significant part of this chapter will be dedicated to the anti-Japanese demonstrations in 2012. I focus on the 2012 demonstration as they are the largest anti-Japanese demonstrations in China since the normalization of the bilateral relationship between Japan and China in 1972(Wallace and Weiss 2014: 1), and, they are also the most recent. The 2012 demonstrations show us numerous things about Chinese nationalism. The demonstrations in 2012 were mostly nationalistic in nature. Nationalistic demonstrations in China can be overestimated as people often use these demonstrations as an opportunity to demonstrate against other things, either camouflaged under the banner of nationalism, or just openly, regarding domestic issues. While there was an element of this also in the demonstrations in

2012, looking at the slogans used during the demonstrations, this was just a small minority. The overwhelming majority had slogans that were nationalistic in nature.

The 2012 demonstrations demonstrates that nationalistic demonstrations in China can spiral out of control, and that the CCP have to take action to prevent this from happening. These demonstrations, as well as those of previous years, show us that Chinese nationalism has taken on a life of its own.

Finally, the 2012 demonstrations does show us the element of aggressive nationalism in China that fit well with the definition of aggressive nationalism presented earlier in this thesis. Japan is constantly looked through the historical lens, and nationalist in China are often pushing the CCP to take a stronger stance towards Japan.

The section concludes that nationalism in China is an extremely attractive idea in China, but it is also very dangerous in a democratization process. Nationalism is therefore extremely attractive for the threatened elites in China, but also a source of war.

3.3.1 The nature of Chinese nationalism

Nationalism has become a driving force in the political life and economic modernization of China. Because of this, Chinese nationalism has also become one of the most popular research topics since the 1990s. The most recent arguments about nationalism in China have focused on the debate if Chinese nationalism is a top-down creation or a bottom-up phenomenon. The top-down perspective focuses on the legitimacy crisis that the regime found themselves in after the Tiananmen crackdown in 1989. Zhao writes that the "Tiananmen Incident" could be seen as "a result of the bankruptcy of the official ideology". In order to save themselves from this legitimacy crisis following the Tiananmen Square Incident, the leaders of the CCP "began to wrap themselves in the banner of nationalism" (Zhao 1998: 289). The launch of the Patriotic Education Campaign in the 1990s, which will be discussed in detail later in this section, was the survival strategy adopted by the CCP to boost their legitimacy. The top-down perspective argues that because of this campaign, and the political maneuvers adopted by the CCP to wrap themselves in the banner of nationalism, Chinese nationalism in the 1990s was "constructed and enacted from the top by the Communist State" (Zhao 1998: 287). This top-down perspective is also shared by Thomas Christensen who expressed in an influential

Foreign Affairs article that "since the Chinese Communist Party is no longer communist, it must be even more Chinese" (Christensen 1996).

Consequently, according to this top-down perspective, the CCP has based its legitimacy on nationalism, and the top-down interpretation is that the CCP has constructed Chinese nationalism as a tool to legitimize its rule.

The bottom-up perspective sees it differently. Xu Wu (2007: 125) argues that "it was Chinese nationalism that constructed and enacted the CCP's new policy and strategy, not the other way around". Here, the CCP, after 1989, was only trying to catch up with the tide and to redefine its political identity (Ibid). Gries (2004) also have a bottom-up perspective and writes that the top-down perspective of Chinese nationalism is incomplete. He writes that "Chinese, like all peoples, have deep-seated emotional attachments to their national identity" (Gries 2004: 19). One example of a bottom-up nationalism in China for Gries, is the Belgrade Bombing Protest in 1999 were Chinese abroad did go out in the streets to protest (Ibid: 128). Nationalism is not a top-down phenomenon in China and the CCP are actually struggling to keep up with popular nationalist demands. The party is slowly losing its hegemony over Chinese nationalism (Ibid: 121).

There is also a middle ground. Weiss (2014: 220) writes that "popular nationalism is partially the product of state-led patriotic propaganda, but it is also deeply rooted in society". He Yinan argues that elite mythmaking is central to explaining the rise of Chinese nationalism. She argues that with the Propaganda Campaign, the CCP created anti-Japanese myths in Chinese society. However, once the CCP unleashed popular Chinese nationalism, this then took on a life of its own and made it difficult for the CCP to control the myths they had created (Yinan He 2007a: 9).

Most authors agree that present day nationalism is a complex mixture of both state and popular nationalism, where mechanisms of both top-down and bottom-up mobilization are closely interrelated. Nationalism was present in pre-reform China, and dating back to dynastic times. One could even argue that the communist revolution of 1949 was more of a nationalistic revolution than a truly communist one (Xu Wu 2007: 123).

Faced with the legitimacy crisis in post-reform China, the CCP has gradually based its legitimacy on other aspects than Marxism. According to Bruce Gilley, there are six main sources of legitimacy in post-Tiananmen Square China: "(a) economic growth and

development, (b) stability and governance, (c) political and civil rights,(d) international prestige and nationalism, (e) cultural or historical dispositions to trust the national state, and (f) social, cultural, and economic rights" (2008: 271). There is disagreement regarding the most important source of legitimacy in China today. However, there is agreement that nationalism is one of the main sources of legitimacy.

The CCP turned to nationalism because nationalism was an attractive idea. Not just because it solved a lot of the problems for CCP. Nationalism was an idea that was present in Chinese society, as it is in essentially all societies, before the CCP adopted it as policy. There was therefore a demand for nationalistic ideas in China, and the CCP could therefore be one supplier of these ideas. The fact that these ideas were present in society before the campaign contributed to the success of the Patriotic Education Campaign, which I will focus on later in the chapter. In other words, the underlying nationalistic sentiment and the state-led Patriotic Education Campaign were mutually enforcing. As Zhao writes, the CCP discovered that nationalism remained the one bedrock of political beliefs that most Chinese shared (Zhao 2004:213). This made the Patriotic Education Reform far more successful than previous campaigns.

The change in both policy and focus of the CCP was therefore not the sole reason for a rise in nationalism in modern day China. However, there is no doubt that the CCP's policy in the aftermath of the Tiananmen Square incident profoundly influenced young people's attitudes and perceptions towards the outside world and towards themselves. Not only did it shape people's taste towards nationalism in some degree with the Patriotic Education Campaign, it has also one other significant effect, namely that the CCPs focus on patriotism as one of their ideological legitimacy did signal to others that this was now an accepted idea in the marketplace of ideas. Before the reforms, Marxism had complete supremacy in the marketplace of ideas. The signal of change, however, opened up the market for other actors to take advantage of this. As Magnus Rom Jensen (2011: 84) writes: "producers had been given both a growing audience as well as a wink and a nod from the CCP that nationalism would in most cases not be censored".

There is agreement that the state-led policy of the Patriotic Education Campaign greatly contributed to the rise of popular nationalism in China during the 1990s (Gries 2004: 74).Therefore, as Zheng Wang (2008: 801) writes, understanding the Patriotic Education Campaign is a precondition to understanding the rapid change from the democratic movement

of the 1980s, to the more external-oriented nationalism that we see today. The Patriotic Education Campaign and the change of narrative in the 1980s is therefore what I will concentrate on in the next chapter.

3.3.1.1 The Patriotic Education Reform and the Victimization-narrative

One important factor in understanding nationalism in post-reform China is the change to the historical narrative. The change is characterized by a move from the view that China was the victor in the "War of Resistance" against Japan to a greater emphasis on the victimization (Gries 2004: 79). The focus on national humiliation and the victimization narrative is, however, not a new development in China. It is a recurring theme in both the pre-1949 Republican writings and the post-1949 Taiwanese discourse. Cohen (2003: 149-151) writes that the issue around national humiliation in China first began to emerge in public discourse during the Qing Dynasty. This discourse focuses on the "century of humiliation", which begins with China's defeat in the First Opium War and the British acquisition of Hong Kong in 1842. It was a period marked by major wars between China and Western powers as well as Japan (Gries 2004: 46-47). Therefore, from the outset, with this narrative Chinese nationalism was strongly associated with both anti-Western and anti-Japanese sentiments.

The Century of humiliation ended in 1949 when it is said that Mao declared that "Ours will no longer be a nation subject to insult and humiliation. The Chinese people have stood up!" With the end of the Civil War, the narrative changed and the national humiliation and the victimization narrative were not used that much by the CCP. There was a focus on the "victor narrative" that, under the leadership of the CCP, the Chinese people overcame the difficulties and won national independence. The storyline under the communist was simple; without the Party-led defeat of the Japanese, a "New China" would have been impossible. Consequently, there was a greater focus on the praising of the victorious leadership of Mao and the Communist party, and the history of Japanese aggression was given little attention. Gries notes that "the newly established People's Republic did not wish to dwell on Chinese suffering" (Gries 2004: 73).

In explaining the past, there was a greater emphasis on class struggle as an explanation for the Chinese revolution, foreign imperialism and the Chinese civil war. This made the Chinese decline and suffering in modern history a product of internal corruption and incompetence of

the feudal or capitalist rulers, the Qing court and the Kuomintang[15]. Foreign invasions therefore became a secondary factor for the explanation of China's traumatic history. This is best exemplified in the Japanese-Chinese relations prior to the economic reforms in 1978. As we know, and as we will see, the historic issues between Japan and China remain a sore spot, even today. However, before the 1980s, China did not aim any criticism towards the dominant Japanese view of the war. The dominant view in Japan at the time was a war narrative that blamed a small group of militarists for "hijacking the state and duping the Japanese nation into a disastrous war (Yinan He 2007a: 5). This "myth of military clique" whitewashed many of the wartime political actors, including the emperor, as well as many of the politicians and high-ranking bureaucrats that held prestige and power in Japanese politics after the war ended (Ibid). Also, this narrative ignored the enthusiasm and support that ordinary Japanese citizens actually gave the war policy (Ibid).

This view was shared by many in Mao's China. Not only was this because they wanted to create a more favorable view of Japan, as they were keen to normalize the relationship, but this distinction between a few bad Japanese and many good ones fit well into the class-based ideology from which the CCP's legitimacy stemmed from. There was a greater acceptance of Japan and the "historical Japanese amnesia did not spark any Chinese protests in the 1970s" (Yinan He 2007a: 5). Before the 1980s, the youth did not have much knowledge regarding the Japanese atrocities during the war, as history textbooks rarely mentioned them, and as Callahan (2006: 186) found in his research, during the period of 1947 to 1990, no books about national humiliation were published in China. However, stories about "Japanese devils" were present in pre-reform China, but they were mostly passed on in communities and families (Yinan He 2007a: 6). These stories, however, did not expand from this in the Mao-period. One of the main reasons for this was that the CCP suppressed historical investigations into Japanese war crimes (Yinan He 2007b: 50). Therefore, there was neither official nor popular pressure in China to incite historical disputes with Japan (Ibid).

In the early 1980s, the historical narrative changed. The turning point with the historical narrative was mainly caused by the Cultural Revolution during the period from 1966 to 1976. Mao's fanaticism and extremism led to purging, persecution, injustice and, basically, social

[15] Also sometimes spelled Guomindang. The Kuomintang is the nationalist party that was formed by Sun Yat-sen shortly after the Qing Dynasty was overthrown in 1911. For more on the Kuomintang, see for example Kenneth Lieberthal (2004): *Governing China: From Revolution to Reform*, W.W. Norton & Company, New York

chaos and economic catastrophe (Zhao 2004: 210). It alienated people from the utopian communism that Mao had tried to instill earlier, and the Cultural Revolution resulted in a "widespread demise of communist ideology" (Ibid). The result was therefore that in the 1970s and the 1980s, the CCP was faced with an identity crisis called "the three belief crisis": Crisis of faith in socialism, a crisis of belief in Marxism, and a crisis of trust in the party (Zhao 2004: 211). The credibility of the Communist ideology was seriously diminished and the CCP could no longer enlist mass support for a socialist vision of the future[16]. There is evidence that the Communist rulers were afraid that ordinary Chinese citizens believed the CCP had lost their "mandate of heaven" (Wang 2008: 788).

The CCP now needed a new framework of ideas in facilitating intra-party consolidation and for rallying public support. Gradually, patriotism, or state-nationalism, "replaced" communism to become one of the ideological foundation of the CCP's regime legitimacy. There was therefore no longer a need to see China's history and the adoption of class struggle theories as explanations for the Chinese revolution, foreign imperialism, and the Chinese Civil War. In the previous narrative, foreign invasions were a secondary explanation, but with the change towards patriotism as the ideological foundation, this became the main explanation. China was being seen as a raped woman again, a view that was present in the 1930s (Gries 2004: 79).

The change in the narrative during the beginning of the 1980s is evident in two events: first, the Japanese textbook controversy of 1982; and, second, the building of new museums in China. The textbook controversy is evidence of this change of focus in the narrative, because China had not previously focused on challenging the Japanese view of history. However, during this incident, Beijing engaged in an acrimonious strife with Tokyo over the narrative and commemoration of war history (Yinan He 2007b: 51). It was a response to the discussion between progressive and conservative views of history in Japan, and the Japanese and international media reported on the revisions to Japan's textbooks. This was picked up by the Chinese media, and a "full-scale campaign ensued, recapitulating the story of Japanese aggression and atrocities in vivid detail" (Allen Whiting 1989, cited in Lind 2008: 161)[17]. The

[16] Please note that I do not argue that Marxism died in the 70s and the 80s as a source of legitimatization in China. However, it had less appeal in the aftermath of the Cultural Revolution than it previously had under Mao, and this seriously hurt the CCPs legitimacy. In China today, we can maybe see a revival of Marxism and Maoism as it has gained some popularity again. For more on the possible revival see for example Willy Lam (2012): "The Maoist Revival and the Conservative Turn in Chinese Politics" *China Perspectives* [Online], 2012/2

[17] It is interesting to see that it was the Chinese media who picked it up first, as the early 1980s was the beginning of the commercialization of the Chinese media (Shirk 2011: 8-9). The media's role in the spread of

motive behind this change was the aforementioned identity crisis inside the party, which also contributed to a noticeable split inside the party itself, and the growing socioeconomic dislocation that the economic reforms had brought about, and which inevitably escalated the "Democratic Wall" campaign (Yinan He 2007b: 54-55). Deng saw the textbook incident as an excellent opportunity to show "his determination to fend off inimical foreign influence, as well as a check the pro-West wing of the reformist faction" (Ibid). This was a dramatic departure from the earlier policy, as it showed that China was no longer accepting of the historical narrative of Maoist China, and the victimization narrative of pre-revolution China was returning.

