

China's Emerging Inter-network Society
- The Rise of Public Advocacy in the Digital 'Public Sphere'

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society networks, public sphere, communication, public opinion, public policy**

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Dedicated to my parents, their sent-down youth generation & our future generation!

This dissertation is dedicated to Guo Liang, Yu Lan, Yu Xing, Trudy Wang, Karren Uhr, Brenda Foster, Ralph Cossa, Tung Tsingling, Zhidao Wang and all my indeed friends, whose constant understanding and endless support throughout the entirety of this dissertation project was unwavering and inspirational in way that no words could ever quite describe. It is also in memory of Admiral. Joe Vasey, my great grandparents, and grandparents, those who had fought through the wars and revolutions for peace of our times.

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Abstract

Looking beyond western philosophical foundations and classical concepts of civil society, a major hypothesis of this dissertation is the rise of *rights-based advocacy for "Dao" (倡道)* empowered by the digital public sphere, which multiplies the opportunities for dialogues and negotiations with the state, and may even constitute an incipient counter-power in engagement of the *interest-based advocacy with Party's guidance (倡导)*. It also put forward that China has an emerging "Inter-network society" which is a "network society"¹ with increasing interaction and inter-subjectivity, as an arena for deliberative communication and action that a new form of civil society emerging through the development of interactive, horizontal networks of communication over the Internet and other digital models. It links the analyses of the outstanding issues of public interest advocacy under the impact of the age of information with empirical approaches to understand the role of civil society in building an active public sphere (including the virtual public sphere on line) during China's post-reform era. Based on a selected body of comparative literature, case studies and other examples undertaken in China, it argues that the Internet has become the new 'social space /public sphere' where power and counter-power are competing.

Under these conditions, the insurgent political and social movements are able to intervene more decisively in the new communication space. Meanwhile, the corporate media and mainstream politics also have invested in this new communication space. As a result of these processes, mass media and horizontal communication networks are converging. The net outcome of this evolution is a historical shift of the public sphere from the institutional realm to the new communication space. The conclusions are supported by observations about the ever-shifting connections between the civil society's increasing participation in policy-making process and social change in today's China. It employs extensive reading of news reports and case study analyses to investigate the Inter-network society's participation in public interest advocacy. The arguments are based on detailed case studies on issues of philanthropy, environmental protection, copy rights and collective land usage. The dissertation then discusses the political implications and future scenarios raised by these issues under the influence of an emerging Inter-network society.

¹ Castells, Manuel. (2000b). *The rise of the network society (2nd ed.)*. U.S. Blackwell Publishing.

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List of Abbreviations

| | |
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| ANT | Actor- network theory |
| CCDI | the Central Committee for Discipline Inspection |
| CCP | Chinese Communist Party (abbreviated as CPC in China, also abbreviated herein as “the Party”) |
| CPPCC | Chinese People’s Political Consultative Congress |
| CCTV | China Central Television |
| CSN | Civil Society Network |
| CSO | Civil society organization |
| CSWF | China Social Welfare Foundation |
| ENGO | Environmental nongovernmental organization |
| EPM | Environmental Protection Ministry |
| GMO | Genetically modified organism |
| IMF | International Monetary Fund |
| KMT | Kuomintang (Chinese Nationalist Party) |
| NPC | National People’s Congress |
| NGO | Nongovernmental organization |
| NPCPA | National Public Complaints and Proposals Administration |
| PLA | People’s Liberation Army |
| PRC | People’s Republic of China (also abbreviated herein as “China”) |
| ROC | Republic of China |
| SNA | Social network analysis |
| SOEs | State Owned Enterprises |
| SPC | Supreme People’s Court |
| SPP | Supreme People’s Procurator |

Chapter1. Introduction

“One of the great liabilities of history is that all too many people fail to remain awake through great periods of social change. Every society has its protectors of the status quo and its fraternities of the indifferent who are notorious for sleeping through revolutions. But today our very survival depends on our ability to stay awake, to adjust to new ideas, to remain vigilant and to face the challenge of change”.

-Martin Luther King,

Background and Purpose of the Research

Looking beyond western philosophical foundations and classical concepts of civil society, a major hypothesis of this dissertation is the rise of *rights-based advocacy for “Dao”* (倡道) empowered by the digital public sphere, which multiplies the opportunities for dialogues and negotiations with the state, and may even constitute an incipient counter-power in engagement of the *interest-based advocacy with Party’s guidance* (倡导). It also put forward that China has an emerging “Inter-network society” which is a “network society”¹ with increasing interaction and inter-subjectivity, as an arena for deliberative communication and action that a new form of civil society emerging through the development of interactive, horizontal networks of communication over the Internet and other digital models. The interactive communication over the Internet and wireless networks characterizes the increasing “inter-subjectivity”² among the social space – an “inter-network society”,³ where power is intertwined and able to intervene more decisively. Manuel Castells (2008) describes a historical shift of the public sphere, from the institutional

¹ Castells, Manuel. (2000b). *The rise of the network society (2nd ed.)*. U.S. Blackwell Publishing.

² “Intersubjectivity” is often interpreted in the context of the philosophical problem of "other minds" which is in attempt to understand an ontology of the social. See Dan Zahavi,(2012) *'Intersubjectivity,' Routledge Companion to Phenomenology*, New York: Routledge; Schmidt, James (1985) *Maurice Merleau-Ponty: Between Phenomenology and Structuralism*, New York: St. Martin’s Press 1985, p 58.

³ “Inter-network society” emphasizes on the network society’s “inter-subjectivity” and “interactivity”. Under the influence of digital information and communication technology, an Inter-network society originates from the vast increased interaction between social organization and social change, and the subjectivity is being more obviously the inter-subjectivity: that human relations with others are intertwined with tension and revelation.

realm to the new communication space, converged by mass media and horizontal communication networks.⁴ To examine the dynamics and the interplay of society, state and market, the network as a base metaphor is more malleable and allows new modes of thinking, governance and politics. Today the network is mainly defined through the Internet as the active communication channel, which has marginalized and overtaken sovereignty as a defining principle of governance. For political reflection focusing on the phenomenon of civil society, Henningsen (1992) points out, “Instead of the state or class centered speculations of the Hegelian-Marxist tradition and the defeatist musing of Western post-modernism a politics of human agency reemerged.”⁵ As the product of European Enlightenment history and culture, the civil society is always interpreted as a space for citizen action and human agency that maintains a democratic order and opposes the threats from corporate power, political tyranny and citizen apathy. The attempt to find and measure the particularities and liberal function of civil society in other places has been criticized as a form of ethnocentrism which might lead to bias as well as misunderstanding (Chatterjee 1990).

The year 2019 remarked by Hong Kong’s series of advocacies for an anti-extradition bill is also seen as a new opening for reflection on political meaning of public advocacies as projects of human agency in the digital public sphere. The content of public interest advocacy as demonstration of the human agency and its influence on the evolution of a responsive state will be carefully evaluated. The net outcome of my observations of the engagement and impact of civil society networks (CSNs) on public policy decision making is that there is a common interest in developing rather than constraining civil society’s vital position for sustainable development. For instance on China’s “Lianghui,”⁶ Chai Jing, a former investigative reporter and media star of

⁴ Castells, Manuel. (March, 2008). The new public sphere: Global civil society, communication networks, and global governance. ANNALS, AAPSS, p. 616.

⁵ Henningsen, Manfred (1992) Democracy or The Promise of ‘Civil Society’, edited by Mika Mannermaa, Working papers from “Linking Present Decisions to Long-Range Visions”, Budapest, Hungary, 27-31 May, 1990. The XI World Conference of the World Futures Studies Federation (WFSF).p.190-205

⁶ It is an abbreviation of the annual plenary sessions of the National People’s Congress (NPC) and the national committee of the Chinese People’s Political Consultative Conference (CPPCC). The NPC as parliamentary session in China, is top legislature and the highest organ of state power as the top policy making body. The NPC delegate meets in Beijing to approve policies, laws, the budget and significant personnel changes annually. The CPPCC is China’s top political advisory body, and consists of representatives from different sections of society. Activists also use this abbreviation to avoid Internet censorship.

China Central Television (CCTV), presented her personal documentary “Under the Dome”, through online video portals on the eve of Feb. 27th, 2015. In this online 104 minute long documentary, Chai narrated China’s overwhelming air pollution crisis and advocated civil society’s participation in protecting the environment for the public interest. This documentary was well received by more than 175 million netizens (out of approximately 600 million Chinese with Internet access) within a week. It created an enlarged “public sphere” and made a mass appeal to Chinese citizens criticizing the government’s incompetence in addressing the environmental issues, especially the sources of heavy air pollution from coal-fired power plants and vehicle emissions, the lack of information transparency and ineffective enforcement of environment protection law, etc. The public debut of this documentary aroused enthusiastic social media chatters about the environment issues. In a total, 280 million posts have been generated on social media site Sina Weibo (Chinese version Twitter) alone. The part of this documentary’s viral appeal is due to the criticism of the government’s ineffectiveness in implementation and enforcement of environmental laws. It was initially lauded by the mainstream media, such as the website of *People’s Daily* and other Internet outlets. Chen Jining, the newly appointed Minister of Environmental Protection Ministry, praised Chai Jing that she “deserves our respect for drawing the public’s attention to the environment from a unique public health perspective,” and even named it China’s “Silent Spring” moment.⁷

The other competing state ministries and State Owned Enterprises (SOEs) usually have strong “G.D.P. worship”, such as the Ministry of Finance and the China Petroleum & Chemical Corporation (Sinopec), and they showed less tolerance of online censorship toward this documentary than previous reports about the localized, Nimby (not-in-my-backyard) protests. Thus, the Propaganda Department clamped down this documentary a week later after its debut. Robert Daly, director of the Kissinger Institute on China and the United States at the Wilson Center, said that “Under the Dome” was banned because of its popularity, not only for the content

⁷ Links the “Under Dome” to Rachel Carson, (1962) “Silent Spring”, the video journalism programs on the environmental movement in the U.S., which led to a ban on DDT and helped establish the Environmental Protection Agency.

of its message.⁸ Actually, the public interest advocacy generated by “Under the Dome” has aroused social awareness that does matter. It verifies Manuel Castells’ (2007) argument that, “the fundamental battle being fought in society is the battle over the minds of the people. The way people think determines the fate of norms and values on which societies are constructed.”⁹

Chai Jing not only reveals some striking numbers about the enforcement of China’s long-standing environmental regulation: “zero”, she also publicly advocates for citizens to report violations of environmental laws and to demand change. The public interest advocacy in “Under the Dome” may empower Chai Jing to control the discourse on China’s air pollution problem and to be capable of galvanizing millions of people in the environmental movement on such a common cause. It embraces an action generated from below rather than orchestrated by the State under their rule of “democratic centralism”.¹⁰ Castells (2007) has commented on this kind of phenomena that “communication and information have been fundamental sources of power and counter-power, of domination and social change.”¹¹ Citizens’ organized action around a common cause may lend influence and ideology to groups competing for the political power. Such a well planned, organized and premeditated launch and promotion of the TED talk-like documentary “Under the Dome” was well received by the Environmental Protection Ministry (EPM). The influence of Western values and ideas in the documentary are also apparent, not only in the frequent comparison with Western country’s governance, but also with regard to the many quotes from NASA data in this comparison documentary, including the adoption of the title, named after of the American popular TV series “Under the Dome.” The censorship of the Shanghai and Beijing Propaganda Departments has seen it as an ideological danger and political threat, a part of

⁸ Ari.Phillips, “In Reversal, Chinese Government Bans the Pollution Expose”

<http://thinkprogress.org/climate/2015/03/13/3633355/china-smog-documentay-banned-after-going-viral/>

⁹ Castells, Manuel. (2007). “Communication, Power and Counter-power in the Network Society, “p.239
<https://ijoc.org/index.php/ijoc/article/download/46/35>

¹⁰ According to wikipedia, “democratic centralism” is stated in Article 3 of China’s Constitution. “Its “democratic centralism” applies to exercise legislative authority on the behalf of people as the supremacy of the ‘National People’s Congress’ .

¹¹ Castells, Manuel. (2007). Communication, Power and Counter-power in the Network Society, p.238

<https://ijoc.org/index.php/ijoc/article/download/46/35>

Western conspiracy.¹² The revealed environmental problems in the documentary “Under the Dome”, and the ensuing abrupt censored reception had social and political implications. The story of this documentary helps decode the tension between state and civil society by enlarging the gap between economic and political reform. David Shambaugh’s recent article, "The coming Chinese Crack Up" adds gunpowder to the Propaganda Department’s censorship. Shambaugh urges that “We should watch for the day when the regime’s propaganda agents and its internal security apparatus start becoming lax in enforcing the Party’s writ—or when they begin to identify with dissidents.”¹³ Put another way, the current development of public interest advocacy and civil society’s participation start weighing in the public policy decision making process.

To explore the incentives behind the recent changes of environmental protection policies, the state reckons that it is facing a performance crisis not a legitimacy crisis yet. Gold describes that “China is vibrant, undisciplined, and rollicking, yet simultaneously arbitrary, polluted, and oppressive...its leaders and citizens are grappling with a relentless onslaught of unprecedented challenges, while also trying to construct and consolidate institutions to manage the new order.”¹⁴ The deficiency in effectiveness and moral justice would exacerbate the legitimacy crisis. It shows the need that the three main actors (government, society and business sectors) should work together effectively. Shambaugh (2015) suggests a top-bottom political reform for China so that the Party-state¹⁵ releases its grip on political controls to fix the problems in the political system, social injustice, and the economy.¹⁶ However, this judgment itself over-evaluates the influence and effectiveness of a top-bottom model of political reform. The influence of the bottom-up social demand model has contributed much more to the successful open-door reforms.

¹² Both the Shanghai and Beijing’s Propaganda Departments issued medias and websites the similar deleting instructions to discontinue coverage of ‘Under the Dome’ and its creator to control related commentary.

¹³ Shambaugh,D.(2015) “The Coming Chinese Crackup: The endgame of communist rule in China has begun, and Xi Jinping’s ruthless measures are only bringing the country closer to a breaking point”, *Wall Street Journal* <https://www.wsj.com/articles/the-coming-chinese-crack-up-1425659198>, accessed on Arp.25,2017

¹⁴ Gold, Thomas, (2007) “China, Countries at the Crossroads”, New York, Freedom House,

¹⁵ It is a "partocracy", which the Party integrates all other political organizations and institutions in China

¹⁶ See David Shambaugh, "The coming Chinese Crack up", The endgame of communist rule in China has begun, and Xi Jinping’s ruthless measures are only bringing the country closer to a breaking point”, *Wall Street Journal* <http://www.wsj.com/articles/the-coming-chinese-crack-up-1425659198>

This doctoral thesis aims to combine empirical and theoretical perspectives to better understand what really happens in China today. It is likely to be premature to search for a political ‘civil society’ since its sociological foundation is still quite vulnerable, but the study will take a closer look at the emergence of a new vibrant public sphere. In order to gain a clearer understanding of the increasing influence of an active civil society, the observation of an interest/rights-based public advocacy will be employed as a useful prism for the analysis of the recent development in Chinese civil society.

Literature Review

This dissertation introduces Inter-network society as a powerful metaphor and a key analytical concept, which employs Merleau-Ponty’s political theory of “inter-subjectivity”¹⁷ and Manuel Castells’ theory of “network society”¹⁸ to understand the configuration of the relationships of technology, economy, and society. Since there are broader interaction, public spheres and communication processes, that were taken into the spotlight (Castells, 1989; 2002; Stalder, 2006; 1998; cf. Hassan, 2004: 59), the conceptualization of civil society (CS) alone is problematic when observers depict the prominent features of China’s civil society, state institutions and the market in the context of societal changes and power structures. The question about the applicability of the civil society notion to contemporary politics remains a central problem toward the development of contemporary civil society. To master the changing definitions of the term ‘Civil Society’ is not a simple task at different periods.