From the mid-1980s onwards, China built new museums, which was a more way of institutionalizing the victimization narrative from the CCP. In 1987, the "Museum of the War of Chinese People's Resistance against Japanese Aggression" opened in Beijing, a stone's throw away from the Marco Polo Bridge, the site of the first skirmish of the Sino-Japanese War of 1937. The museum tells the story of a united Chinese people, with the CCP as the leading force, engaging in a heroic struggle. There are rooms that detail Japanese atrocities – 900 cities bombed, civilians murdered, slave labor, and biological and chemical warfare (Sneider 2013: 42).

In 1985, the "Memorial Hall of the Victims in Nanjing Massacre by Japanese Invaders," opened its doors. In his thesis, Magnus Rom Jensen (2011: 52) writes that he could not fail to see the similarities between this museum and the concentration camps in Europe he visited during a school trip. This is not a coincidence. Museum director Zhu Cheng Shan stated that with the renovation in 2007, they were very much influenced by the Holocaust Museum in Washington, DC, and similar memorials such as Yad Veshem in Jerusalem and Auschwitz in Poland, and were actively trying to emulate these museums and memorials, in both their design and content (Sneider 2013: 43).

The building of these museums is significant. Jennifer Lind (2008: 15) writes, that "by deciding to erect a monument, build a museum, or commemorate a national holiday in honor of a person or event, a government confers recognition and honor". Building monuments and

nationalistic ideas and controversies towards Japan will be the focus of the next chapter. The focus will be mainly on the media's role in the most recent island disputes with Japan. But, it is interesting to note that the media could have played a pivotal role as early as 1982, and the cuts in government subsidies and the drive to enter the market to earn revenue could have been a reason for the strong reaction in 1982 from the media, as well as Chinas reaction as a whole.

museums is therefore an important part of how a nation remembers its past, and they are "important indicators of prevailing political opinion and national priorities" (Ibid). Therefore, it was clear that the CCP wanted to focus on the historical narrative, and the atrocities endured by the Chinese people at the hands of the Japanese during the Second World War.

The shifting of narrative and the focus on patriotism as one of the party's main sources of legitimacy were not overly successful in calming critics of the reforms of the 1980s, or the "democracy wall" campaign, and the problems escalated towards the Tiananmen Square massacre in 1989. Tiananmen Square was the culmination of many problems and processes that arose from the economic reforms and the Cultural Revolution. The CCP learned a number of important lessons from the Tiananmen Square massacre. First, the CCP's identity crisis needed to be resolved before the CCP imploded. The CCP needed to establish its legitimacy on different aspects than just economic performance and its diminishing Communist ideology. This was something that had been of concern to the CCP since the start of the reforms. As previously noted, the CCP had begun the process of "replacing" communism with patriotism before 1989 through the change in the historical narrative and the building of museums, but Tiananmen Square and the fall of the Soviet Union made the urgency of this issue more immediate. Another lesson of Tiananmen Square for the CCP was that it needed to politically indoctrinate China's youth, one of the best-represented demographics among the protestors in the spring of 1989 (Suisheng Zhao 1998: 289).

The solution was to place further emphasis on patriotic education. As Deng Xiaoping stated in June of 1989:

> "I have told foreign guests that during the last 10 years our biggest mistake was made in the field of education, primary on the ideological and political education – not just of students but of the people in general. We did not tell them enough about the need for hard struggle, about what China was like in the old days and what kind of country it was to become. That was a serious error on our part" (People's Daily 1989)

The Patriotic Education Reform was therefore aimed at resolving the issues that of the 1980s. In 1991 Jiang Zemin, then leader of the CCP, published a letter in the People's Daily stating that China should conduct education on Chinese modern and contemporary history and national conditions to students from the university-level down to the kindergarten-level. Jiang Zemin further explained that the education should go from easy to difficult and it should be persistent (Wang 2008: 789).

The Patriotic Education Campaign officially started in 1991, when the CCP issued a document called " The General Outline on Strengthening Education on Chinese Modern and Contemporary History and National Conditions" (Wang 2008:790). The General Outline said that it was required for all schools to implement the requirements in a period of three years. The document also stated that the reform was China's fundamental strategy to "defend against the 'peaceful evolution' plot of international hostile powers and is the most important mission of all schools" (Wang 2008: 790).

Even though the campaign officially started in 1991, it was not implemented on a large scale until 1994 when the CCP's Central Committee issued the "Outline of Implementing Patriotic Education". This outline laid out the objective of conducting education on patriotism "to boost the nation's spirit, enhance its cohesion, foster its self-esteem and sense of pride, consolidate and develop a patriotic united front to the broadest extent, and direct and rally the masses' patriotic passion to the great cause of building socialism with Chinese characteristics" (Zhao 1998: 293). The education was for everyone, but as the lesson learned from Tiananmen it was particularly aimed at youth, and patriotic education was incorporated into the teaching at every level of education, from kindergarten to universities (Ibid). It was a massive campaign and Zhao (1998:292) argues that 95 % of Beijing primary and secondary school students were affected by it, for example through required viewing of movies that were recommended by the State Education Commission.

The content of the patriotic education was vast and wide-ranging. However, there were two themes that particularly dominated namely Chinese tradition and history, and national unity and territorial integrity (Zhao 1998: 296). In the historical education there was a special emphasis on China's national development process, characterized by the idea of the country's struggle against foreign aggression and its constant effort to improve itself. It was essentially designed to present Chinese youth with detailed information about China's traumatic and humiliating experience in the face of Western and Japanese invasion. The Sino-Japanese War (1937-1945) was particularly highlighted and was treated as "the most important military and political conflict in Chinese history" (Yinan He 2007b: 57). In effect, the "vicious Japanese imperialist aggressors" replaced the Kuomintang as the worst villains in the Chinese historical narrative (Ibid)[18].

[18] Consequently, the view of one of Mao's bitter rivals, Chiang Kai-shek, leader of the Kuomintang between 1928 and 1975, has been rehabilitated in recent years. When I visited the Sun Yat-sen Mausoleum in Nanjing, there were three main persons you could buy pictures of. These were Mao, Sun Yat-sen and Chiang Kai-shek.

As previously noted, the textbook under Mao's rule focused very little on the Japanese war crimes. Prior to the textbook revisions resulting from the Patriotic Education Reform, the most used textbook contained only two paragraphs on the Nanjing Massacre and one picture of bodies being buried by Japanese soldiers (Sneider 2013: 47). This changed dramatically after the Patriotic Education Reform and the coverage of Japanese war crimes was extensively portrayed in the textbooks, often with "figures of fatalities, gruesome pictures, and even names of villages and individuals that had fallen victim to the aggression" (Yinan He 2007b: 58). In one of the newly revised textbooks from 2004, the subject of the Nanjing Massacre ends with this question:

> "Japanese rightwing forces vigorously deny that the Japanese military committed the Nanjing Massacre – the ultimate act of human cruelty – during its invasion of China. They consider it a type of wartime behavior. What do you think of this issue?" (Sneider 2013: 48)

Modern history textbooks in China therefore tell that, at the hands of foreign invaders and corrupt Chinese regimes, sovereignty was lost, territory dismembered, and the Chinese people were thus humiliated. In "*National Humiliation, hatred and the soul of China*", a textbook published in 2001, the Century of Humiliation was summarized as follows: "in modern Chinese history since the Opium War, foreign powers have launched invasion after invasion, act after bloody act of coercive pillage, occupying Chinese sovereign territory, slaughtering the Chinese masses, looting China's wealth, and stealing China's cultural artifacts. All this stained China with blood and tears" (Cited in Callahan 2009: 38).

The importance of school textbooks should not be understated. Mehlinger (1985: 287) argues that school textbooks represent the modern equivalent of village storytellers because they are responsible for conveying to youth what adults believe they should know about their own culture, as well as that of other societies. History textbooks are therefore major components in the construction and reproduction of national narratives.

The youth in China are therefore educated in a history in which foreign powers did not simply attack China, but "actually enjoyed slaughtering, raping, torching, and looting China" (Callahan 2009: 41). As Callahan notes, "the history textbooks thus instruct China's youth on how to distinguish the positive inside from the negative outside, domestic patriots from evil

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Previously, only the CCP had been said to be the main force against Japan during the Second World War. However, now Chiang and the Kuomintang are being lauded for their role in defeating the Japanese in mainland China.

foreign invaders, and thus civilized Chinese from barbaric Europeans, Japanese, and Americans" (Callahan 2009: 42). In effect, the post-Patriotic-Education-Campaign generation has gone through school with a heavy focus on the suffering China experienced that was inflicted by Japan, and also by the West. As seen earlier, the history textbooks have a clear anti-Japanese and anti-Western focus when it comes to the century of humiliation. Therefore, the impression is often conveyed, as one Chinese observed, that "the education at school always instills the idea that Japanese are evil people and if you turn on the television most of the programs are about the anti-Japanese war" (Financial Times 23.12.2012).

The effect of the Patriotic Education Campaign is very difficult to estimate, since the politics of collective memory in general have been observed to be difficult to measure (Markovits and Reich 1997: 9). However, Zhao (1998: 288) writes that "the dependence on patriotism to build support for the government and the patriotic education campaign by the Communist propagandists were directly responsible for the nationalistic sentiment of the Chinese people in the mid-1990s". Others also argue that the Patriotic Education Campaign greatly contributed to the rise of nationalism in China during the 1990s (Gries 2004, Pyle 2007).

With the change in historical narrative and with the Patriotic Education Campaign in place, the effects began to show themselves in the 90s, when popular nationalism really became a force in Chinese politics and society.

3.3.1.2 The rise of Chinese popular nationalism

Popular nationalism began to grow dramatically in China in the 1990s (Zhao 2013: 539). A multi-country and region survey conducted in 2008 by Wanfang Tang and Benjamin Darr (2012: 816) showed that China had one of the highest levels of popular nationalism in the world. Xu Wu (2007: 127) writes that popular nationalism can be divided into two categories: grassroots nationalism and elite nationalism. In short, the differences between the two are that grassroots nationalism is the nationalistic feeling and activities by the general public in China. Demonstrations and other activities are examples of this. Elite nationalism refers to the rhetoric and thoughts of Chinese intellectual elites. The examples here are the publishing of books, for example the *China Can Say No*, which will be discussed later. Due to length restrictions, I will not discuss the differences between the two types of popular nationalism. This is also because the gap between grassroots nationalism and elite nationalism has gradually diminished since the advent of the Internet (Xu Wu 2007: 129).

The rise in populist nationalism in China became very evident with the popularity of *China Can Say No*, a book that was penned and edited by a group of Chinese intellectuals in 1996 and quickly became a best seller in China. The book's mainly anti-Western tone was aimed at the U.S: and the authors claimed themselves to be "New Boxers"[19] (Xu Wu 2007: 27). There was a clear message, and that was to be "building up a strong military to reunify Taiwan with the mainland and to fight with U.S. if necessary; and standing up firmly against American hegemony and Japanese aggression" (Ibid). This book became an instant bestseller; Xu Wu (2007: 27) claims that it sold more than 100, 000 copies in the first month following its publication. The fact that it sold so well can be seen as evidence of the rise of popular nationalism in China in the 90s for the simple reason that the CCP did not force the people to buy it. Actually, Wu (2007: 27) and Zhao (2004: 242) claim that the CCP banned the book after initially praising it for fully reflecting popular opinion. Zhao (2004: 242) argues that the book was banned because the CCP was fearful of international reactions. As Gries (1997: 182) notes, "the book struck a chord with its audience"; this is evident in the other writings that popped up in its aftermath. The success of *China Can Say No*, and the potential market suggested by its popularity, prompted copycats to jump on the wagon. A series of books with titles like *Why China Can Say No, China Still Can Say No,* and *China Always Says No* appeared on the market. All these books represented the xenophobic views expressed in *China Can Say No* and all were very anti-Western and anti-Japanese. In the book *China Can Still Say No*, the following statement was written about the Japanese: "Theirs is a different kind of blood ... We have probably made a mistake... you can only be humane towards humans; towards beasts you can only be bestial" (Gries 1997: 183).

The populist nationalist discourse had also taken its own turn after 1989, and it was not always propagating the message that the CCP wishes to spread; as Gries (2004: 119) writes: "popular nationalists both support and challenge the state's claims to legitimacy – and issue their own rival nationalistic claims".

We therefore have to understand popular nationalism in China as a phenomenon that partly spurns from the state-led nationalism, but has also developed into something new and independent, challenging the CCP. Consequently, because of popular nationalism's challenge to the CCP, it is common to refer to nationalism in China as *shuang ren jian* – a double-edged sword (Weiss 2014: 36). Nationalism is a source of legitimacy for the CCP, but it is also a

[19] This is a reference to the Boxer Rebellion, an anti-imperialist movement in China from 1899 to 1901.

source to judge the performance of the state. Nationalism has the capacity to undermine the government's legitimacy if nationalists see the Chinese leadership as weak against foreign insults and provocation, but it also has the ability to strengthen the CCP's legitimacy if the nationalists see "the government staunchly defending the nation's interests" (Weiss 2014: 219).

Most scholars of Chinese nationalism agree that popular nationalism and state-led nationalism are different but also interconnected. There is no agreement on whether popular nationalism is actually strong enough to challenge state-led nationalism and divert the course of Chinese foreign policy (Yinan He 2007a: 2). However, Yinan He suggests that if we are looking at the frequency of anti-Japanese demonstrations, the Chinese nationalism of the past decade "has become even more powerful than at any time in the history of the People's Republic" (Ibid: 54). What we can currently observe is that the CCP is actually now struggling to keep up with popular nationalist demands. The party is slowly losing its hegemony over Chinese nationalism and popular nationalism is already pushing for China to adopt a more aggressive foreign policy.

3.3.1.3 Nationalistic demonstrations: the dynamic relation between CCP and popular nationalism

In the 1990s and the first decade of the new millennium, an interesting dynamic emerged between the CCP and popular nationalism. This can be seen in the manner in which the CCP has reacted to the increasing nationalistic demonstrations.

The fact that nationalism is a double-edge sword for the CCP, the party has adopted a strategy to balance the negative and positive aspects. On one hand, the CCP can tolerate, and even encourage, expressions of popular nationalism in defending China's national interests, such as towards the Diaoyu Islands (Zhao 2013: 541, Weiss 2014: 15-27). On the other hand, the CCP can also ban or suppress expression of popular nationalism (Ibid).