The definitions of civil society are changing, and there is rapidly evolving space in which civil society actors operate. VanDyck (2017) argues that the civil society organizations (CSOs), such as community-based organizations, labor unions, professional associations, and NGOs which have been the most prominent in the civil society space. In the 2012 ‘Future Role of Civil

¹⁷ There was largely unconcerned with Ponty’s political writings: the key general works on Merleau-Ponty’s politics are Barry Cooper, *Merleau-Ponty and Marxism: From Terror to Reform*, (Toronto: University of Toronto Press 1979); Sonia Kruks, *The Political Philosophy of Merleau-Ponty*, (New Jersey: Humanities Press 1981); Kerry Whiteside, *Merleau-Ponty and the Foundations of an Existential Politics*, (Princeton: Princeton University Press 1988).

¹⁸ Manuel. Castells (2000b). *The rise of the network society (2nd ed.)*. U.S.: Blackwell Publishing.

Society' project of the World Economic Forum, it points out that there have significant changes over time in the civil society landscape, which is "recognized as a diverse and ever-wider ecosystem of individuals, communities and organizations" (WEF, 2013, p. 6). Civil society is now "recognized as encompassing far more than a mere "sector" dominated by the NGO community: civil society today includes an ever wider and more vibrant range of organized and unorganized groups, as new civil society actors blur the boundaries between sectors and experiment with new organizational forms, both online and off" (WEF, 2013, p. 5). Civil society has evolved from mainly associational platforms to comprise a wide range of organized and organic groups of different forms, functions and sizes (VanDyck, 2017, p. 1). The constituents of civil society range from nongovernmental organizations (NGOs), trade unions, grassroots organizations, online networks and communities, to faith groups (VanDyck, 2017; WEF, 2013, p. 3). VanDyck (2017) defines civil society as an organized ecosystem of "organized and organic social and cultural relations existing in the space between the state, business, and family, which builds on indigenous and external knowledge, values, traditions, and principles to foster collaboration and the achievement of specific goals by and among citizens and other stakeholders" (VanDyck, 2017, p. 1). There are the wider range of actors operating in the civic space, where the CSOs, groups and networks vary by size, structure and platform.

The roles and operating environments of civil society are also changing (Jezard, 2018; WEF, 2013). The civil society actors' changing roles include acting as facilitators, conveners and innovators as well as service providers and advocates (WEF, 2013, p. 5). Along with "continuous decline" in global political and civil liberties, and deteriorating media freedom around the world (Kreienkamp, 2017, p. 3), civil society has been operating in an environment of public distrust and uncertainty, even divide between organized civil society and the constituencies they represent (VanDyck, 2017, p.2). To capture China's changing momentum of state-society relations, the detailed questions could be added to the observers' creative vision of the Good. Given the current phenomena of rights seeking for participatory governance and transparent management in post-reform China, how could public interest advocacy function well under the Party-state's rule

of “democratic centralism”? Also, could the greater access to information brought by the advancement of information and communication technology (ICT), which facilitated and empowered public interest advocacy to reach more social bases than ever before, liberate civil society from its dependence on the state and market to develop into an autonomous and self-regulated sphere within China’s political and social systems? The technology is dramatically shifting social engagement, the WEF (2013) highlight how information and communication technologies have the ability to empower people to rapidly mobilize online activity and opened up spaces for action. There has been significant growth in online civil society activity, which has facilitated the growth of networks across geographical, social and physical divides (WEF, 2013, p.5- 6).

In light of the incremental changes civil society is undergoing, there are attempts to restore the actorship agency aspect with a commitment to a certain ideologically fixed manifesto or political agenda which have relied broadly on civil society (Kling and Posner, 1991: 30; see e.g. Wright, 1997; 2005; Katznelson, 1981; Marcuse, 1964). The civil society ecosystem encompasses new constituents in the wide range of actors that include social movements, online activists, bloggers and others. And these new actors are bridging the social divide between the people and organized CSOs through their own mode of engagement, tools and approaches, which have democratized the advocacy space (2017, p. 3). The civil society should no longer be viewed only as the third sector, but as the glue that binds public and private activity together to strengthen the common good (WEF, 2013, p. 5). Since the 2010 Arab Spring Movement enabled by ICTs, there has been renewed citizen participation and expression around the world. Civil society networks, social protest and resistance movements include colorful revolutions, and reflect the fact that actors are becoming more networked (WEF, 2013, p. 6).

If one re-conceptualizes civil society as an “inter-network society”, its networks are often built on personal connections and develop into flexible structures, which engage in path-breaking advocacy on the process of cross-sectoral alliance building among individual activists and

organizations. Castells claims networks are an efficient form of social organizations, and that the emergence of global networks of instrumental exchanges is the result of three features, namely flexibility, scalability and survivability

“Flexibility: they (networks) can re-configure according to changing environments, keeping their goals while changing their components. They go around blocking points of communication channels to find new connections. Scalability: they can expand or shrink in size with little disruption. Survivability: because they have no center, and can operate in a wide range of configurations, they can resist attacks to their nodes and codes, because the codes of the network are contained in multiple nodes that can reproduce the instructions and find new ways to perform.” (Castells, 2004a: 5-6; cf. Castells, 2009: 23)

The analysis of the “Inter-network society” aims at providing a new horizon to understand individual and community-level awareness, adaptability and innovativeness which challenge global instrumentality through bottom-up strategies. To put the internal power struggles of networks onto the agenda, Castells’ network analysis appears as a central structural element in the new forms of communication and in a mediatized society in general. This society manifested in “mass self-communication” associated with social media, in the environmental movement’s contribution to mitigate climate change, and in neuro-politics, which analyzes power through cognitive processes (Castells, 2009; cf. Castells, 2012). Advocates are raising awareness of issues, giving a voice to the marginalized and advocating for change through an “Inter-network society”.

To help advance the understanding about civil society development in China, the scholarship of this dissertation works to build credibility for a networked understanding of civil society’s public advocacy for “Dao” in a field dominated by a state-led public advocacy with guidance and Party’s central control view of Chinese politics. Civil society actors’ acting as ‘informal auditors’ like ‘watchdog’, which imposes costs on states that would prefer to keep such information private. Civil society’s public advocacy for “Dao” holds government and institutions to account that would contribute to those states restricting civil society) (Kreienkamp, 2017, p. 6). Wolin’s (2004) view about political analysis not only consists of the neutral observation of objective reality, but also

shapes politics to a creative vision of the Good, and innovate the existing political order.¹⁹ This field needs innovative and theoretically competent work to apply the concept of Inter-network society and civil society discourse to China's cultural background and current social reality. The key elements of traditional Chinese political thought and Western philosophers' work, for example "network society" shall be employed to differentiate the definitions of 'Civil Society' and its continuing conceptual use by considering China's own historical context and philosophical tradition.

In Jack Linchuan Qiu's book "Working-Class Network Society", he describes the emergence of a new working class of "network labor" in China(Qiu,2009,p.3).When inexpensive Internet and mobile phone services become closely integrated with the everyday work and life of the information "have-less",who are increasingly connected by cybercafes, prepaid service, and used mobile phones. Qiu points out a process of class formation has begun that has important implications for working-class network society in China(Qiu,2009,p.3). Castells (1996) agrees that the special nature of "power of identity" that ultimately relies on the power of the locally-rooted socio-historical identities of the people, and adds it in his theory: "Our societies are increasingly structured around a bipolar opposition between the Net and the Self" (Castells, 1996, p. 3).

The research tries to look for the connection between the increasing number of social incidents and public interest advocacy. The observation shows the influence of public interest advocacy for free lunch campaigns, collective land disputes, anti-foreign protests, copyright issues, labor strikes, and environmental demonstrations in China. The public interest advocacy activities happened particularly after the 2008 Wenchun Earthquake. The engagement of inter-network society in public interest advocacy has recently entered a new phase in China. As this process continues, the assessment of the main social actors and the participation of civil

¹⁹ Wolin, Sheldon S. (2004). *Politics and vision: continuity and innovation in Western political thought* (Expanded ed.). Princeton, N.J. Princeton University Press

society in public interest advocacy are both necessary and timely. It is with this in mind that this dissertation posits the following main question: What impact has civil society's engagement in public interest advocacy had on policy decision making in China, a developing country transitioning from a state-led society to a more active society? This dissertation presents a scholarly account of broader political science debates on the salient issues for this area of Chinese politics and society. It seeks to provide groundbreaking findings through the analyses of multiple sources and dimensions of non-state sector development and the transformations of the one Party-state's governance.

The recent developments of rising public interest advocacy really signal the emergence of new strategic opportunities for non-state actors to project their concerns onto the reform and promote the construction of civil society. Kreienkamp (2017) suggests that non-violent mass resistance campaigns have demonstrated the power that civil society movements can sometimes exercise (p. 5). There is also the possibility that the different perspectives of power brought by the strong public interest advocacy bloc could function to compete with the influence of capital, the dominant ideology, and geopolitics of nation-state institutions. The CSNs and rights-seeking groups employ public interest advocacy to impose public pressure, moderate resistance, and social protest via the new public sphere, especially through private and social media. As 'helping hands' in a state-led civil society, could the CSNs' engagement in public interest advocacy help to change them into more autonomous and independent organizations? The success of the initial phase of public interest advocacy is manifest in the inclusion of civil society into the policy decision making process in the recent reform process. One of the strengths of this research will be to analyze the current development of rights-seeking groups and civil society organizations, and the cumulative effects of their engagement. As civil rights awareness grows, the open question remains on how to check and balance the relations between the state, society and markets in order to safeguard harmonious social development.

Along with the myriad expectations of civil society, much research has been conducted. This doctoral thesis traces the function China's civil society has assumed or will assume, and the impact of constraints on the overall growth of the sector and the changes of its composition in the aim of enhancing our knowledge of the nature, constituents, and roles of civil society. Since the Opium War in 1840, Chinese society has undergone numerous reforms and revolutions in the aims to transit from a traditional society to a modern society. During the last three decades of Reform and Opening Up (改革开放), Chinese people witnessed the government power's marriage with capital as a high-powered engine to form the "socialist" market economy, which has produced a economic miracle along with numerous social problems. The rise of this new hybrid of power and capital has led to the imbalance of power among the state, society and the market since the onset of reform in the late 1970s. Though the heavily feudal ideas of anti-rightists on political reform and anti-Leftists on economic reform made social and political reforms lag behind and caused a serious loss to the entire social ideology, and government credibility, the increasingly open economy has also facilitated the establishment of the infrastructure for an active inter-network society in China.

About the local character of political criticism to a state-led public advocacy with guidance, Foucault's words (1977) applied that the defining feature of contemporary political inquiry requires "an autonomous, non-centralized kind of theoretical production, one that is to say whose validity is not dependent on the approval of the established regimes of thought."²⁰ From the colorful revolutions to the Occupy Wall Street movement that were in the spotlight of global news, a comparison with Chinese history might be a useful way to understand the changing (and not changing) nature of governance and citizenship, and the goals of the Party-state etc. Sheldon Wolin (2004) argues about political inquiry that the history of theory is in part, the story of changing assumptions about the Good, and the purpose of political theory is to reflect "on matters

²⁰ Foucault, Michel (1977). "Two lectures". In Calin Gordon (Ed.), *Power/knowledge: Selected interviews and other writings, 1972-1977*. New York: Pantheon Books, p.81

that concern the community as a whole.”²¹ In a wider sense, Foucault's notion of “governmentality” as the “art of government”²² might be useful for understanding the contemporary China. Using governmentality as a model requires a careful look into China's history rather than just equating China's changes with those of Modern Europe. In China’s ancient history, the Reform of Shang Yang is the first and only fundamental reform which pushed forward the social development and the upgrading of political modality. Regardless of its historical limitations, the elements of society control theory in Shang Yang's legislative notion are still dominant in China’s modern society control system.²³

China’s history is one where crisis has led to reform. In China’s history, without the crises triggered by the 1840 Opium War, the 1895 Sino-Japanese War, and the 1900 Boxer Rebellion, reforms including the 1860’s Self-strengthening Movement, and the Hundred Days Reform might not have happened during the late Qing Dynasty. It was the Hundred Days Reform for a fundamental social and political change that opened the curtain of over a century’s radical revolutions and incremental reforms in China. However, until today, China has not achieved a fundamental transformation in social and political institutions. Over the last three decades, China's open-door reform itself was the product of the crisis caused by the Cultural Revolution. The top-down reform model has always failed to enact liberalizing political reforms and secure more accountable governance to the public due to prevailing elite interests, established organizational principles and bureaucratic preferences. Joseph Fewsmith (2013) points out that these kinds of impediments of implementation have turned the most promising experiment in promoting “consultative democracy” into “consultative authoritarianism”.²⁴

²¹ Wolin, Sheldon S. (2004). *Politics and vision: continuity and innovation in Western political thought* (Expanded ed.). Princeton, N.J.: Princeton University Press, p. 4

²² Foucault refers the “government” to state politics and a wide range of control techniques, which applies to a wide variety of objects, from one's control of the self to the “biopolitical” control of populations.

²³ The Reform of Shang Yang (商鞅变法) is the first and only fundamental reform, Shang Yang engineered and executed the reform of Qin. See Wang Zhang rong’s thesis, (2009) “Ideas of Management of Society Control in ShangYang's Legislative Concepts”, Shang Yang’s society control circulation mechanism was relied on the law and the customs “in the basic mode of penalty and award, the wide spread of law, and fooling the peasant”. It helped Shang Yang build the norm of society system.

²⁴ Joseph Fewsmith, (2013), *The Logic and Limits of Political Reform in China*, Cambridge University Press

China's contemporary history shows an "incremental reform" rather than "radical revolutions" that helped achieve economic growth and social change. The open-door reform initially was the farmers' individualism guided by their own interests and initiatives that played a central role in such an unorganized, leaderless, non-ideological, and apolitical "reform from below".²⁵ It was the people from the bottom that made the central government begin to gradually unleash the planned economy of decentralization without overt confrontation or violence. This dissertation uses neutral observation of rights-seeking individuals and civil society organizations (CSOs) which employ the public interest advocacy to mobilize Chinese citizens to participate in the public policy decision making process. Yu Keping observes that "as CSOs develop, they play an increasingly important role in social management. They perform some functions of social management independently or in cooperation with government departments. The process of social management exercised by CSOs independently or in cooperation with the government is no longer government, but governance"²⁶ (Yu, 2000, p.2). This bottom-up model will become one of key elements to transform the society incrementally.

An important finding of this dissertation is that civil society organizations' increasing engagement in policy advocacy provides operational assistance to the market, the state agencies and the society. It also strengthens the influence on the public policy decision making process. A greater number of civil society organizations not only participate in the public interest advocacy, but also have greater influence in the formulation of legislative reforms and decrees. It helps further improve the understanding about the increase of social demands and public participation in such areas as policy-making, and access to public information, etc. The analysis of the emergence of a new virtual public sphere in China also helps to decode the abrupt and profound social changes. The rise of public interest advocacy via the Internet increasingly weighs in on China's policy decision making. The adoption of a responsive strategy toward public demands by

²⁵ See Kate.Zhou, (1996), *How The Farmers Changed China: Power of the People*, Boulder, CO: Westview Press,

²⁶ Yu Keping, "The Emerging of China's Civil Society and Its Significance to Governance", is the general report on the research project – "The Emerging of China's Civil Society and Its Impact on Governance" supported by the Ford Foundation. The major members of the research group include Yu Keping, Liu Junning, Wang Ying, Wang Yizhou, Sun Liping, Sun Bingyao and Deng Zhenglai.

the Party indicates the increasing resilience and the adaptive governance of the Party-state. It shows the potential that an active and strong civil society could serve as a solid bridge between the state's power and societal demands. Providing the novel understanding about the ever-shifting connections between political participation and social change in today's China shall be one of the key challenges to this dissertation.

Methodology

Borrowing Manuel Castells' (2000, 42) main question in his book "Communication Power", "where does power lie" in the China's network society? This dissertation tries to show communication brought by the public interest advocacy that is the emerging power in society by analyzing and presenting numerous literature reviews, and by drawing on empirical examples from case studies. The stated objective of this dissertation is descriptive aiming at an improved *conceptual* understanding of the development of civil society's increasing participation in public policy decision making. And the stated purpose is to gain greater *detailed* insight to the implications of these developments. Chinese civil society as the *mediator/mechanism* of these changes is the part of this investigation. Situated within the context of contemporary China and recent empirical findings of the development of civil society, there are basic background analyses of the 2007-2015 series of Anti-paraxylene (PX) Protests, the 2011 Wukan Incident, the 2012 Anti-Japanese protest, the Copyright Issue advocacy and the Free Lunch Campaign Advocacy. A detailed examination of public opinion, contested struggles of popular protests and other social media content in China's cyberspace will help to properly contextualize the influence and public interest advocacy on policy decision making. It also points out the potential threat due to the populist origins and radical nature of public mobilization online.