Which policy the CCP adopts towards the expression of nationalist sentiment depends on the risks and the possible gains it faces. Allowing nationalistic demonstrations in China is risky for the CCP because demonstrations can escalate out of control. By allowing demonstrations and protests, people can suddenly realize that it is acceptable and this can encourage more people to participate. Even though an event can start as, for example, an anti-Japanese

demonstration, it can quickly turn into an anti-government protest (Weiss 2014: 19). However, allowing nationalistic demonstrations can also be useful for the CCP. First, the CCP can use nationalistic demonstrations as a bargaining chip when dealing with other nations. As Weiss (2014: 5) writes, "visible protests provide unelected leaders a means of showcasing domestic pressure as leverage in diplomatic negotiations, a form of brinkmanship that conveys resolve and commitment to an unwavering stance". Secondly, by allowing or encouraging demonstrations, it can boost the regime's nationalistic credentials. Since nationalism is central to the CCPs legitimacy, allowing or encouraging nationalistic demonstrations is a way of signaling to nationalists that the regime is actually defending China's interests.

However, banning or suppressing nationalistic demonstrations is also a policy option for the CCP. By suppressing or banning protests, the CCP can signal its commitment to a more cooperative, flexible and diplomatic stance towards other nations (Weiss 2014: 16). However, banning or suppressing demonstrations is costly because doing so can be seen as unpatriotic, a betrayal of the national myth (Ibid: 20). This can seriously hurt the regime's nationalistic credentials and therefore their internal legitimacy.

Consequently, as Johnston and Stockman (2007: 52) write, the regime "has to walk a fine line between fostering negative images (thereby boosting its nationalist credentials, but harming its international image) and constraining popular anger (thereby protecting its external image, but threatening the regime's internal legitimacy). Call this a legitimacy dilemma". The CCP must weigh the possible gains up against the possible risks.

In the 1990s, demonstrations were mostly suppressed. One example of this is the controversy over the Diaoyu Islands in 1996. These islands are claimed by China, Taiwan and Japan and have been a major source of friction among these countries (Gries 2004: 121-122). In 1996 a group of nationalists from the Japan Youth Federation repaired a lighthouse on the island to bolster Japanese sovereignty claims (Downs and Saunders 1998: 133). This action spurred a lot of nationalist "anger" in China. Books and articles were published to discuss the Diaoyu Islands controversy, and numerous web pages were created on the Internet by outraged individuals (Gries 2004: 123). As Gries (2004: 123) writes, some authors wanted to resolve the dispute by attacking Japan: "To the majority of contemporary Chinese, the mission of

containing Japan has already begun; the final battle of the Western Pacific – Protecting Diaoyu – has already become imminent".

Weiss (2014:116) writes that in the 1996 Diaoyu Island dispute, the CCP worried that by allowing the demonstrations China would risk the hardening of the U.S.-Japan alliance against China. Moreover, Downs and Saunders (1998: 135) write that China's leaders "sought to quash expression of anti-Japanese sentiment for fear that they would damage Sino-Japanese economic relations and might turn to antigovernment protests". Consequently, the CCP chose to suppress the demonstrations. They censored Internet discussions, banned protests, and established a heavy police presence outside the Japanese embassy. Schools were also ordered to inform the students that the CCP was able to defend national sovereignty. Influential professors and writers were warned not to express their opinions on the Diaoyu Island dispute (Downs and Saunders 1998: 136).

In the end, the choice to suppress the demonstrations in 1996 did hurt the CCPs nationalistic credentials (Downs and Saunders 1998: 136). During the dispute, over 37, 000 letters from Chinese citizens, and petitions containing over 150 000 signatures were sent in to the *People's Daily* and the *People's Liberation Daily*, demanding that the CCP should aggressively defend the islands from Japan (Ibid: 137). The 1996 dispute over the Diaoyu Islands therefore demonstrated the dilemma faced by the CCP with respect to nationalistic issues, and illustrated the problem that nationalism could cause in terms of the legitimacy of the CCP.

3.3.1.4 The 2012 Anti-Japanese Demonstrations

In September 2012, I was going to one of my first classes at Fudan University in Shanghai. I was just starting on my semester as an exchange student, and I remember one of my professors walking into class and saying, "Today I'm going to show you why we hate the Japanese." This wasn't really that unusual (aside from the use of the word hate). In my first lectures in other classes, we had discussed the reasons behind the island-dispute between China and Japan. This professor, however, opened up a 19-page pdf file on his computer with pictures of the Nanjing massacre. The pictures were brutal. Even so, under each picture the professor had written some capitations, which were arguably more worrying than the pictures themselves. They said: "Only Japanese can smoke while killing a human being", and "only

Japanese can smile while raping". I remember thinking to myself that this was about to be an interesting semester.

The year 2012 did not begin well for the bilateral relationship between China and Japan. In January 2012, Japan's Chief Cabinet Secretary, Osamu Fujimura, announced that Japan was planning to name 39 islands, including four of the Diaoyu/Senkaku Islands (China Daily 17.01.2012). China reacted strongly to this, and the *People's Daily* called it a direct attack, an attempt to harm China's core interests (Weiss 2014: 192). The relationship would degenerate further during the spring as a result of various incidents[20]. The Island dispute considerable escalated when the Tokyo Governor Ishihara Shintaro on 16 April 2012 informed that his city intended to buy some of the land on the Diaoyu Islands from their private owner (Reilly 2014: 208). This led to multiple trips to the islands by Japanese and Chinese civilians during the summer of 2012 (McCormack 2012: 5, Weiss 2014:195). On July 7, 2012, the central government in Japan announced that they would buy the three islands. This was done as a precaution from Japans side, as they feared the relations between Japan and China would only be worsened if Ishihara was able to buy the islands (Weiss 2014: 195). Ishihara, a right-wing populist in Japan, had previously provoked the Chinese. For example, in 2007, Ishihara backed the movie *The Truth about Nanjing*, which argues that the Nanjing massacre in 1937 was nothing more than political propaganda by the Chinese (Japan Times 25.01.2007). Ishihara wanted to challenge Japan's policy of forbidding citizens from landing on the islands and wanted to develop facilities there, for example a fishing port (Weiss 2014: 194). On August 15, 2012, on the anniversary of the end of the Second World War, activists from Hong Kong landed on the islands, planting flags from both China and Taiwan. Four days later, a Japanese convoy landed on the island, planted a Japanese flag and held ceremonies honoring the dead during the war.

This caused an outraged in China, and the same day as the planting of the Japanese flag on the islands, anti-Japanese demonstrations took place in multiple cities in China. The demonstrations on the August 19, 2012, took place in 51 cities in China, including Beijing, Shanghai, Chengdu, Hangzhou and Guangzhou[21]. The demonstrations were mainly peaceful, with some minor incidents like a number of Japanese-brand cars being overturned and Japanese restaurants and department stores being vandalized (Weiss 2014: 201). In Chengdu,

[20] For example, in February, Nagoya's mayor, Takashi Kawamura, stated that he doubted that Japanese troops had massacred Chinese civilians to a delegation of CCP officials from Nanjing (New York Times 22.02.2012)
[21] For a map of the locations of the August and September demonstrations, see Wallace and Weiss 2014: 13-14

where tens of thousands reportedly attended the demonstration, one of the banners bore the message "Even if China is covered with graves, we must kill all Japanese" (The Telegraph 19.08.2012); another banner appearing in the news read "Defend the Diaoyu Islands to the death" (New York Times 19.08.2012).

There was some question as to how the CCP would react to the demonstrations. On one hand, the demonstrations could be used as leverage towards Japan and as an attempt to stop the nationalization of the islands. On the other hand, the demonstrations could easily spiral out of control, and considering the domestic political situation, this was not something the CCP wanted. Bo Xilai had been removed from his post as the Party Secretary of Chongqing in March 2012, and it was a very delicate time for the CCP, as they would be naming new leaders later that year. However, according to Zhou Yongsheng, an expert on Japanese studies at China Foreign Affairs University, the feelings were running so high that the central government had accepted that it could not stop the demonstrations (South China Morning Post 20.08.2012). The CCP therefore chose to approve the demonstration, but to manage the risk of triggering bigger anti-Japanese demonstrations, and worse, the potential of these larger demonstrations to turn into more anti-government protests. The CCP, for example, did not approve a large demonstration in Beijing, as this was considered too dangerous.

The demonstrations continued in China. Between August 15 and September 9, there were around 60 demonstrations in Chinese cities (Wallace and Weiss 2014: 3). However, the reaction from China did not change the Japanese government's mind, and on September 11, 2012, they signed a contract and bought the three islands from the private owner (Weiss 2014: 2014). The reaction to this was strong in China. Between September 11th and 18th, the biggest anti-Japanese demonstrations since the relationship between China and Japan was normalized in 1972 took place as over 320 anti-Japanese demonstrations in multiple cities were held. On September 18, the anniversary of the 1931 Japanese invasion of Manchuria, there were, on that date alone, demonstrations in 128 cities across China (Wallace and Weiss 2014: 2).

Interestingly, there were also demonstrations in Hong Kong. These demonstrations were nowhere near as violent as some of those taking place in mainland China, but Japanese flags were burned and there were calls to boycott Japanese goods. However it came with some interesting quotes from the demonstrators which said that "Japan must apologize not only for the crimes it committed before and during the Second World War. This latest act by the Japanese state, buying the Diaoyu Islands, is an absurdity. It is a challenge to the Chinese

people, to the extent that it is almost an act of war." Further, some of the demonstrators wanted to distance themselves from the CCP by saying: "The Chinese Communist Party has inflicted a lot of pain on its own people. We are all Chinese. It is our country. [But] we do not equate the Chinese Communist Party with the country. We know the difference" (Voice of America 16.09.2012).

The responses of netizens, the cybercitizens of mainland China actively involved in online communities, to the dispute were more varied than the scenes we saw in the streets. There was, however, one thing about which there was no doubt: that Japan had "attacked" China's sovereignty. However, many also expressed unhappiness with the way the demonstrations had been conducted and condemned the vandalism and violence that took place against Japanese nationals. For example, He Jiong, a celebrity TV personality, in a tweet that received over 200,000 mostly supportive comments and retweets, wrote "Patriotism is a very noble word. For those compatriots who smash cars, who eat at Japanese restaurants, then curse and don't pay, who assault foreigners for no reason in front of their homes, don't degrade the word patriotism! The [Diaoyu] island is definitely ours, but the dignity of our country is also in our hands!" (The Atlantic 17.09.2012)

If we dissect the demonstrations, we get a better overview of the protestors' actual feelings. Zhang Yang (2014) was able to collect about 300 different slogans from pictures of the demonstrations in 2012. He was then left with around 200 slogans after "excluding highly repetitive and defective samples" (Zhang Yang 2014: 22). By looking at the slogans used during the whole anti-Japanese demonstration in 2012, we see that there was a wide variety of topics for the slogans. Not surprisingly, there were slogans that directly concerned the Diaoyu Islands and the problems of territory and sovereignty. Slogans of this kind "emphasize the importance of defending national sovereignty and maintaining the territorial integrity" (Zhang Yang 2014: 22). Examples of this category are slogans like "Diaoyu Islands are our country's divine territory" (钓鱼岛是我国的神圣领土) (Zhang Yang 2014: 24). More aggressive slogans were also used, such as "Defend Diaoyu Islands! Expel Japanese!" (**保**卫钓鱼岛，赶走日本人！) and "Send troops to the islands!" (驻军钓鱼岛！) (Zhang Yang 2014: 25). Other slogans like "Opposing Japan's nationalization' of Diaoyu Islands" (**反**对日本钓鱼岛"**国有化**") are more directly linked to the issue of 2012.

Another category of slogans, is one that relates more to historical memories, emphasizing patriotism and the wish for a more powerful nation (Ibid: 22). This focus is also not surprising. As we have seen in the previous chapters, Chinese nationalism has deep roots in history, especially concerning the century of humiliation, and this was one of the main focuses in the Patriotic Education Campaign. This type of sentiment was evident in slogans like "Japan, guilty person of WWII, has no shame/bold as brass (to occupy our land)" (**日本，二**战罪人，厚颜无耻。); "the pain of Nanking (Nanking Massacre), never forget" (**南京之痛，永世**难忘); and "New hatred and old rancor, 'bloodwash' Japan" (**新仇旧恨，血洗日本**) (Ibid: 32-33).

These slogans suggest that Japan is perceived through a historical lens by the Chinese and suggest that, in the minds of some, there is no distinction between the atrocities committed by Japanese soldiers during the war, and Japan's actions as a nation today. From this, we can see that the disputes with Japan about the islands are heavily linked to people's historical memory of the past.

The slogans from this protest also illustrate just how dangerous this demonstration actually was for the CCP. Nationalist demonstrations in China have also been used as an opportunity to protest other issues. This was evident in the 2012 demonstrations. Slogans like "Little Japan, get out! Secretary Bo, come back! Strongly resist GM food (genetically modified food)! Punish severely traitors and quislings!" (**小日本**滚出去，薄书记快回来！坚决抵制转基因，严惩汉奸卖国贼!) (Zhang Yang 2014: 36) illustrate this practice. The slogan contains references to a mixture of different issues. It does mention Japan; however, it also mentions Secretary Bo (Bo Xilai), as well as genetically manipulated food. Another example is "Freedom, Democracy, Human Rights, Constitutionalism, Defend Diaoyu Islands" (**自由 民主 人**权 宪政 **保**钓). These slogans demonstrate how some protestors camouflage other issues under a nationalist banner. However, there were some slogans that did not attempt to camouflage the issues: "Secretary Bo, people's good secretary" (**薄**书记，人民的好书记), "Turn anger into strength, want political reform, want freedom!" (**化**愤怒为力量，要政改，要自由！) (Zhang Yang 2014: 36-39). These are example of slogans that are directly aimed

towards Bo Xilai or a call for political reform. It shows that even though the demonstrations was mainly anti-Japanese and nationalistic, they can be overestimated as the slogans does show that people does use these demonstrations as an opportunity to demonstrate against other things, either by camouflaging them under the banner of nationalism, or by presenting them in the open regarding other issues. However, in reviewing the data collected by Zhang Yang, we can see that the overwhelming majority of the slogans in the demonstrations were nationalistic in nature. Approximately 15 of around 200 slogans collected by Zhang Yang were non-nationalistic in nature and directed towards domestic politics, ideologies and representative figures[22].