In the effort to improve our theoretical understanding of civil society and its engagement in the rising public interest advocacy in China, this dissertation uses a multi-contact case study approach to investigate the questions empirically and theoretically. To make causal inferences, the

case study method (a single case study or even a small collection of case studies) poorly crosses the empirical threshold, which usually requires a comprehensive research theoretical proposition. But such criticism does not apply to descriptive inferences, when this dissertation's design emphasizes causal effects of civil society's participation in public interest advocacy over causal mechanisms, or the observation of civil society organizations' engagement values breadth over depth.

This dissertation draws upon a large body of evidence from case studies with quantitative media analysis, and internal government documents and other qualitative research to analyze the responsiveness of the government and attributes an active civil society with supporting the findings. The theories in public interest advocacy, the network society, civil society, and social movements are the keys to present the research. Joshua Gerring's (2004) argument in his analysis of the case study method clearly conveyed the reasons, that "general theories rarely offer the kind of detailed and determinate predictions on within-unit variation that would allow one to reject a hypothesis through pattern matching."²⁷ The case study method helps to argue the civil society-state-business mediatory model as a good governance model. The analysis will develop four case studies to identify the current status of civil society and the role of its participation in public interest advocacy in China. It will be used as the prism of the emerging active society in China. The main focus of the case study will be hot-button environmental issues like the protests against the PX petrochemical plant plan, and Wukan community-based advocacy against local corrupt officials. These case studies present "a microcosm of many of the issues that are the causes of local contentious politics at the village level, since it showcases the underlying structural dynamics across the country and makes generalizable conclusions possible" (Lagerkvist, 2012, P.139).

²⁷ Gerring, Joshua (2004) "What Is a Case Study and What Is It Good for?" *The American Political Science Review* Vol. 98, No. 2, pp. 341-354

There are, of course criticisms such as generalization “on the basis of a single case ... may be central to scientific development” (Flyvbjerg, 2006, p. 228), the exploratory case study methodology has ‘been especially common in research on Chinese politics’ (Hurst, 2010, p. 164), and shortcomings like the shortage of some up-date data available to this research approach of. First, to avoid the engagement in ‘invalid part-to-whole mappings’ (Snyder, 2001, p. 98), this work is only meant to provide a useful analytical theory framework and generate a few insightful proposals for future research. It is not possible to generalize findings, in Lagerkvist’s word that “a methodological caveat should be flagged: No single social protest can in any way fully represent the multitude of specific situations across China. Different cases of mass incidents show dissimilar context and causes” (Lagerkvist, 2015, P.139). Second, there are many significant contingent characteristics, for example many Chinese netizens who hold nationwide online conclaves to participate the debate and discussion about the social protests, like the tumult in Wukan sharing many structural and systemic similarities with other villages around China. The Habmasian “deliberative democracy” as “discourse theory of democracy”²⁸ and experiment with different kinds of deliberative governance (Barnes, Newman, & Sullivan, 2007; Ryfe, 2002) are projected in China’s digital public sphere. It is required to fully analyze the public advocacy models, strategies, and tactics from the perspective of political implications, and use as proxies to attempt some “bounded generalization that is applicable to other cases under similar conditions” (Acharya, 2011, p. 112)

This dissertation will select civil society organizations and representatives of rights-seeking groups by using a stratified sampling method. A major portion of the information gathered for this dissertation relied on original research, which covers the analysis on environmental protection, copy-right and collective land usage etc, and the political implications raised by these issues. The research will employ extensive reading of news reports, and social network analysis, to investigate the NGO’s participation in public interest advocacy. Given the sensitivity of relative data collection and release, the existence of censorship and the limited scholarly research on the

²⁸ Habermas, (1992). *Faktizität und Geltung. Suhrkamp*. English translation: Between Facts and Norms. MIT Press. 1996

relation between civil society, the state and the market in China, the analysis only draws on verified data collection from news media, primary official documents and secondary literature. This dissertation will mainly develop empirical evidence through four detailed case studies of the public interest advocacy as a participant-observer in field study conducted in China between 2013 and 2018 specifically for this project. This dissertation focused only on a specific time and place relate to the four case studies in order to analyze specific influence of the rise of public advocacy. Nevertheless, given the Chinese government's omnipresent influence, it is appropriate approach to consider the interaction between civil society networks and the Party-state from the perspective of political connections in digital public sphere.

Summary of Thesis: Chapter Outline

The scope of public interest advocacy, civil society theory and their application to the context of China is extensive. Therefore, it is broken down into seven chapters. Chapter 1 starts with an introduction to the phenomena of rising public interest advocacy as it relates to the inquiries at hand. This chapter will place the purpose of the research, as well as the contribution that this dissertation offers to the field. Specifically, this chapter will decode China's social and political reality in dynamic and process-based terms (Emirbayer, 1999, p.281). It presents a selected literature review and initiates a theoretical framework for the thesis.

Chapter 2 depicts a re-conceptualization of civil society as an Inter-network society which is characterized by "mass self-communication" and "inter-subjectivity" in a process of building cross-sectoral networks. And there is a full illustration of the Civil Society Networks (CSNs) and the "Network Society". Civil society is frequently deemed a set of autonomous organizations in the "wishes and imaginations" of foreign observers. It easily goes with the conclusion that "the presence of the state is so overwhelming that civil society has yet to truly develop." (London 2009:393). The key theoretical innovation in this chapter is to present that the CSNs are built on connections and developed into flexible structures to engage in path-breaking advocacy.

Chapter 3 tries to understand the momentum behind the phenomena of the rise of public interest advocacy. This chapter deliberates on how the rise of public interest advocacy contributes to our understanding of the actors involved in the development of China's civil society. It explains the incentives of advocacy for "Dao" as power and participation, and explores the agenda behind the state's policy of advocacy with guidance to consolidate the governance accountability. The transitional character from a state-led civil society to a state-guided civil society is deviating from simply challenging and confronting the original political system into a community-building and cooperation process. Continuing with the demonstrations of observed the models of public interest advocacy and its legal application that including the Oppositional Model and the Collaborative Model. This chapter's analysis shares Zhu and Robinson's optimism about the power of the emerging "critical masses" (particular the advocates, networks and the CSOs) becoming the main force to keep "the Party-state in check through increased transparency and thus accountability."²⁹

Chapter 4 discusses details of three overall public interest advocacy strategies observed among networks that respectively are Embedded Advocacy, Media Campaign Advocacy and Community based Advocacy. The chapter emphasizes advocacies that are most efficiently facilitated via the digital/virtual public sphere. This chapter outlines the dynamics of online activism, and how they deploy the informational flows to demonstrate their power and reshape public opinion. It also reveals online censorship as a tool of governance, and the potential of a virtual public sphere, facilitated by the Internet, particularly through social networks and micro-blogging (*weibo*), to become important means of communication and mobilization for public interest advocacy to protect citizen rights. This chapter offers a scholarly literature review of the growth of civil society in China, confirming the potential importance of Habermas' concept of "public sphere" as "rational discourse among citizens and social groups"³⁰ in addressing the

²⁹ Zhu, Ying and Bruce Robinson. (2010). "Critical Masses, Commerce, and Shifting State-Society Relations in China." *The China Beat* (17 February) <http://www.thechinabeat.org/?p=1526> , accessed 13 June 2018

³⁰ Habermas, Jürgen (1989). *The Structural Transformation of the Public Sphere* , Cambridge: MIT Press,

changing state-society-market relationship. Advanced information and communication technology (ICT) provides social space for public communication and socializing which adds the virtual “public sphere” as a new part to the “public sphere”. It explores the complex ways of online public interest advocacy that alter traditional patterns of socio-political engagement. This chapter agrees with Xiao’s idea that the Internet is “changing the rules of the game between society and the state” and contributing to an unprecedented “power shift in Chinese society.”³¹ The virtual public sphere/space for consumption and communication not only connects and disconnects markets, civil society and state, but also alters and perpetuates long-standing patterns of socio-political engagement. The exploration of these new avenues in this chapter shows that Chinese citizens have a growing opportunity to explore their identities and social experiences with more individual autonomy and influence.