The CCP attempted to stay on top of the demonstrations in 2012, as the domestic political situation was very delicate. However, the protests between September 10 and the anniversary of the Japanese invasion of Manchuria on September 18 began to demonstrate that the situation could potentially spiral out of control. Violence began to spread, and multiple attacks by angry protestors were reported. The most vicious incident was probably that of a Chinese man driving a Toyota who was almost beaten to death with an iron bar at a demonstration in Xi'an on September 15, 2012. His skull was smashed in and his speaking ability following the incident was limited to simple phrases (The Wall Street Journal 23.09.2012). On Weibo, people posted pictures of the demonstrations and put signs up in different shops. People were holding up banners were it stated "Declare war on Japan", and other had signs that read "Hunt the dog-f**king Japanese and get them out of China" printed on their back. The demonstrations in 2012 were "the biggest anti-Japan demonstration marked by violent acts targeting Japanese interests, such as looting shops and restaurants, smashing Japanese-made cars, burning buildings of some Japanese companies and ransacking some Japanese supermarkets (Zhao 2013: 552) For example was a factory belonging to the Panasonic Corporation was set on fire in Qingdao, and a Toyota dealership was looted. In Beijing, Chinese military police created a barrier to prevent protesters from breaching the Japanese embassy, and in Shenzhen the police fired about 20 rounds of tear gas and used water cannons and pepper spray to repel thousands of people that had occupied a street in the city (CNN 17.09.2012, Reuters 16.09.2012). In shops you could see many signs that stated, for example, "Customers who yell the "Diaoyu Islands are China's" get 15% off. Yell "Japan is China's, too" and get 20% off". In another shop, a sign read: "Always be on guard and defend the

[22] Of course, this number can be skewed, as the data relies on photos taken from the demonstrations.

Diaoyu Islands! Be ready to destroy the invading enemy at any moment!" Hotels had signs declaring that they did not accept Japanese customers, and a Korean hairstyle salon displayed signs stating that Japanese and dogs were not allowed inside. A picture circulating on the web showed a car dealership and its employees holding up a sign that read "We will kill every Japanese even if it means deaths for our own; even poverty will not deter us from reclaiming the Diaoyu Islands" (China Digital Times 16.09.2012, Nairland 17.09.2014). The Japanese Prime Minster actually had to urge the Chinese government to protect the Japanese inside China, as he was concerned of the safety to Japanese nationals and Japan-affiliated companies (Reuters 16.09.2012).

The CCP took action. Censorship instructions to the media were sent out on September 15 [23] and on September 17 the State Council sent out an emergency directive demanding that local governments " maintain order" (Reilly 2014: 211). This directive was followed by local governments. For example, on September 18, police in Xian, banned large protests in crowded areas and locations near government offices. Organizing demonstrations by text messaging and online messaging was forbidden (South China Morning Post 18.09.2012). Consequently, the demonstration on September 18 was more peaceful than those held earlier in the week, even though this was the day on which the most demonstrations were held. The directives from the State Council to the local governments had been effective, and the demonstration appeared to be "much better controlled than those over the weekend, which included extensive rioting and vandalism" (New York Times 18.09.2012). The CCP continued to gain control over the demonstrations. On September 19, Xinhua reported that 18 people had been detained in Guangzhou for violence in anti-Japan protests (Xinhua 20.09.2012). On Sina Weibo, a number of words were banned, including "anti-Japan" (反日), as well as smash + car (砸+车). (China Digital Times 19.09.2014). These efforts were all effective in calming the protests. On September 19, the Japanese embassy reported that there was no demonstration in front of the building (Reuters 19.09.2012).

The demonstrations in 2012 demonstrated many things. First, that this was a genuine nationalistic demonstration caused by an unexpected situation. The landing on the islands by Japanese citizens in August was the catalyst for the anti-Japanese demonstrations that erupted on the same day as the landing. The CCP did allow the demonstrations in 2012, however,

[23] The censorship instructions that was sent out to the will be discussed in more detail in the next chapter.

considering the domestic situation in China at the time, allowing them to take place was extremely risky. On the other hand, suppressing the demonstrations would probably have had a negative impact on the CCP's nationalist credentials. Again, the CCP had to evaluate the possible gains for allowing the demonstrations versus the possible risks.

I would argue that, considering the situation in China at the time, the demonstrations in 2012 were not ideal for the CCP. Yes, they helped to send an important message to Japan that certain actions were unacceptable and that China could use demonstrations as a diplomatic leverage, as Weiss (2014) points out in her book. However, the possible gain was outweighed by the risk caused by the domestic situation. 2012 was the year of China's political leadership transition which means that new top leaders of CCP would take power to rule the country. China was also in the middle of dealing with Bo Xilai scandal, which has been considered the biggest threat to the CCP since the Tiananmen Square-incident. In sum, the domestic political situation in China was extremely delicate.

However, preventing the demonstrations in 2012 would have been a massive blow to CCPs nationalist credentials. The cost of suppressing the 2012 demonstrations would have simply been too high and the demonstration may have been too spontaneous to actually suppress. As previous stated, some experts claim that the feelings during the 2012 island dispute were so intense that that CCP could not have stopped the demonstrations, even if they had wanted to (South China Morning post 20.08.2012). It would have been considered unpatriotic and a betrayal of the nationalist myth and a considerable threat to the party's legitimacy had the CCP chosen to suppress the demonstrations. The CCP consequently allowed the demonstrations, but tried to manage them, in an attempt to avoid damaging the diplomatic message these demonstrations would send to Japan as well as attempting to avoid criticism from nationalists for not allowing the people to express their patriotic feelings.

Secondly, the demonstrations in 2012 were mostly nationalistic in nature and, as per the definition used in this thesis a lot of the content of the demonstrations as aggressive nationalism. Some would argue that nationalistic protests in China can be overestimated, as people in China would use the demonstrations as an opportunity to protest against other things, such as domestic politics. In examining the types of slogans used during the protests, it can be seen that this argument does have some weight behind it, as we did see slogans directed towards other domestic issues. However, the large majority of the slogans were directed towards the island dispute and historical issues related to Japan. The historical

slogans especially illustrate the way in which the islands dispute is linked to people's historical perceptions, and represent the way in which Japan is viewed through a historical lens by China. The slogans that appeared during the demonstrations do in fact fit this paper's definition of aggressive nationalism. A large majority of the demonstrators demanded a tougher stance towards Japan, and many called for the deployment of soldiers to defend China's sovereignty. This was in many ways legitimized in the eyes of many Chinese because Japan's actions with respect to the islands dispute were seen as a threat to China's sovereignty, but also legitimized because of Japans history.

Thirdly, even though the CCP tried to stay on top of the demonstrations, the protests did start to spiral out of control. The second-wave of demonstrations that occurred between 10 September and 18 September were particularly violent. As the anniversary of the Japanese invasion of Manchuria drew closer, the CCP took action to gain control over the demonstrations. They arrested protestors and the official media organizations, such as Xinhua, wrote about it. The CCP did this as a way of signaling that it was no longer acceptable to demonstrate. They also sent directives to local government and the media, as well as banning a number of keywords on Sina Weibo. These measures proved to be an effective means of managing the potential volatility of the protests and after 18 September, the anti-Japanese demonstrations had died down. In other words, in order to calm the protestors, the CCP used almost every tool available to them (without using direct force).

These points are very interesting for my hypotheses, and I will consequently turn to this now.

3.3.2 The attractiveness and the danger of the nationalist card

How attractive is the nationalist card in China? And, does nationalism in China have aggressive traits?

Firstly, nationalism is an extremely attractive idea in China. As I mentioned earlier, the Patriotic Education Campaign is considered a major success in China, partly because the ideas were already present in Chinese society. Personal stories about the war in China were not able to enter the space of public discourse, as prior to the Patriotic Education Campaign, the state had tight control of memory institutions (Yinan He 2007b: 50). However, the Patriotic Education Campaign supplemented these ideas and made nationalism into an accepted ideology in China. Consequently, China has one of the highest levels of popular nationalism in the world, as was shown in the previous cited research by Wenfang Tang and Darr. This can be seen in the issues with Japan and the anti-Japanese demonstrations as it invokes extreme passion in China. Consequently, for threatened elites in China, playing the nationalist card in a democratization process would appear to be a very attractive strategy.

This leads to the second point, namely the danger of playing the nationalist card in China. Nationalism in China is heavily linked to anti-Japanese views. Going back to my definition of aggressive nationalism, we can therefore define Chinese nationalism as aggressive towards Japan. As previously noted, the Chinese nationalists during the anti-Japanese demonstrations in 2012 did not seem to differential between Japan's past wrongdoings, and those of contemporary Japan. In China, Japan is seen through a particular historical lens and Japan is consequently considered to be more threatening than other states because of this.

Also, the CCP is struggling to keep up with nationalistic demands. Nationalism is already providing pressure on the CCP in the area of foreign policy. As seen from the 2012-demonstrations, nationalist protests can spiral out of control. When a demonstration spirals out of control, it can easily turn in to nationalistic bidding war between elites attempting to get the support of the masses.

Strong institutions are therefore necessary to check elite manipulation and myth making in China. I would therefore turn towards the media, which has the potential to act as a regulator in the marketplace of ideas and a check on nationalist myth making, and might serve as a means to mitigate the danger of aggressiveness in a democratization process in China.

3.4 Media

A well-regulated marketplace of ideas is important in a democratizing state. As I've written previously, in the early stages of a democratization process when democratic institutions are not fully entrenched, the state and other elites are forced to engage in public debate in order to compete for mass allies and popular support in the struggle for power. It is in this type of situation that political leaders and elites have the motivation and the opportunity to play the nationalist card (Snyder and Ballentine 1996: 6). The marketplace of ideas is no guarantee against nationalism and other ideas that one may dislike, however a well-regulated marketplace of ideas will allow debate to take place to evaluate the evidence and the consequences of following a special policy.

A well-regulated marketplace of ideas will consequently have the benefit of institutions and mechanisms that work to correct errors. If these mechanisms are missing, there is an opportunity for elites to use "false advertising" to attract popular support in a bidding war with other elites. This "false advertisement" will not be prevented by experts, or an open debate in which the falsity of the advertisement is scrutinized and exposed because in the early stages of democratization, these mechanisms are weak. These mechanisms include the presence of professional journalists with training in "the verification of sources and separation of fact from opinion, and the development of expert evaluative institutions whose prestige depends on maintaining a reputation for objectivity" (Snyder and Ballentine: 22). If these mechanisms are present, they can effectively mitigate the propagation of falsifiable nationalist myths and force competing arguments to be confronted, allowing the public to evaluate the foundation of policies and their consequences. (Snyder and Ballentine 1996: 22).

As seen here, the media can therefore be an important check towards the elite's manipulation and their use of the nationalist mythmaking and false advertising. A professional media that can be objective and inform the public with a balanced view will therefore be important, as it can reveal factual inaccuracies, contradictions and help the public to evaluate the costs of acting on their implications (Snyder and Ballentine 1996: 12). However, if these mechanisms are missing and the greater the market imperfections are, then the greater the likelihood for mythmaking that promote conflict. Therefore, it will be important to see if the Chinese media can have this role as a check towards the elite's manipulation and nationalist myth-making. This is my aim in this section.

First, I'll briefly review the partial freeing of the media and the commercialization of media organizations that occurred in post-reform China. From there, I'll examine the professionalism of the Chinese media, and in particular look at investigative journalism. Investigative journalism is seen as one of the main sources of professionalism in the Chinese media, as it has introduced some important norms and values to the journalist profession.

The most important aspect of this section is the relationship between the media and popular nationalism discussed in the previous section. Did the Chinese media provide reasonably objective and balanced information during the crises, especially the issues with Japan? Again, are the Chinese media able to function as a check towards national myth-making?

My findings in this paper does raises questions about whether media professionalism has progressed sufficiently for competition in the marketplace of ideas to function.

3.4.1 The Chinese media

3.4.1.1 Commercialization and media freedom in China

On July 19, 2012, the French luxury brand Louis Vuitton took over the front page of the state-run newspaper *China Daily*'s July 19 issue with a full-page advertisement. The front page had just three other small headlines at the top of the paper, which was otherwise completely dominated by the advertisement.

In Mao's China, this would have been unthinkable. Before 1978, all newspapers were owned by the state and all aspects of their operations and finances were administered by the state. Therefore, in pre-reform China, journalism was almost non-existing, and it was only propaganda. The media was in many ways the throat and tongue of the party, and "their sole purpose was to mobilize public support by acting as loudspeakers for CCP policies" (Shirk 2011: 7). As a result, in 1979, there were approximately 280 state-run newspapers in China (Stockman 2013: 56).

However, in 1978, the CCP made a decision with profound consequences for the Chinese media system. At the Third Plenary Session of the Eleventh National Party Congress, the CCP decided to relax control over domestic and international flows of information with the goal of fostering initiative, innovation, and economic growth. Media outlets were now intended to serve both the state and the market, and therefore government subsidies for newspapers, magazines and television stations were substantially cut. In 1979 advertising was allowed, and

four years later media organizations were allowed to keep the profits they generated from selling ads (Shirk 2011: 8).

The choice to commercialize the media market was mainly made as a result the reforms instituted at the end of the 1970s. As part of its economic reforms, the central government pursued a policy of decentralization to redistribute wealth from the central governments to local governments, enterprises and individuals. Consequently, the central government was not able to finance technological development in the media sector. (Stockmann 2013: 61). At the same time, there was also a growing market for media in China and the public demand also grew. This amazing growth in possible media consumers created an opportunity for the advertising industry to make money. For the new media outlets, this created another possible new source of income other than state subsidies. The opportunity therefore created a solution for the central government. Commercialization of the media made sense in the modernization of China.

Because of the reforms, Chinese media therefore experienced an incredible growth. From 1979 to 2002, the number of magazines titles increased by more than 871 %, the number of book titles increased by 1040 % and the number of newspaper titles increased by 1049 % (Tang 2005: 84). As seen in the graph from Stockmann's (2013: 56): book *Media Commercialization and Authoritarian Rule in China*, there was exceptional growth in the number of newspapers in the 80s. With the massacre at Tiananmen Square we can see a fall, before the number of newspapers stabilized from the mid-90s and onwards. Consequently, the media environment in China today is a complex market with many actors. To make sense of this environment, it is normal to divide the newspaper sector into two or three main types. These include both commercialized newspapers and official (party-led) newspapers. It is also possible to add a third category: semiofficial. The official newspapers are less commercialized and liberalized than the commercialized papers, and usually receive indirect subsidies through subscriptions by party and state units (Stockmann 2011: 179). The official newspapers are however also commercialized, but they depend less on the market because they still receive some indirect subsidies from the party. Official newspapers are consequently more closely linked to the CCP, and therefore they are also referred to as party-led newspapers. Examples of official newspapers are Jimin Ribao (The English version is called *People's Daily)* and the *Beijing Daily*. In contrast, commercialized newspapers (as well as semiofficial ones) are

financed completely through advertising. Examples of this type of newspaper are the *Global Times* and *Southern Weekend*.