Chapter 5 and Chapter 6 include the qualitative case studies that assess public interest advocacy via a virtual public sphere. The case studies include the Writers Association’s advocacy for Digital Copyright Protection, the Free-lunch Campaign’s advocacy for Children and community-based advocacy for Wukan village. These chapters also present a detailed analysis of the series of Paraxylene (PX) protests. They illustrate the impact and influence of the public interest advocacy. It contends that the public interest advocacy approach is to empower the rights-seeking groups and CSOs protecting citizens’ rights from the unchecked power of the state and the market. This chapter’s resources of the analysis findings include the web sites, news articles and the official documents.

Finally, after thoroughly demonstrating a critique toward the advocates and advocacy networks, Chapter 7 envisions four different scenarios of futures of the civil society that thrives in the digital age, and concludes this dissertation with a summary of the key findings from the case studies. It also highlights that public interest advocacy has influenced the development of civil

³¹ Xiao Qiang (2004) .“The ‘Blog’ Revolution Sweeps Across China.” New Scientist
[.http://www.newscientist.com/article/dn6707-the-blog-revolutionsweeps-across-china.html?full=true](http://www.newscientist.com/article/dn6707-the-blog-revolutionsweeps-across-china.html?full=true) .

society's engagement in China's public policy decision making to a degree that a state -civil society-market relationship with Chinese characters, albeit nascent, is evident and has been somewhat effective in the transition toward an active society. Although, this relationship is under stress, given that China continues to face obstacles as a result of its stagnant political reform, entrenched culture of corruption and limited respect for the law. Through research, this dissertation demonstrates the potential of civil society networks and contributes to diffusion of public interest advocacy strategies.

CHAPTER 2

The Inter-network Society

"We live in the midst of a revolution in communication technologies that affects the ways people feel, think, and behave..."³²

-Manuel Castells, *Communication Power*

"In Merleau-Ponty being-inside the concrete reality of bodies implies an even more fundamental relation to alterity, being among others, in the perceptive modalities and the linguistic forms of being. And the experience of alterity is always traversed by a project to construct the common."³³

-Michael Hardt and Antonio Negri, *Commonwealth*

Introduction

This depicts a re-conceptualization of civil society as an Inter-network society which is characterized by “mass self-communication” and “inter-subjectivity” in a process of building cross-sectoral networks. And there is a full illustration of the Civil Society Networks (CSNs) and the “Network Society”. The key theoretical innovation in this chapter is to present that the CSNs are built on connections and developed into flexible structures to engage in path-breaking advocacy.

Civil society is frequently deemed a set of autonomous organizations in the “wishes and imaginations” of foreign observers. It easily goes with the conclusion that “the presence of the state is so overwhelming that civil society has yet to truly develop.” (London,2009,p.393). Tocqueville (2004) most famously wrote, “Wherever there is a new undertaking, at the head of which you would expect to see in France the government and in England some great lord, in the United States you are sure to find an association” (Tocqueville, 2004, p.595). When it comes to addressing social issues in China, “Hui” (会)³⁴- the earliest form of social networks since the Sui Dynasty throughout Chinese history, is an alternative that fills important gaps left by the state. The “Hui” (会) were all kinds of guilds, clan societies, hometown associations and cultural salons that

³² Castells, Manuel (2009), *Communication Power*. Oxford, New York: Oxford University Press.

³³ Hardt, Michael and Negri, Antonio (2009) *Commonwealth*, Cambridge: Belknap Press p. 30.

³⁴ Simon, Karla (2013), *Civil Society in China: The Legal Framework from Ancient Time to the “New Reform Era”* Oxford University Press

are traditional communities based on blood, geopolitical, or inheritance relationship. Wakeman's analyses contests the denials of the existence of a Chinese civil society in imperial China, and also confirms the possibility of a re-emergence of civil society in post-reform China.³⁵ The last 30 years of political culture and reforms were deeply influenced by Deng Xiao Ping's powerful statement that "it doesn't matter whether it is a white cat or a black cat, a cat that catches mice is a good cat."³⁶ Until today, neither political society nor civil society has been changed by this magic buzzword. Civil society and especially its grassroots / underground organizations seem not easily to earn the "good cat" credit as a "black cat". The civil society is a powerful driver of politics. Although its social transition might be immature toward that the existing Party-state still can perform the minimum functions of a state. The worst scenario and deepest concern for Chinese society, is a sudden collapse of the state, like what happened in the Soviet Union, Iraq, and the Ukraine where there were no functional state machineries to represent citizens and take the place of the state. Another possible concern is the revival of monarchy.³⁷ In either scenario, it may be a "failed state" situation similar to the Hobbesian "state of nature"³⁸ without any political reform progress would be likely.

Numerous scholars have tried to explain the paradoxical and divergent outcomes of civil society. About the meaning of modern civil society, it ranges from challenging the Party-state's environmental policy (Shapiro 2012), strengthening democracy (Putnam 2000), supporting authoritarian transition (Riley 2005) to intensifying ethnic strife (Varshney 2002), and shows the necessity for a broad the concept of civil society. Confucian morality, particularly

³⁵ Wakeman, Jr., Frederick (1993) "The Civil Society and Public Sphere Debate: Western Reflections on Chinese Political Culture," *Modern China*, no. 2: 108–138.

³⁶ According to Deng Xiaoping, his comrade Liu Bocheng often quotes this old Sichuan saying. See 'Selected Works, Zenme huifu nongye shenchan (English: How to Restore Agricultural Production) Volume One of the Chinese edition, speech of 7 July 1962, Wikipedia

³⁷ In the Chinese modern history, the first President of the Republic of China, Yuan Shikai preceded himself as Hongxian Emperor after Xinhai Revolution overthrew the Qin government.

³⁸ Hobbes described a "state of nature" in which "law and order crumble, ethics and morality fall to dust, and violence rules the day, leaving the people with a life that is "solitary, poor, nasty, brutish, and short." Hobbes, Thomas (1958) *Leviathan*. The Library of Liberal Arts edition, Indianapolis and New York: The Bobbs-Merrill Company, Inc., p. 107.

Confucian “familism”³⁹ made the self-governance in Chinese society possible. The values and norms regulated family relationships were also applied to other social relationships, and institutionalized at different levels. A basic feature of the state-society relation in pre-modern China is “the whole society was conceived as an enlarged family,” that its civil society was capable of self-governed, and there was not much need for state control (Xia, 2014, P.44).

Today’s China is still undergoing industrialization and urbanization, with more than half of its 1.43 billion⁴⁰ population located in the less developed villages and counties. The liberal changes in the discourse of mass media such as the China Central Television (CCTV) series “River Elegy” (Heshang 河殇),⁴¹ introduced the scholarly criticism about the “backwardness” of Chinese traditional culture and social problems to the public. After its first broadcast in 1988, this documentary revived social debates about the future of the nation and society among university students, intellectuals, and even the overseas Chinese community, its harsh criticisms on Leninist theories and the Party’s policies arouse concerns of triggering student unrest among top leaders of the Standing Committee of the Politburo and the Central Secretariat.⁴² Yuan Zhiming, the co-author of “River Elegy”, argued the aim was to call for people to “think about the historical heritage standing in the way of modernization,” and insisted that the “reform and opening-up policy”⁴³ could not be successfully implemented, if China merely promoted economic reform without initiating political reform to accommodate western

³⁹“familism” includes family values as the centre and prototype of social relationships, in addition to the law of the state, there were rules for families, lineages, and clans, as well as regulations for local organizations or associations – all embodied the spirit of Confucian familism. See Xia,Guang (2014) “China as a ‘Civilization-State’: A Historical and Comparative Interpretation,” Isevier Ltd.<http://creativecommons.org/licenses/by-nc-nd/3.0/>, accessed Oct.18, 2018

⁴⁰ China’s 2019 population is conducted by a UN project, accessed on Oct1st,2019,<https://www.worldometers.info/world-population/china-population/>

⁴¹ A six part of documentary TV shown on China Central Television on June 16, 1988. It had negative portrayal of Chinese culture, and criticized the Confucian traditional thoughts and philosophy as the root of the decline of Chinese civilization. See Jong, De Alice. “The Demise of the Dragon: Backgrounds to the Chinese Film River Elegy.” *China Information* 4.28 (1989): 28-43. Sage Premier Database. p.31

⁴² Lau, Tuenyu and Yuet-keung Lo. (1991) “Heshang (River Elegy) A Television Orchestration of a New Ideology in China.” *Asian Journal of Communication* 1.2: 73-102. Inform a World-Taylor and Francis Database. p.79

⁴³ It refers to the program of the economic reform started in 18 December 1978, the Party terms it “socialism with Chinese characteristics” and socialist market economy”, led by Deng Xiaoping..

democracy while also embracing cultural pluralism.⁴⁴ The Danish scholar Clemens Strubbe Ostergaard (1989) admits that the “sheer size and complexity of Chinese society makes it hard to distinguish the general trends and patterns”, and states that the existence of “the independent politicization, an embryonic organizations”⁴⁵ as some form of civil society emerged before 1989, which had laid down a profound social basis for the student movement.