Commercialization of the Chinese media has however not produced a free press by any stretch of the imagination. Freedom House ranks China as one of the most restrictive media environments in the world with a score of 84, with only eleven countries in the world have a worse score (Freedom House 2014). On the Reporters without Borders Annual Worldwide Press Freedom Index, China is ranked as the sixth least free media environment in the world (World Press Freedom Index 2014). China's scores in the annual report from Freedom House have been quite stable since 1993, so greater commercialization has not really affected China's score on this report when it comes to media freedom.

Despite the commercialization, the media is still highly regulated by the CCP. This is mainly done through the licensing system, where the CCP can limit the number of licenses granted. To get a license, a newspaper needs to get a sponsor from their level of government. The rank of the sponsor determines the administrative rank of the newspaper, as well as its scope of circulation. For example, the party-led newspapers (dangbao) are registered under a CCP party committee and they function as the mouthpiece of the CCP at their respective level of government. Newspapers like the *People's Daily* are sponsored by the Propaganda Department under the CCP Central Committee. Consequently, the *People's Daily* represents the viewpoints of the Chinese national leadership, and it can be circulated all over the country (Stockmann 2013: 52). A newspaper like the *Beijing Daily* is registered under the Propaganda Department at the Beijing municipal level. Consequently, the *Beijing Daily* is only allowed to distribute its newspaper in Beijing (Ibid).

Being the sponsor, the state and party are in a position to influence and restrict different decisions of the newspapers. Therefore, the license necessary for the newspapers comes with a price and the CCP can restrict the content of publications and in some cases revoke the license altogether (Qian Gang and Bandurski 2011: 43). The licenses are given out by the GAPP[24], which is the government institution responsible for press policies, including "licensing, investigation, and prosecution of illegal publications" (Stockmann 2013: 53). Through this institution, the CCP is able to decide when, where, by whom and how many

[24] General Administration of Press and Publication

newspapers can be founded, as well to determine the manner in which the newspapers industry is organized and its relationship to the party.

In addition to the GAPP, the CCP's very powerful Propaganda Department is established at every level of the party. This is an old institution that can trace it beginnings to 1922 and has been operating continuously (with the exception of a ten year period during the Cultural Revolution) ever since (Shambaugh 2007: 34). The exact structure of this department is not well known to outsiders since it is a very secretive body. However, the Propaganda Department is "involved in editorial supervision exerted in the form of pre- and post-publication censorship" (Stockmann 2013: 53). Usually this censorship is performed before publication through a combination of standing rules and instructions from the Party Authorities, as well as through informal norms and content regulations. If a newspaper breaks any of the norms or content regulations, the Propaganda Department can conduct a post-publication censorship by contacting senior editors at the newspaper and they can also affect the employment of media staff. Worst case scenario, this can also lead to jailing of the journalists who write articles in violation the norms and content regulations. However, the response from the Propaganda Department on such an article deemed inappropriate can come months after its publication. Because of the insecurity this potential post-publication censorship presents, self-censorship is one of the major forms of media control in China (Hassid 2010: 10).

As the commercialization of the media created an incredible number of new media organizations, the CCP adjusted its framework to maintain its capacity to control the media, going from managing the media at a micro-level, to managing at macro-level, guiding the overall development instead of managing specific aspects of the sector. Therefore the commercialization of the media took place inside an institutional structure that allowed the propaganda authorities to intervene in various decisions of the media organizations, for instance personnel changes and editorial policies (Stockmann 2013: 66). Since most of the censorship decisions are made post hoc, news workers do not have clear guidance regarding which stories or topics will create trouble for them weeks or months after publication[25]. The secrecy and unpredictability of the decisions made by the Propaganda Department, as well as

[25] Of course, some topics involve less uncertainty, like the 1989 Tiananmen Massacre and Taiwanese independence etc.

the GAPP, create an environment of self-censorship, as news workers live in what Hassid (2010) calls a "regime of uncertainty".

Even though media control is strict in China, we can nonetheless argue that the commercialization of the Chinese media represents a partial freeing. In commercializing the Chinese media, the state had to tolerate a certain degree of autonomy by media outlets. Together with greater autonomy, we have also seen that the discursive space in Chinese media has become greater, allowing them to cater to audiences in order to attract advertising. Since the commercialization of the media, the CCP has opened up for topics to be discussed in the media. However, the choice of topics and the openness of the space allowed depends "in a large part on the extent to which the central government can find allies among the audiences for its policy goals" (Stockmann 2013: 139). If there is little conflict, topics are allowed and the space widens.

A good example of this widening of space can be seen in reporting on environmental and corruption issues, as well as reporting on foreign policy. This type of reporting on foreign policy has to be seen in the context of the rise of popular nationalism in China, and that CCP has opened up the discursive space when it comes to international news "to deal with pressures and constraints inflicted on the central government by popular nationalism" (Stockmann 2013: 140). This is something I will come back to later in this section. Reporting on environmental and corruption issues will be touched upon in the next section when I will go through the rise of investigative journalism in China.

Even though the reporting on these issues can be negative, it does not usually go against the policy goals of the CCP. These issues, as we will see, are largely directed towards lower-level officials, and here the CCP has had an interest in the media in the role of a watchdog. However, when reporting on these issues goes against the party's interests, as we will see in the case of investigative journalism, the discursive space gets narrower and the topics become more restricted.

3.4.1.2 The rise of investigative journalism

As has been discussed, there has been a phenomenal growth in the media in China. However, this does not necessarily lead to a more professional media. Actually, can we argue that the

commercialization of the media has made it more superficial and more interested in selling than actually delivering quality journalism. This has led to a problem for the legitimacy for the journalistic profession. Episodes in which the media have even created news stories to boost sales are not uncommon in China. Xiguang Li, the executive dean of the School of Journalism and Communication at Beijing's Tsinghua University, said in an interview that in 2005 all the media outlets, newspapers and television ran a story stating that the vaccine for Hepatitis B was poisonous. When scientists and experts later came to the conclusion that this was wrong, the Minister of Health in China didn't want to say this because he didn't want to contradict what journalists and the media in China had said, as he considered the opinions of the press to be identical to public sentiment (Interview from onthemedia.org). Further, he explains:

> "In China, there is a low threshold for entering the career of journalist because of the tendency of commercialization. The editor and the owner want to hire low-paid journalist, so they hire high school students instead of college graduates. And these high school students don't have a good knowledge of medical science or environmental science, so whenever an environmental or medical issue takes place, they only pay attention to the scandal involved but not the scientific aspect. So, as a result of the river pollution a couple of months ago, the mayor of that city, under the pressure, killed himself because of the media. So do we want to see people kill themselves under the pressure of press?" (Ibid)

The commercialization of the media has also created an environment where reporting of soft news and the tendency to dumb down issues are becoming a trend[26].

However, after the media-reforms in the 1980s and the commercialization of the industry, there was a rise in investigative journalism in the 1990s, which can arguably be considered one of the most significant developments in Chinese journalism during that period. Investigative journalism has been benefitting the journalism profession in China and has been a main source for its further professionalism. The rise of investigative journalism is often presented as the main source of professionalism in the Chinese media (De Burgh 2003, Tong 2011, Hassid 2010).

Investigative journalism has flourished in China over the last 30 years as a result of the commercialization and an opening of the discursive space in China, as part of the macro strategy that I previously mentioned (De Burgh 2003b, Baum 2008, Tong and Sparks 2009,

[26] This is possibly a general trend in the global media. It may also be a strategy many newspapers resorted to because of a loss in readership in the 2000s. For more on this issue, read Kovach and Rosenstiel (2001: 84-92)

Tong 2011). Due to increased commercialization, competition in the media market in China became harsh. In this increasingly competitive environment, the media embraced the idea of change and they welcomed "new genres of journalism that could produce diversified media outlets attractive to advertisers and individual subscribers." (Tong 2011: 37) There was a need for longer journalistic stories and to give things that the public actually liked. Therefore, from a financially perspective, investigate journalism was quite attractive.

The political attitude towards investigative journalism also helped in the early days. The central government needed the media to supervise the lower governments, local cadres and local business people (Tong 2011: 38). This media supervision was mainly aimed at exposing social injustice, corruption and wrongdoings of the powerful and rich. The positive political attitude towards investigative journalism is very noticeable when considering the television program *Focus,* which first aired on CCTV in 1994. The program was one of the first of its kind and it aimed to shed light on social and political problems (Qian Gang and Bandurski 2011: 41). The program was, as executive producer at CCTV Li Xioaping explains:

> "An attempt to test public opinion and the receptivity of the government to criticism in a more open society and in a more economically competitive environment. It shows that the media can act as more than just a government mouthpiece and can play a role, albeit a limited one, in matters such as the fight against corruption" (Cited in Chan 2010: 8).

This initiative from an official TV channel was publicly supported by top leaders, including Jiang Zemin, Li Peng and Zhu Rongji (Tong and Sparks 2009: 339). Their support validated and even encouraged reporting of this kind.

Because of the positive political attitude and the competition in the media market, China experienced a boom in investigative journalism in the 1990s. Local TV channels followed the *Focus* program with their own similar programs, for example Guangdong TV's *Social Focus* (Tong 2011: 39). This was followed up in the print-media, where influential newspapers like *Southern Weekend, Southern Metropolitan Daily, Dahe Daily* and *Beijing News* were established which promoted investigative journalism (Tong and Sparks 2009: 339). These newspapers became incredibly successful, demonstrating the actual popularity of investigative journalism in China. *Dahe Daily* was, for example, founded in 1995. After one influential piece in 1997, this newspaper grew from a circulation of 75 000, to around 226 000, and by 2003 the paper had a circulation of 800 000. The advertising revenue also grew substantially in the same period: from 3.2 million RMB in 1997, to around 300 million RMB in 2003

(Tong and Sparks 2009: 339). Investigative journalism was, and still is, very popular and therefore profitable for the commercial media. As a consequence, there is a drive to produce good and investigative pieces in a number of areas.

Investigative journalism in China is different from daily journalism in many ways. The investigations are often time-consuming and more expensive than other types of daily journalism. Investigations also goes much further into stories, often going beyond what is stated by authorities, and at times these reports question official narratives (Tong 2011: 13). Because of the higher demands in terms of time and money involved in producing investigative articles when comparison to daily journalism, journalists require financial guarantees, and in some cases political protection (Ibid). Consequently, investigative journalists are a big investment for Chinese newspapers.

Investigative journalism has made it into different areas in China. One of these areas is environmental protection. Here the Chinese media have been very active, and their role has been crucial in a number of decisions. In 2003, the local media in Sichuan Province mobilized public opinion against a planned dam near Dujiangyan, an ancient irrigation system designated as a World Heritage site. The plan for this was eventually stopped as a result of pressure from the media and nongovernmental environmental organizations (Baum 2008: 176). Another example of this is an investigation of the destruction of an endangered species of elephants in Yunnan. The broadcast, which was aired on TV, reported that:

> "Elephants in Yunnan were killed by peasants because they had invaded their crops…the program investigated and found that the peasants were desperately poor and therefore one could feel sympathy for them, even if they had killed an endangered species; the program went further though and found that the original feeding grounds of the elephants had been polluted." (De Burgh 2003a: 804)

Another incredibly popular area of investigative reporting is the exposure of party cadres' misdeeds. In 2006, despite an order by the Central Propaganda Department banning media coverage of the incident, an official outlet of the Xinhua News Agency published a story about an education bureau employee who was transferred from his job and was briefly jailed after writing a satirical poem criticizing local government incompetence (Baum 2008: 176-177). The report led to the local mayor being called in for questioning by the central government. The case of Xinhua illustrates how the media is pushing boundaries when faced with sensitive issues. As one journalist at Xinhua said:

> "We must respond to events very promptly and take action very quickly. We must act quicker than the Central Propaganda Department (CPD). We need to become the first wave of the hurricane. By the time CPD wakes up, we must have done our job. They (officials of the CPD) then can do nothing to us. They might be angry at us, but the masses are happy" (Cited in Xin Xin 2012: 65).

The year 2003 can in many ways be seen as a peak year in investigative journalism (Chen 2010, Tong and Sparks 2009, Tong 2011). In the 90s, investigative journalism was in many ways used to facilitate implementation of central policy in various localities, which is what media supervision meant for the CCP. In 2003 however, we see that "investigative journalists started calling the policies and policy making of the central government into question" (Tong 2011: 50). Two very interesting cases of this are the SARS controversy and the Sun Zhigang-incident[27].

As previously noted, the aftermath of the Sun Zhigang incident showed great promise for developing the rule of law in China when legal experts issued a petition to abolish the detention system. However, without the help of the media, this would have never happened and Sun Zhigang's killers would have gone unpunished (Liebman 2011: 159). A report in *Southern Metropolis Daily* initially drew public attention to the case. The report explored the reasons behind Sun's detention and death, raising questions about the contents of official files on the case (Qian Gang and Bandurski 2011: 63). It was an exhaustive investigation, which also cited local Guangzhou regulations, showing that Sun should have not been detained once his friend had produced Sun's identification card (Hand 2006: 122). The report was followed up by an editorial stressing the importance of the case and emphasizing the idea that it could have happened to anyone:

> "In a state apparatus of a great country, who is not a nobody? …Who is not an ordinary citizen? (Dongfang Wang cited in Hand 2006: 122)

The outrage surrounding the Sun Zhigang case demonstrates that investigative journalism could pose a real threat to the CCP. This added to the already growing discontent from the China's provinces, where the local cadres had been the main target of investigative reporting in the 90s. From 2003 onwards, therefore, we begin to see restrictions on investigative reporting as the CCP tightened up the environment in which the media could operate. For

[27] As written in the section on the Rule of Law in China, Sun Zhigang was a migrant worker who was beaten to death while in police custody for not having his residence permit. This caused a massive reaction in the media and the public in China; in the end it brought an end to legal discrimination against migrants.

example, the editors of *Southern Metropolitan Daily,* who helped break the news about both the SARS epidemic and the Sun Zhigang incident were prosecuted (Hand 2006: 184). They were wrongly accused of corrupt practices, an approach that seems to be a popular method for the CCP to get rid of journalists with whom they are displeased over political matters (Hassid 2011: 828). After the reports, a propaganda official became Deputy-Editor-in-Chief at *Southern Metropolis Daily* (Tong 2011: 59). Following the political crackdown, the newspaper criticized by its own journalists and by its journalist peers as no longer carrying the spirit of *Southern Metropolis Daily* (Ibid: 62). The Sun Zhigang-incident is consequently also a good example of the "regime of uncertainty" that creates an incentive for self-censorship in China. The consequences of the reporting on the incident came months after it was published. The journalistic piece, which was mainly directed towards local government, turned into something much bigger and the CCP took action. Consequently, there was post-publication censorship involved, as the CCP jailed journalists that broke the news regarding the Sun Zhigang-incident.

Another example of a tougher stance against investigative journalism is that in 2004, the Central Propaganda Department banned *yidi jiandu*. This is "the practice of reporting on the alleged wrongdoings of officials in other provinces" (Chan 2010: 11). This kind of ban on cross-regional reporting has seriously injured investigative journalism in China. Since newspapers are through the licensing system directly linked to Party committees at the same administrative level, they were often not able to report on cases or issue criticisms of events in their own region. However, this meant that the local governments had no power to intervene in the case of newspapers reporting from other regions. Cross-regional reporting was therefore in many ways the bread and butter of investigative journalism.

The appeal of investigative journalism has diminished for commercialized newspapers as a consequence of the tougher stance from the CCP. The decline in investigative journalism is noticeable when looking at the newspapers that became famous for their investigative reporting from the mid-1990s to the beginning of the 2000s, including *Southern Weekend, Dahe Daily, Southern Metropolis Daily,* and *Beijing News.* All of these newspapers have either had editorial changes, or experienced crackdowns or arrests of investigative journalists. Consequently, there has been a decline in the amount of investigative reporting published in these newspapers (Tong 2011: 62). The reason for the decline is that there are huge advantages to playing on the same side as the CCP, and most newspaper organizations have now also grown substantially and are more established than they were at the when the reforms

were first established. Consequently, they have more to lose and are therefore more hesitate in pursuing the kind of investigative journalism that can enrage the authorities and potentially lead to political punishment (Tong 2011: 60). However, investigative journalism is not dead in China, and important cases of investigative journalists reporting on serious issues are still present. Examples of influential investigative reports are the scandal of the live human organ transplant experiments in 2006 and the 2008 milk scandal[28].

Even though media environment has become less conducive to investigative journalism since 2003, this form of journalism has had an important effect on the journalistic profession in China when it comes to its professionalism. It is important to notice that fellow journalists admire investigative journalism. When Hugo De Burgh (2005: 142) interviewed different people inside the journalistic profession, all of the interviewers stated that investigative journalists were the journalists they most admired. Everyone stated that the magazines or newspapers that were famous for their investigative journalism were the ones they mostly wanted to work for. Even though investigative journalism has lost some of its glamour since 2003, it still alive in the Chinese media and has been an important element in establishing professional values and norms within the journalistic profession in China (Tong 2011: 99).

3.4.1.3 Investigative journalism and its effect on the marketplace of ideas

Snyder and Ballantine (1996) write that in order for the media to be a regulator in the marketplace of ideas, there is a need for a professional media that provide objective coverage of events by digging out the truth, informing the public with balanced and accurate reporting, and revealing factual inaccuracies, contradictions and the cost of acting on their implications (Snyder and Ballentine 1996: 12). These values of objectivity and truth seeking are qualities that investigative journalism has been instrumental in establishing in China's journalistic profession.

The notion of seeking the truth is a key aspect of the journalistic profession in general, as described in *Elements of Journalism* by Kovach and Rosenstiel (2001: 56-68). This value is also central to the definition of investigative journalism: "an investigative journalist is a man or woman whose profession it is to discover the truth and to identify lapses from it in

[28] For more on these, see Tong 2011: 63

whatever media may be available" (De Burgh 2008: 10). The notion of seeking the truth is also very central to the investigative journalists in China. The investigative report needs to provide an account of reality that is different from the official version. Investigative journalists in China want to reveal the "real" meanings of events that have likely been obscured and distorted by the powerful (Tong 2011: 99). This is a commitment to the notion of fact checking and accuracy in their reporting, and the "willingness and ability of investigative journalists and news organizations to provide important and reliable information" (Ibid). Cho (2009: 10) writes that media control by the CCP makes this notion of truth seeking difficult; however, this notion of seeking out the truth has become more integrated into many journalistic minds in China since the rise of investigative journalism. As one of the founding editors of *Southern Weekend* put it, "we may have truths we cannot tell, but we will not tell lies" (Ibid).

Objective reporting is also central for a well-regulated marketplace of ideas. Journalists should not necessarily be neutral, but should present their reporting with fairness and a balance of viewpoints, so that the reader can make up their own minds. In China, investigative journalists try to avoid expressing their own views directly, and ensure their reports include facts and views from news sources. They also try to balance their reports by including comments from ordinary citizens and officials, since their understanding is that "including the official views is to give a sense of balance to reports. The readers can judge who is telling the truth and who is lying if they see two viewpoints in the reports" (Tong 2011: 100). This is one of the central values of investigative journalists in China, as Tong (2011: 125-126) discovered by interviewing central investigative journalists at *Southern Metropolis Daily*, the paper that reported on the Sun Zhigang-incident.

The investigative journalism in China has been central to establishing values such as the notion of truth-seeking and objectivity in the journalistic profession. However, the pressure from the market and advertisers can undermine these values to function correctly in a well-regulated marketplace of ideas.

In China, the process of commercialization has meant that part of the power to influence a news organization's editorial decisions has been transferred from the party to advertisers and

the public. News organizations in China has therefore now please not only the CCP, but also the public (Cho 2009: 13). This was evident with the rise of investigative journalism in the 90s, because this was mainly driven forward by market forces. As previous stated, the exposure of local cadres and their misdeeds is popular among the readers. So in China's newly commercialized media market there were forces pulling the media in the direction of investigative journalism, since its advertising potential was massive. One example of this is *Southern Weekly*, which as Chou (2009: 14) writes: "Continued to respond to market pressure that demanded more corruption exposes. It kept distribution and street sale logs, and regularly discussed them during weekly staff meetings, where the cover story for the next issue is determined". These types of pressures aren't ones that are only occurring in China. In western news organizations, the problems of market pressures and their effect on journalistic quality are highly debated (Kovach and Rosenstiel 2001: 69).
However, in China, the way journalists are employed makes them relative weak to market pressures. With commercialization, the Propaganda Department abolished permanent employment and introduced a performance-based contract system. The income for journalists is now tied to their performance and output, meaning the number of articles and how many readers it attracts (Stockmann 2013: 60-61). In addition, bonuses and promotions are also tied to these measures, creating an environment in which journalists in China are incredibly exposed to market pressures. A 2010 study found that almost every journalist of the 123 included rated the demands of the media audience as one of the key factors influencing their reporting of foreign news (Ibid).

Consequently, some important norms and values have been established by investigative journalism in China. The notion of objectivity and balanced reporting, is central in the values established by investigative journalism in China, as the research done by Tong (2011) shows, and are elements that are important for a well-regulated marketplace of ideas. However, some elements raises questions about whether media professionalism has progressed sufficiently for competition in the marketplace of ideas to function. The weakness of the Chinese journalists towards the market pressure can consequently pose difficulties as sometimes the pressure in the market will be towards for example inaccurate nationalistic reporting that can contribute to elite mythmaking. To report balanced and accurate in these situations are central in the idea of a well-regulated marketplace of ideas.

I will now turn towards the media and its coverage of Japan.

3.4.1.4 The media and its coverage of Japan

Firstly, I will say a little about the discursive space in the Chinese media when it comes to foreign news. In the past, most international news received little attention from the Chinese media and the presentation of international events had mainly been guided by CCP propaganda officials. However, this has become more open to interpretation than was the case in the past (Shiming 2007) and we are now seeing a lot of different media actors reporting on international news. The growth in players in this area is mainly due to the incredible demand for international news in China today. Various research reports have shown that the motive for people watching television in China was to "know about current affairs inside and outside China" (Shirk 2011: 227). Market research performed by newspaper editors indicates that international news is one of the most popular topics, behind only sports in its appeal (Ibid). We can also see the popularity of international news when looking at newspapers like *Reference News* and *Global Times*, two newspapers that mainly cover international stories. Both newspapers have been extremely popular, with the *Global Times* being one of the most profitable newspapers in China.

Today, editors and journalists are surprisingly quite unconstrained regarding international news, and compared to domestic news, "international news consist of less taboo topics, and few topics require self-censorship" (Stockmann 2013: 91). This is mainly because the Propaganda Department does not have any prescribed instructions on how to report on international events and often no instructions at all are sent out to news agencies. The commercialized media is therefore quite free to listen more to the market than to the Propaganda Department when it comes to coverage of international news.

As Reilly (2012) and Stockmann (2013) write, the news coverage of issues around Japan is often unconstrained in the beginning and especially right after a "crisis". As a Guangzhou editor noted, when relations between China and Japan are bad they have more leeway to report on the negative aspects of the relationship (Reilly 2012: 195). This has to be seen in the context of the CCP's overall strategy of handling of nationalistic protests, as discussed in the chapter on nationalism. Most of the time in China, public anger, for example anti-Japanese activism, tends to emerge in response to an unexpected incident (Reilly 2012: 40). When there are initial signs of potential protests and media reporting on the international incident, the

CCP has to choose between toleration and suppression. If this is tolerated, and this initial signs is not censored, this has a signaling effect that reporting is considered ok, and the media take advantage of the opportunity to report on the issue. Reporting on issues with Japan is allowed until the CCP considers it starts to go against its own policy. For example, if a protest is starting to go out of control, the discursive space on the issue in the Chinese media will become narrower. Consequently, the news reporting on Japan is actually quite "free" at the start of a crisis when it is initially tolerated by the CCP. This tells us something about the role of the media as a regulator when it comes to nationalistic issues in the marketplace of ideas.

Research on Chinese media does show some interesting tendencies when it comes to the reporting on Japan. In his research, Reilly (2012) discovered that in Chinese reports on Japan, there was a significant difference in the negativity and the sensationalism between the reports of commercial newspapers and those of the Party-led newspapers. His research builds on previous studies examining this topic. In 2004, research done by the Chinese Academy of Social Sciences compared the coverage of Japan in the *People's Daily* with six commercial newspapers between January and October, finding that the commercial press was far more negative in their reporting. The *People's Daily* focused more on leaders' visits and China-Japan cultural exchanges, while the more commercial press focused on the historic issues and topics concerning the Japanese military (Cited in Reilly 2012: 115). Reilly expanded on this research, looking at the coverage of twelve newspapers (six commercial and six party-led) between 2001 and 2008. Between 2001 and 2005, Reilly found that the party-led newspapers did not encourage anti-Japanese sentiments, and that they focused more on the official aspects of the bilateral relationship. The state-led newspapers were in general considerably more positive in their coverage of Japan (Reilly 2012: 116). The approach of the commercial press was quite different. Commercial newspapers contained substantially more coverage on historical issues, such as the Yasakuni Shrine, the Nanjing Massacre, the invading Japanese army and comfort women. The commercial newspapers had also more coverage on controversial security issues (Ibid). Consequently, Reilly discovered that between 2001 and 2005, the party-led newspapers had a "far more balanced and objective coverage of Japan, then their commercial and far more market-oriented counterparts" (Reilly 2012: 120).

Regarding the difference between commercial and the party-led newspapers in terms of their reporting, one editor of a commercial newspaper in Reilly's research explained:

> "As tension mounted in China-Japan relations during that period, we felt that we were free to report on more negative aspects of the relationship. Since these stories were not criticized by our superiors, we knew that we could keep going" (Reilly 2012: 120).

Concerning to the reason commercial and more market-oriented newspapers print sensationalist and negative news on Japan, one journalist from a local newspaper in Hunan province explained that "after all, we have to sell newspapers to survive" (Ibid). And one reporter from the *Global Times* noted that the circulation of the newspaper was highest when it had, for example, former Japanese Prime Minister Junichiro Koizumi on its front page (Reilly 2012: 117-118).

After the anti-Japanese demonstrations in 2005 the CCP tried to keep anti-Japanese demonstrations to a minimum, as Japan and China tried to repair their bilateral relationship (Weiss 2014: 163). Because of this, anti-Japanese sentiments were suppressed in that period, and there were no major anti-Japanese demonstrations from 2006 to 2010 (Weiss 2014: 160-188). Consequently, the discursive space surrounding Japan also narrowed in the Chinese media. There were multiple signals communicated to the media that negative reporting on Japan had to stop after the demonstrations in 2005. For example, the CCTV began airing documentaries on sympathetic Japanese individuals (Reilly 2012: 184). It also arranged closed-door study sessions for China's leading news web sites, which editors from both more commercial and party-led online newspapers were required to attend. The message was clear: "don't feed the fire of anti-Japan sentiments; help us put it out" (Reilly 2012: 183).

Reilly (2012: 189-195) analyses the effect on these instructions sent to the media, and concluded that the negative coverage was significantly higher in the commercial media than in the party-led newspapers in 2006 and 2007. This means that even though the discursive space narrowed and there was significant signaling from the CCP that this was occurring, the commercial media continued to push the boundaries, printing nearly twice as many articles on nationalism, militarism, or right-wing strength in Japan than did the party-led newspapers (Reilly 2012: 189). In 2008, however, the commercial media started to decrease its negative coverage. Reilly (2012: 189) concludes, "The state was eventually successful in shaping the tone of the popular newspaper coverage of Japan, though with a significant time delay". This time delay can also be explained by the fact that Shinzo Abe resigned as prime minister in Japan in 2007, and Hu Jintao, the Chinese secretary of state, had high expectations for further improvement in Sino-Japanese relations under Japan's new prime minster, Yasuo Fakuda. The reason for this expectation was that Fukuda had given a speech emphasizing that "for the

sake of Asia's future, Japan should cooperate with China, and ensure Chin's stability and development" (Weiss 2014: 163). Consequently, the instructions and the signaling effect from the CCP are part of the reason for its success in shaping the tone of the newspapers in that period, but we also have to consider the ups and downs of the bilateral relationship between Japan and China.

As seen in Reilly's research, reporting in the commercial media is far more negative than in the party-led newspapers, and even when instructions for restraint are sent out, commercial media continue pushing for negative coverage. Stockmann's (2011) research goes further into why the commercial media is actually pushing for this. During the anti-Japanese demonstration in 2005, Stockmann conducted a survey of media consumption in Beijing. Before the major demonstration on April 9, 2005 media coverage was quite free and unconstrained. However, after this demonstration strict instructions were issued from the Propaganda Department, instructing the media to keep news reporting close to the government line (Stockmann 2011: 184). Again, this change of discursive space when it comes to Japan should be seen in the context of the CCP's overall strategy of protest management. The CCP took action to mitigate the risk of this demonstration going out of control, and subsequently narrowed the discursive space in the Chinese media.