Recently, a legislation group’s proposal of a law on nature reserves⁴⁶ is also a sign of an increasingly active civil society movement, pushing to be involved in the Chinese political process. Civil society in China is not only a process built on a set of autonomous organizations, but often it acts through cross-sectoral networks with personal connections and flexible structures engaging in path-breaking advocacy with authorities and elites. The potential of civil society networks contributes to diffusion of a wide range of information about the operations and actions, which affect citizens’ vital interests. The civil society’s power and participation at the popular level has been readily available to the public through multiple network models and advocacy strategies.

The Inter-Network Society

To understand the current relationship of the state-society, the public interest advocacy of collective action and alliance-building using advanced ICTs, will be examined using the network theory, and the concept of “network society.”⁴⁷ Today’s society has emergent techno-social qualities that stem from the intersection of technology and human beings. These social and technological networks have emergent qualities that “interact when these two kinds of networks are combined in the form of techno-social networks such as the Internet” (Fuchs, 2009, p.96).

⁴⁴ Jong, De Alice. (1989) “The Demise of the Dragon: Backgrounds to the Chinese Film River Elegy.” *China Information* 4.28: 28-43. Sage Premier Database. pp.36-7.

⁴⁵ Ostergaard, Clemens Strubbe. (1989) “Citizens, Groups and a Nascent Civil Society in China: Towards an Understanding of the 1989 Student Demonstrations,” *China Information* 4, no. 2: 28–41.

⁴⁶ Nature Reserve Legislation Group led by Xie Yan, See details from “Civil Society’s Changing Role in the Chinese Political System”, China Dialogue ,

<https://www.chinadialogue.net/article/show/single/en/5804-Civil-society-s-changing-role-in-the-Chinese-political-system>

⁴⁷ Castells, Manuel. (2000b). *The rise of the network society* (2nd ed.). U.S.: Blackwell Publishing.

Castells deploys a “parallel with software language” (p. 48) in his terminology, and argues that social networks are a “networking form of social organization” and information technology is the “material basis” for the “pervasive expansion” of social networks (Castells, 2000b, p. 500). It is important to distinguish social networks from technological networks, also to identify the emergent qualities of techno-social networks (Fuchs, 2005; Fuchs, 2008a, pp. 121-147). In network society theory, Castells (2009) argues that the deterministic control of power is not fully determined by one group or one kind of power structure, but he also recognizes that “whoever has enough money, including political leaders, will have a better chance of operating the switch in its favor” (p. 52). The theory of network society is the basis for a hypothesis that an emerging “Inter-network society” in China that has tremendous increased interactivity, and “inter-subjectivity”⁴⁸ has been brought into being by the digital public sphere.⁴⁹ Interactive communication via the Internet and wireless networks characterizes the “inter-subjectivity”⁵⁰ of the social space which is constructing an “inter-network society”⁵¹ where power is intertwined and able to intervene more decisively.

Civil society collective action is an interactive process of ideas, values, networks and interests. Adapted from the literature on conflict resolution and peace building, Dugan (1996) and Lederach (1997) agree that the “nesting paradigm”⁵² describing the relationships among the individual actors, organizations and networks, campaigns and social movements, is complex and different in perspective, size, and degree. It particularly emphasizes that social movements and

⁴⁸ The “intersubjectivity” as tological (or phenomenological) terms, See Dan Zahavi, 'Intersubjectivity,' Routledge Companion to Phenomenology, (New York: Routledge 2012).

⁴⁹ Castells, Manuel. (2000b). *The rise of the network society (2nd ed.)*. U.S.: Blackwell Publishing.

⁵⁰ “Intersubjectivity” is often interpreted in the context of the philosophical problem of "other minds" which is in attempt to understand an ontology of the social. See Dan Zahavi,(2012) 'Intersubjectivity,' Routledge Companion to Phenomenology, New York: Routledge; James Schmidt, Maurice Merleau-Ponty: Between Phenomenology and Structuralism, (New York: St. Martin's Press 1985), 58.

⁵¹ “Inter-network society” emphasizes on the network society’s “inter-subjectivity” and “interactivity”. Under the influence of digital information and communication technology, an Inter-network society originates from the vast increased interaction between social organization and social change, and the subjectivity is being more obviously the inter-subjectivity: that human relations with others are intertwined with tension and revelation

⁵² The “nesting paradigm” considers both the narrower and broader aspects of a social structure, ranging from issues to more systemic concerns. This term is adapted from literature on Peace and conflict resolution.

See Dugan M (1996) “A Nested Theory of Conflict,” Women in Leadership;

Lederach JP (1997) Building Peace: Sustainable Reconciliation in Divided Societies. Washington: U.S. Institute of Peace.

campaigns are sub-sets of the broader phenomenon of civil society networks, and that all forms of networks are based on specific underlying social relations. Civil society could be defined broadly as “the space of un-coerced human association and also the set of relational networks—formed for the sake of family, faith, interest and ideology—that fill this space” (Michael Walzer, 1998, p.728). The “nesting paradigm” approach offers a context and direction for comparative research. The countries with more developed civil societies may include campaigns and social movements with more cooperative relations with state agencies in a greater diversity of network forms. The countries with less developed civil society networks may directly confront state power with looser institutionalized structures. The disadvantaged majority lack the direct approach to demand regarding rights and legal outlet to express corresponding popular dissatisfaction, and receive no direct response from the ruling cadre of Party officials. The masses have increasingly resorted to the civil society networks for public advocacies and protests.

Civil Society Networks

CIVICUS’ official website further made references to “civil society networks”.⁵³ Kadir (2004) found activists on civil society in Singapore join the “networks of voluntary organizations... formed by citizens to pursue mutual interests or beliefs”, also noted “ad hoc gatherings as a way of strengthening informal networks.”⁵⁴ Civil society in a network analysis is composed of the relations among actors which include individual networks and/or association networks. “A set of links or ties connecting nodes” or “a set of interconnected nodes” as the networks, are made up of relations, and roles among actors to construct and influence politics (Katz and Anheier, 2006; Castells,1996).

The actors in a civil society network require informed, context-specific yet ultimately subjective evaluations. Chambers (2002) describes civil society as a process through which

⁵³ See the term of “civil society networks” used on CIVICUS’ official website: www.civicus.org/csn.

⁵⁴ Kadir S (2004) “Singapore: Engagement and Autonomy within the Political Status Quo,” in Alagappa M, ed. *Civil society and political change in Asia: expanding and contracting democratic space*. Stanford: Stanford University Press, 324-56.