Stockmann found that press restrictions affected the way readers looked for news during the anti-Japanese demonstration. Mostly, the effect was that there was a larger probability that readers would seek out news from the Internet, and move away from the commercial and party-led newspapers (Stockmann 2011: 191-193). Stockmann's research shows that press restrictions made the average Beijinger "9 % less likely to read newspapers while he holds equally negative feelings toward Japan" (Stockmann 2011: 192). In other words, the credibility of the newspapers for readers declined and they sought alternative sources of information once press restrictions were imposed and the newspapers began reporting more positively on Japan.

This is interesting as it points to a loss in readership by commercialized newspapers once a press restriction has been issued to report less negatively on Japan. Instructions from the Propaganda Department are therefore equivalent to a loss of profit for news organizations. This explains why the commercial media continue to push the boundaries even after the Propaganda Department issues instructions and the discursive space narrows, as Reilly's research shows. The commercial media lose readership as well as credibility. This state of

affairs creates a definite incentive for the commercialized media in China to continue reporting negative sensationalist/nationalist stories on Japan. The statement of an editor from the *Global Times* provides some insight into the way in which the market for negative reporting affects journalism*:*

> "What attracts people most is aggressive reporting and such aggressive reporting will give people an impression (of the paper). Sensationalist news reporting attracts readers, and it also aids in establishing a media label as people henceforth associate these stories with the newspaper" (Stockmann 2013: 170).

This points to some worrying tendencies in the Chinese media when it comes to reporting on Japan and offers further explanation as to motives behind why commercial media are far more sensationalist and negative in their reporting on Japan than the official papers.

3.4.1.5 Chinese media coverage of the 2012 Diaoyu Island-dispute

During the most recent Diaoyu Island dispute, there was an extremely strong reaction from China in general, and not surprisingly, the media was very active in this period. The front pages of most newspapers on the day after Japan bought the islands where dedicated to the dispute. A newspaper from Shanyang had dedicated its entire front page to the Foreign Ministry's statement regarding the purchase and at the end it emphasized in bold text a portion of the that statement, which read: "the days when the Chinese people let themselves be bullied are gone forever." The entire statement was encircled with images of bloody fingerprints. *Reference News* stated on their front page that China would not yield to Japan's purchase. *Liaoshen Evening Post* declared that in a gamble, Japan would lose, implying that Japan would lose if this went any further. *Qilu Evening News* stated that "there will be consequences" (China Digital Times 11.09.2012).

All the front pages gave a sense of urgency to the defending of the Diaoyu Islands. The newspapers were kind of free of reporting on the issue and were clever in the way they often used quotes from Hu Jintao and Wen Jiabao to support their stances. This made it quite difficult for the Propaganda department to attack the newspapers for their reporting.

One of the most extreme examples of sensationalism during this crisis was the *Beijing Evening News*, which posted this on its official Weibo:

> "We can adapt as times change. If the foreign devils haven't said the U.S. army won't get involved, what are we doing tying up our own hands and feet? If we don't even have this measure of resolve, we'll just be blackmailed (ed: Nuclear Blackmail). (…) Why waste energy? Skip to the main course and drop an atomic bomb. Simple" (China Digital Times 12.09.2012)

As seen here, the *Beijing Evening Times* said that China should use its nuclear missiles on Japan. This kind of statement is quite extraordinary coming from a newspaper. Even more extraordinary is that the *Beijing Evening News* is quite a successful newspaper in China. It is a newspaper that more than 50 % of people from Beijing read daily (Stockmann 2013: 116), and on Weibo, the *Beijing Evening News* has 3 400 221 followers (Weibo 18.04.2014). It is also a newspaper that is quite commercialized and relies on advertising as its main income (Stockmann 2013: 116). The post on Weibo was however deleted after some time. Whether this was done by Weibo or by the *Beijing Evening Times* is not really known (China Digital Times 12.09.2012). However, it is likely that the post was pulled by the paper itself after receiving some comments from higher up in the system.

Looking at different newspapers, I did not find any that examined the reasons why Japan had bought the islands in the first place; the move was mostly described as a "decision to nationalize the islands". The fact that Japan bought the islands to hinder Mr. Ishihara from purchasing them was never mentioned. Interestingly *Global Times* reported on Mr. Ishihara plans on April 25, 2012. On this date the paper published the following statement: "Ishihara is aiming to stir up nationalism in Japan and please the Japanese public by helping the right-wing group to gain more political power"(Global Times 25.04.2012). However, this report is not linked or referred to in September 2012.

There was also no mention of the important fact that Japan had effectively controlled the islands since 1972.

There were massive anti-Japanese protests that followed the Japanese government's purchase of the islands, and as seen in the chapter on nationalism, the demonstration in 2012 began to go out of control. By the anniversary of the Japanese invasion of China on September 18, the CCP began to take action to calm the masses. On September 15, strict censorship instructions were issued by the Propaganda Department to different media and/or Internet companies:

> "All websites are requested to inspect and clear every forum, blog, Weibo post and other form of interactive content of material concerning "mobilizing anti-Japan demonstrations, stirring up excitement, rioting and looting" and "the U.S. history of purchasing territory." (China Digital Times 15.09.2012)[29]

These censorship instructions to not report on the actual protests and not to stir up excitement were followed by most of the media. On September 16, of the print-media in Beijing, Qingdao, Changsha, Guangzhou and Xi'an, most of media outlets did not even mention the protests and newspapers also began to issue reports urging people to calm down. The *Xi'An Daily*, *Xiao Xiang Morning News*, *Southern Metropolis Daily*, and *New Express Daily* all urged people to express their patriotism in a rational matter and on different newspapers' webpage similar cautions were made. On September 17, *China Youth Daily* published a commentary on page one urging people to end the violence and destruction entitled "Only one step between Patriotism and Harming Your Country" (Sinocism Newsletter 17.09.2012).

After the censorship instructions from the Propaganda Department, there was a change of tone in the media. This is not surprising, considering the censorship directives did mention that the newspapers should not stir up excitement. There was little mention of the big protests, and the organization that did mention them urged readers to conduct themselves rationally and peacefully. This is noticeable when searching the editorials about the island dispute in *Global Times* from that period.

The *Global Times* was, as expected, very active on this issue and it reported quite aggressively before the directives were sent out on September 15. On September 12 it published a piece stating that Japan was in decline and this fact could spur China into action, as power was shifting between the two (Global Times 12.09.2012). This editorial seems dangerously close to my definition of aggressive nationalism in the previous section. One other editorial suggested that China would not back away from a confrontation:

> China will not shy away if Japan chooses to resort to its military. As friction escalates, it is more likely for Japan to retreat in the face of unreliable US security assurances and China's strengthened strategic combat capabilities (Global Times 15.09.2015)[30].

[29] Mentioning US history seems a little out of place. It is not a mistranslation, and it seems to be due to CCP concerns that Chinese netizens may have read up on U.S. issues such as the Gadsden Purchase and the Alaska purchase. It could be a fear that these purchases might be somehow viewed as "a precedent for the Japanese government's purchase of three of the disputed Senkaku/Diaoyu islands" (Keating 2012).

[30] Was written on the 15 September, but it was published extremely early that day.

This editorial also pointed out that a confrontation could have a negative effect on the economy, but pointed out that "with a high level of support from the public, China is gaining the upper hand psychologically in such a contest" (Ibid).

The editorials also suggested that it was not possible to back down from the issue, and that a strong response from China was needed:

> "The dispute over the Diaoyu Islands crisis is clear. China has no choice but to respond to Japan's outrageous provocation. This is a vital step for China to consolidate its claims of sovereignty in the East and South China Seas" (Global Times 14.09.2012).

After the purchase on September 11, the editorials in the *Global Times* like the other newspapers, failed to inform readers of Japan's reasons for the purchase, and there appeared to be something of a siege mentality and urging China to respond quick and decisive.

The tone of the editorials changed after the censorship instructions were sent out on the September 15th. On September 18 (the day of the anniversary), the *Global Times* printed a series of moderate articles about Chinese nationals living in Japan. Sharply criticizing the violence in China during the protests, the contributors calmly praised Japanese society where the "people prioritize their personal affairs, and remain focused on their own lives" (Global Times 18.09.2012). One other article pointed out how interdependent the two countries' economies actually are, and said that harming Japanese products would also harm China's economy. Another pointed out that the right-wing politicians in Japan who actually started the dispute were glad for the chaos in China, since they would gain more support for their policies that way (Global Times 18.09.2012). This is actually one of the first editorials I found in which the media seemed to be differentiating between right-wing forces and other people in Japan. Another editorial stated that:

> "Demonstrations used to be one way that China dealt with invasion and provocations by other countries when it was a weak country. It is still the means through which Chinese show their patriotism. Perhaps we should gradually leave such means behind us, as China has grown powerful (Global Times 18.09.2012)"

This continued also after the anniversary. On September 19, an editorial was published in which the writer argued that boycotting products from Japan would hurt ordinary Chinese:

> Countermeasures will not only influence the Japanese economy, they will also hurt ourselves. Maybe most people are indifferent to this. However, many businessmen

> who are engaged in trade with Japan will face the risk of bankruptcy. Many workers in Japanese enterprises are likely to lose their job (Global Times 19.09.2012).

Another editorial in *Global Times* argued that to solve the island dispute you would have to take an objective historical stance:

> To resolve territorial disputes, both sides should look back at history and respect the truth. We should take an objective attitude toward disputes and not be led astray by nationalism or distort history (Global Times 20.09.2012).

In examining the editorials written in *Global Times* during the period, there is a noticeable change of tone in the editorials pre- and post-September 15, the day the censorship directives were issued. In the early stages of the protests, the CCP allowed for expression of nationalism and newspapers are publishing quite freely about the issue. They were, however, very clever in terms of frequently linking the statements in their reports with quotes from officials, but news organizations also went beyond that and began calling for a tougher stance against Japan. In *Global Times*, the editorials were mostly concerned with the possible of a military confrontation with Japan, arguing that China would not and should not back away from such a confrontation. In examining the editorials in the context of the slogans used in the demonstrations in 2012 (previously discussed in the nationalist chapter), we can see that they do reflect a similar attitude towards the issue. For example, one editorial in the *Global Times* came close to the definition of aggressive nationalism presented earlier, as it urged China to pursue confrontation with Japan, arguing that Japan was weak and suggesting that this was a reason to spur China into action.

After the censorship directives were sent out, the editorials had a very different focus. The tone of the media did change after the censorship directives were issued; however, media attention was mostly directed towards the demonstrations and has to be seen in the context of the CCPs demonstration policy. These reports contain a strong focus on condemning the violence of the demonstrations, and urging people to express their patriotism in a more peaceful ways.

There is, however, an important change in focus on the issues that were previously missing from the reports. After the censorship directive there was greater focus placed on the economic relationship between China and Japan. The newspapers began to evaluate the possible economic consequences of a confrontation between China and Japan. This is important component in the marketplace of ideas, as the newspapers actually began to suggest

to readers the consequences of potential policy decisions. However, previously omitted facts were still not reported on after the censorship instructions were issued. There were more references to right-wing forces in Japan in the reports and editorials published during this time, but the fact that Mr. Ishihara had tried to buy the islands, and that the Japanese government felt that allowing him to buy the islands was a more dangerous outcome for the bilateral relationship between China and Japan, was absent from the reports. Nor were any discussions of the actual consequences of the purchase presented.

3.5 The Chinese media: a regulator?

Sensationalist and negative coverage of Japan is normal in the Chinese media. This is because these issues are very popular with the public; hence, this creates a market pressure for negatively slanted nationalistic reporting on Japan. Where these kinds of incentives and market pressures exist, it is important that mechanisms in the marketplace of ideas are capable of effectively working to mitigate the dangers of myth-making and false arguments. A marketplace of ideas is no guarantee against nationalism and other ideas that one may dislike, but if these mechanisms are present, they can effectively mitigate the propagation of falsifiable nationalist myths and force competing arguments to confront each other, and this allows the public to evaluate the foundations of policies and their consequences.

In China however, market pressure are intensified by the way journalists are employed. Their payment, bonuses and promotions are all performance-based, and are contingent on the number of readers and amount money they can attract to the newspaper. Playing on nationalism is therefore even more attractive than in many normal news environments.

This affects the reporting on nationalistic issues in China as we have seen in the coverage of Japan, and especially after an incident like the 2012 island dispute. Since the media were quite unconstrained in the beginning, the commercialized media took advantage of this and produced negative and sensationalist news stories. Research done by Reilly (2012) discovered that the commercialized media are in general more negative and less balanced in their coverage of Japan than the less commercialized party papers.

In the 2012 island dispute, we witnessed a highly sensationalist and negative news reporting, the focus of which was defending the islands and that China should not back down from a

military confrontation with Japan. Important facts were not reported on, for example why the islands were bought in the first place.

After September 15, the reporting did change, but not so much in a way for a well-regulated marketplace of ideas. The change of focus was mainly aimed at calming people and urging them to express their patriotism more peacefully. However, we can argue that the media took on a more balanced view after the censorship instructions were sent out and that the media were acting in a way that was closer to the role of a regulator in the marketplace of ideas. We can see this in the editorials in the *Global Times*. Many of them were, of course, directly aimed at the violence in the demonstrations, but there were also editorials that mentioned the economic consequences of a military confrontation, and that this would have effect on ordinary Chinese. However, other previously omitted information, such as the fact that Japan had effectively controlled the islands since 1972, and that the purchase didn't necessarily need to significantly change the existing situation, and information concerning the reasons why Japan decided to buy the islands in the first place, was not mentioned in the reporting prior to or following censorship directives. Consequently, more information about the domestic political situation in Japan was needed in Chinese newspapers, as this information was central to the issue as well as being vital to regular Chinese seeking to actually understand the island dispute.

Democratization in China would lead to the opening up of the discursive space and to a freer media. However, this section illustrates that this may not necessarily lead to the outcomes that many human rights activists would expect in China, namely that the opening up of the discursive space will "reduce the ability of ruling elites to promote nationalist thinking, since critics are better able to scrutinize and refute incorrect, dangerous ideas" (Snyder 2000: 56). Actually, as seen in this section, it may likely lead to the opposite, as the media professionalism has not progressed sufficiently for competition in the marketplace of ideas to function correctly. Consequently, an opening up caused by democratization could quite likely lead to more sensationalist and nationalistic reporting, in which important facts and balanced reporting will probably remain absent from the public debate in China in the early stages of a democratization process. Therefore, in light of the findings previously presented, a free media early on in a democratization process in China would make war and aggressive foreign policy more likely.

4.0 Findings

In the preceding chapters, I have examined each of my intervening variables. This chapter will evaluate the two hypotheses and summarize my findings. At the end of this chapter, I will also indicate topics that need further research.

4.1 Evaluation of the hypotheses

This paper aims to contribute to the discussion surrounding China's democratic future and my research question was *"Will democratization in China lead to a more aggressive foreign policy?"* From democratization and war-theory, I was able to formulate my intervening variables that could be used to examine the potential effect of democratization on China's foreign policy. These variables were threatened elites, rule of law, nationalism, and media. These intervening variables were formed into my two hypotheses. My first hypothesis was as follows:

> H^1:"A weak rule of law, threatened elites, aggressive nationalism and a poorly regulated marketplace of ideas will promote an aggressive foreign policy in a democratization process in China".

My second hypothesis was:

> H^2: "A well-developed rule of law and a well-regulated marketplace of ideas will hinder an aggressive foreign policy in a democratization process in China"

To evaluate these hypotheses, I will now go through each intervening variable.

This paper illustrates that, as in almost all democratizing states, there are some elites and social groups in China who would be threatened by democratization, and there are also some elites and social groups that would welcome democratization. The fact that there are threatened elites by democratization in China does mean that they will potentially attempt everything in their power to protect their interests in an environment of political participation. However, since they would compete with other threatened elites, and also with elites and social groups that would welcome popular participation, the initial phase of democratization in China would most likely in a highly competitive environment, and could easily create a political impasse between the different elites and social groups.

Because of this, there are aspects of China that points towards short-run thinking and the kind of reckless policymaking that can lead to wars in a democratization process. Consequently, this intervening variable is closer to the value in the first hypothesis.

The development of a rule of law in China has definitely been impressive since the reforms in the end of the 1970s; however, the country still has some way to go before it could be concluded that China has an effective conflict resolution mechanism in place. This paper does not see the recent trend towards mediation as a "backlash against law," as some would coin it. Rather, the CCP appears to have acknowledged the problems within the legal system and inability of its courts to cope with rising conflicts in an increasingly diverse Chinese society. Mediation practices have consequently supplemented the courts in China as a conflict resolution mechanism, and have been quite successful in doing so. This can be illustrated by the high levels of trust placed in the legal institutions in China, and that this trust has not diminished following the reintroduction of mediation practices, and the number of cases that have been solved successfully through mediation.

However, the rule of law in China does still have problems that needs to be addressed. Most importantly, there is still a degree of vagueness and uncertainty surrounding today's mechanisms and their roles; especially problematic is a lack of a good general framework, something that Chinese judges and mediators complain about. In addition, there have been problems of enforcing the decisions that have been reached through mediation and courts. Vagueness, uncertainty and problems with enforcement are all issues the CCP has acknowledged as problematic, and the party has moved to address these factors in recent years. However, the steps that have been taken to address these matters are still quite fresh and "young", and we do not yet know how effective they may be. Because of this, this paper concludes that China has a somewhat weak rule of law when it comes the question of whether the nation possesses an effective conflict resolution mechanism. Consequently, this intervening variable is closer to the value in the first hypothesis than the value in the second hypothesis. However, the development of a rule of law is not that far from that required for the nation's justice system to be considered an effective conflict resolution mechanism, and it will be exciting to observe how China can address the issues of its legal system in the future.

As a side note, my analysis of the development of a rule of law in China does illustrates how important definitions are. This paper does have a very thin definition and criteria for a rule of law, relying on Huntington and Fuller. Consequently, my conclusion of the development of

the rule of law in China is quite positive, even though I do not see it as fulfilling the definition and criteria set up in this paper, but it is seen as not that far off this. I am, however, fully aware of having a thin and basic definition of a rule of law, in this context. Were I to use a thicker definition of a rule of law, this view would probably not be as "positive", and I would be closer to many scholars who hold more negative views of the recent development of the rule of law in China.

This difference in definitions probably also illustrate the huge difference in the quantitative data on the rule of law in China, and on its institutional strength in general. Data that have a thicker definition of a rule of law would score China lower on this development than data that have a thinner definition. Therefore, since the data from the Worldwide Governance Indicator is the mean of several evaluations and different definitions, it may, indeed, be is a good indicator of the development of the rule of law. However, the failure of these datasets to include their methodology is problematic when doing this kind of analysis, and consequently I stand by my decision not to build my paper on this data.

The analysis of the rule of law in China also points towards a necessary improvement of the democratization and war-theory. As pointed out earlier, the definition of a rule of law is often omitted in the debates on democratization and war, and in the sequencing debate. What is required here is an examination of the development of a rule of law, to see what kind of rule of law is best suited to a nation prior to democratization. Does it need to function as a conflict resolution mechanism as this paper sees it, or do we need a thicker version of the rule of law for it to successfully mitigate the dangers of democratization? These are questions that need to be addressed in future research.

When it comes to the intervening variable of nationalism, the preceding chapter illustrated that nationalism is an increasingly attractive idea in China. This paper illustrates that the change of the historical narrative arising from the legitimacy problem faced by the CCP in the aftermath of the Cultural Revolution has greatly contributed to the rise of nationalism in today's China. However, nationalism was present in Chinese society even before this, but the change in narrative and the Patriotic Education Campaign served as indicators that nationalism was now an accepted idea in the Chinese society.

Today, nationalism in China is a complex interplay between the nationalism promoted by the CCP and popular nationalism, and the chapter shows that the CCP currently struggles to keep up with nationalistic demands. For elites and social groups in a democratization process in China, it would be extremely attractive to play the nationalist card.

However, playing the nationalist card is also very dangerous in China. Chinese nationalism has a strong anti-Japanese view, and this fits well with this thesis's definition of aggressive nationalism. Chinese nationalism portrays Japan as more threatening and more culpable for historic wrongs, and nationalists tend to have an optimistic view of the outcome of a possible military confrontation with Japan.

The demonstrations in China, as well as other nationalistic actions, show how Chinese nationalists view Japan through this historical lens and that they are pushing the CCP for a stronger stance towards Japan. During the anti-Japanese demonstrations in 2012, the historical issue was central to many of the slogans used by popular nationalists. There seems to be a lack of differentiation between past transgressions committed by Japan during WWII, and contemporary Japan. During the demonstrations, slogans with historical content, such as references to the Nanjing Massacre, were quite common. Consequently, the bilateral relationship between Japan and China is always viewed through this historical lens by nationalists in China.

The anti-Japanese demonstrations in 2012 also illustrate how the popular nationalism is pushing the CCP's stance on nationalistic issues and how the CCP are struggling to keep up with popular demand. During the demonstrations, the nationalists argued that China should take a stronger stance towards Japan and urged for example China to send soldiers to the islands. The slogans illustrates how the nationalists were pushing for a stronger reaction from China towards Japan on the island dispute.

Consequently, the analysis in this thesis shows that Chinese nationalism has some aggressive traits towards Japan, and the intervening variable places itself close to the value in my main hypothesis.

Some would say that nationalistic demonstrations in China could be overestimated, as people take advantage of these demonstrations to protest against domestic issues. If this is the case, then nationalistic demonstrations as a measurement of nationalism can be skewed. However, the findings of this paper show that the overwhelming majority of the people in these

demonstrations promoted nationalist slogans, suggesting nationalistic motivations, and only a few slogans used during the demonstrations were non-nationalistic and directed towards domestic politics, ideologies and representative figures.

As is the case with many sectors of contemporary China, the media in China have experienced an incredible transformation since the economic reforms at the end of the 1970s. This paper has focused on the commercialization of the media and the way in which the CCP has managed this transformation inside its censorship apparatus. The proceeding chapter illustrates that the media is in no way "free", and that censorship in form of for example self-censorship is quite effective in China. However, there has been a partial freeing in that there has been an opening up of discursive space in the Chinese media in some areas. Foreign affairs are one of the areas where the media is actually quite free in the beginning to report on.

This paper does see the rise of investigative journalism as one of the major sources of professionalism in the Chinese media, since investigative journalism has introduced some important norms and values enabling the media to potentially act as a regulatory mechanism in the marketplace of ideas. These are the notions of truth and fact seeking, as well as the notion of objective and balanced reporting. However, this thesis show that these kinds of values and norms have not taken hold when reporting on nationalistic issues with Japan. When reporting on nationalistic issues, such as the island-dispute in 2012, the commercialized newspapers reported on this quite aggressively. Early on, when the reporting was quite "free", these papers failed to provide the readers with important fact regarding the island dispute. Most importantly, the reason for Japan's decision to buy the islands was never discussed. These aspects of the reporting of this incident are problematic, as reporting on why Japan had bought the islands may have led to more constructive discussions of the purchase actually meant and what would actually change as a result of the purchase. There was also no mention of the fact that Japan has had effective administrative control of the islands since 1972. Instead, the consequences of a military confrontation with Japan was mentioned, but the newspapers wrote that Japan would probably back down because of the unreliable security assurances from the US, and also because of change in the power of balance between China and Japan. An examination of the editorials in the *Global Times* revealed that they actually conveyed the impression that a military confrontation with Japan was more than a possible outcome, and that China would win such a confrontation with not much of a problem.

Moreover, an examination of the reporting before the censorship directives were issued on September 15 reveals that the tone of the reports it is quite similar to this paper's definition of aggressive nationalism. The newspapers did portray Japan as "more threatening, more implacable, more culpable for historic wrongs, yet also more easily countered by resolute opposition than they really were" (Snyder 2000: 67). Consequently, the focus of the commercialized newspapers in this period was obviously to sell to a market in which there existed a large demand for nationalistic reporting. Selling was one obvious factor influencing the tone of the reports, as we can see by many quotes from editors and journalists in this thesis. However, it may also be the case that the tone of the reporting was close to the definition of aggressive nationalism because the journalists themselves shared many of the nationalistic feelings that were apparent during the anti-Japanese demonstrations in 2012.

After the censorship directives were sent out, the media reports on the islands dispute were not as sensationalist or aggressive as they had been before September 15, and this has to be understood in the context of the CCP's policy regarding mass demonstrations. However, previously omitted facts were still not reported on. Information about the domestic political situation in Japan was needed in Chinese newspapers as this information was central to the issue and also central for regular Chinese to actually understand the island-dispute, however this was largely not reported on before or after the censorship instructions were issued.

The media did however report on the economic consequences of a confrontation with Japan, and pointed out that this was less than ideal for both nations. Because of this, we can argue that the media took on a more balanced view after the CCP's censorship directives were issued and, at this point, was acting in a manner that was closer to the role of a regulator in the marketplace of ideas than it had been functioning prior to September 15, but it was far from the role regulatory role of media prescribed in democratization and war-theory. The professionalism of the Chinese media has therefore not progressed sufficiently for competition in the marketplace of ideas to function properly. As previously mentioned, a marketplace of ideas can't be a check towards nationalism, but it can hinder inaccuracy and mythmaking to take place. The weakness of the Chinese journalists towards the market pressure can consequently pose difficulties as sometimes the pressure in the market will be towards for example inaccurate nationalistic reporting that can contribute to elite mythmaking. To report balanced and accurate in these situations are central in the idea of a well-regulated marketplace of ideas, and that is what the Chinese media failed to do during the island-dispute in 2012.

This paper therefore concludes that the media is far from the role of a regulator in the marketplace of ideas in China. An opening up of the discursive space and a freer media will therefore occur in a context of a weak regulated marketplace of ideas.

The analysis in this paper finds stronger support for my first hypothesis than my second hypothesis. China has a threatened elite, a somewhat weak rule of law, trait of aggressive nationalism, and a media that is currently incapably of functioning as a regulator in the marketplace of ideas. This thesis consequently points out that in the event of an opening up for public participation in the form of holding free and fair elections in today's China runs a high risk of promoting aggressive foreign policy and could possibly lead to war, most likely with Japan.

In this thesis, I have chosen the intervening variables with democratization and war-theory in mind. However, democratization is a complex social and political phenomenon and there are probably other variables that need to be included in democratization and war-theory that could explain the effect democratization has on foreign policy, and which are not included in this thesis

One mechanism that is interesting in this context, and something which I feel the need to address, is economic interdependence. Economic interdependence as a mechanism that can possible mitigate the danger of democratization is definitely an area that needs more attention, and is a concept could have been a theoretical competing hypothesis in this thesis. Research by Jennifer Lind (2011) and by Wooten (2007) shows some promising mitigation effects that economic interdependence may have on democratization. Lind found that in past transitions in Taiwan, South Korea and Japan, economic interdependence had a pacifying effect (Lind 2011: 427). Wooten (2007) examined Argentina, Brazil, Azerbaijan and Armenia. In his analysis, he found that in Azerbaijan and Armenia, there was no economic relationship between the two countries prior to them both going through a democratization process, which eventually lead to a war between the two countries (Wooten 2007: 64-69). In contrast, in the democratization process in Brazil and Argentina, economic interdependence was a strong pacifying element between the two countries (Ibid).

The possible pacifying effect that economic interdependence may have on democratization seems promising, and consequently it could also provide a strong pacifying effect on democratization in China and the likelihood of the nation potentially going to war with Japan, since Japan is currently China's second most important import partner and Chinas third most

important export partner (CIA 2014). However the theory of economic interdependence in the context of democratization and war-theory has not yet received sufficient attention and requires further development; therefore, it has not been added to this thesis.

5.0 Conclusion

This aim of this paper is to examine whether democratization in China could potentially lead to a more aggressive foreign policy. I have found evidence that on balance supports my first hypothesis that threatened elites, China's weak rule of law, aggressive nationalism, and poorly regulated marketplace of ideas will promote aggressive foreign policy should a democratization process take place in China.

This is quite a negative view of the potential democratization in China, and the question may arise as to whether this thesis argues that China should never democratize. Is democracy in China a bad idea? This is obviously not the case. A mature and functional democracy in China would be better from a global perspective, but most importantly, it would be better for the people of China. However, the discussion on how to get there is important, as this thesis illustrates.

As Shambaugh (2015) recently wrote in an article in the *Wall Street Journal*, "the CCP is the world's second-longest ruling regime (behind only North Korea), and no party can rule forever". If this is true, let us hope that the current regime does not implode and that China would go on the path of democratization just yet, because the world may not like what the consequences it could potentially bring at the present moment in the nation's history.

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