“actors consciously try to enhance, expand, and transform the public sphere.”⁵⁵ Both a metaphorical “realm”, as well as the actors who operate in the space should be studied (Hughes, 2003). The researches of Hannah (2007) and Wischermann (2010) take an actor-centered view of civil society, while Büsgen (2006) and Xie (2007) examine personal network ties and use NGOs as the basic unit of analysis. Civil society occurs as networks act, therefore the question is what civil society actually does (Uphoff and Krishna, 2004). Blair (1997) defines “civil society organizations” (CSOs) as a type of NGOs that aims to participate in the public policy making process, but still limits civil society to formal organizations. Rarely is a connection identified between networks and civil society. Clark concludes that, “civil society represents 'collective activities of citizens for purposes of social change rather than individual gain', represented by civil society organizations (CSOs).”⁵⁶

In considering the relationship between a vibrant civil society and democracy, not all networks have a vision of the common good or an advocacy component as civil society networks, they may remain at the level of personal ties to serve the interests of their own. Robert Putnam (1995) has defined “social capital” generated by widespread membership in groups promoting democracy which “networks, norms and social trust that facilitate coordination and cooperation for mutual benefit” (67). Ma (2006) points out that groups build social capital and civility contributing to foster civil society either out of the public interest or private interests. Putnam (1993, 2004) assumes civil society networks naturally generating social goods for individuals and the community, which in turn facilitates political participation and promotes good governance. In this approach, civil society directly promotes social capital as a way of solving problems for democracy. This perspective about social capital neglects multiple functions of the state or corporate-initiated networks and illegal or semi-legal underground networks, incorporating certain civil society features while also pursuing their own private agenda and interests. In

⁵⁵ Chambers S (2002) “A Critical Theory of Civil Society”, in Chambers S and Kymlicka W, eds. *Alternative Conceptions of Civil Society*. Princeton: Princeton University Press, 90-110.

⁵⁶ Clark, John D. (2003) *Worlds Apart: Civil Society and the Battle for Ethical Globalization*. Bloomfield, CT: Kumarian Press, 188-189

advocacy to view civil society based on “the logic of action”, rather than to define “a conception based on the logic domains,” Wischermann has concluded that analysts should “stick with the empirical facts and scrutinize each and every civic organization carefully, as to whether or not they might be contributing to ‘civil society-building’ ” (Wischermann, 2005, p.221).

In a process view of civil society, networks may at times include organizations, individuals and other collective actors. For example, the Sina Weibo (a micro-blog service) is one of China’s most dynamic social media networks launched since 2009. The Sina Weibo has transformed from a Chinese equivalent of a Twitter-like tool to a comprehensive platform for more rational interactions between the government and the civil society networks. The use of Sina Weibo platform to expose corruption has brought down a large number of corrupted officials, and impacted China’s culture of officialdom. It gives a glimpse of people’s voice and also improves the communication between the Chinese government and its people. The intense online discussions on multiple corruption scandals show a “micro-blogging revolution”⁵⁷ (Sullivan, 2012). The Sina Weibo becomes a highly “politicized space”⁵⁸ of continuous negotiation between citizens and the government which provides a platform to Chinese netizens where they can enjoy relative freedom of online speech (Magistad, 2012). With the indication of such an active civil society’s emergence in China, these dynamic social changes reflect the dilemma of the Chinese Communist Party (CCP). The party hardly meets the increased demands for democratic participation of social security, equality, autonomy, justice and freedom. Regardless of the obstacles of authoritarianism, citizens started to respond to the urgent social needs, convey the deepest concerns and influence the policy-making through the establishment of various mass/non-official associations and people-powered organizations such as grass-root /non-governmental organizations (NGOs).

⁵⁷ Sullivan, Jonathan. (2012). “A Tale of Two Microblogs in China.” *Media Culture Society* (34): 773-783.

⁵⁸ Magistad, Mary Kay. (2012). “How Weibo is Changing China.” *Yale Global* (Aug 9). Available online at <http://yaleglobal.yale.edu/content/how-weibo-changing-china> (Accessed February 28, 2013).

While a lot of Chinese NGOs actually act in their own private interests, rather than fulfilling the network's goal, the question remains if their participation will strengthen or detract from civil society, and must be demonstrated through the extent of collaborative actions with others and their nature of embeddedness in network structures. Fowler (1997) thinks NGOs' "most promising long term future is to become nodes, hubs, enablers and supporters of civic networks". Compared to formal organizations, according to McCarthy et al (2004:212-3) network promoters, these structures are cheaper, quicker, better at sharing information, more fun, and ultimately more effective. Potter and Taylor (1996) point out most of NGOs and other associations could be positive parts of civil society networks. Lang (2018) confirms that the Chinese government also tries to shrink grey areas of NGOs through law-making.⁵⁹ The evaluations of whether it is a shrinking, enlarging or changing space for civil society are critical. According to the Ministry of Civil Affairs, there were 360,399 associations (社会团体, shehui tuanti), 416,733 non-commercial enterprises (民办非企业, minban feiqiye) and 6,632 foundations (基金会, jijin hui) in April 2018.⁶⁰ The growth rate of NGOs seems even to exceed the GDP growth rate, its total number of 2018 registered social organizations amounted to 783,764 nonprofits up from the number of 606,000 in 2014 (Ministry of Civil Affairs, 2018). The sheer number, not to mention the capacity-building and diversity of NGOs show their development was not put in a halt as a consequence of the rising criticism on civil society discourses. The European Foundation Centre agrees, the popular discourse of a "Shrinking Space for Civil Society"⁶¹ is not the complete story.⁶²

⁵⁹ Lang, B. (2018). "Shrinking Civic Space: How It Plays out in Asia and How We Should Deal with It". Comments provided at GIGA Talk and Lectures. Berlin.

⁶⁰ Ministry of Civil Affairs (2018). Statistics of Social Services in the Second Quarter of 2018. <http://www.mca.gov.cn/article/sj/tjjb/sjsj/2018/20180608021510.html>

⁶¹ See European Parliament (2017). Shrinking Space for Civil Society. Brussels: The EU Response; GIGA (2017). Shrinking Spaces for NGOs. How to Deal with the Rise of Authoritarian Practices? <https://www.giga-hamburg.de/de/event/shrinking-spaces-for-ngos-how-to-deal-with-the-rise-of-authoritarian-practices>

⁶² European Foundation Centre (2017). "Announcement of the above Mentioned Symposium on the Changing Space for Civil Society". <http://www.efc.be/event/the-changing-space-for-civil-society/>

In observation, media as well as networks focusing on rights-based issues, suffer the most from censorship in China. The reflections from the Bertelsmann Transformation Index (2018) attributes that: “The number of registered civil society organizations in China has increased from 153,322 (2000) to 662,425 (2015), but these organizations are not allowed to operate independently; instead, they need to find a governmental host organization and then subject themselves to demanding procedures to obtain registration with the Ministry of Civil Affairs or its local counterparts. This severely restricts their autonomy”⁶³ (BTI China 2018). The perspectives of rights and legal changes are dominant in the discourse of shrinking, enlarging or changing space for civil society in China. It neglects the autonomy of civil society as an independent sphere of society. The Maecenata Institute for Philanthropy and Civil Society organized a symposium on “The Changing Space for Civil Society”⁶⁴ to shed light on the emerging opportunities by adopting such a new perspective. The networks are formed of “non-state forces”, but they do not have to use only confrontational means. Networks could be primarily horizontal and reciprocal in the patterns of communication and exchange (Keck and Sikkink, 1998).

Several of the assumptions mentioned above reveal a reality that the standard civil society models do not appear to hold in all settings. In China, it might be the case that neither the component parts of civil society must be autonomous organizations, nor that civil society will play the role of actual or potential political opposition vis-à-vis the state and the market. Castells (2000a) claims that networks have become a “key feature of social morphology”. Networks are a form of social organization with their own history. The network approaches in Asian contexts lie at the core of Confucianism (Rosemont, 2002). Personal networks and social networks form the component parts of civil society, linking NGOs and/or individuals to act with a shared idea for desired social change and influencing power. Dang (2011) proposed “the actions of civil society networks across boundaries between society, family, the market and the state, which are not

⁶³ Bertelsmann Transformation Index (2018). <https://www.bti-project.org>

⁶⁴ The symposium took place on October 17, 2017 in Berlin. For the report see: Hummel & Kreutzer (2017) ; Maecenata Institute für Philanthropie” und Zivilgesellschaft (Ed.): *The Changing Space for Civil Society: ein Symposium in Berlin am 17. Oktober 2017*. Berlin, 2017 (Europa Bottom-Up 20). <http://nbnresolving.de/urn:nbn:de:0168-ssoar-55079-0>

monolithic but must be disaggregated according to their roles and positions.” The application of the civil society concept in Asia should be understood as a dynamic social process that generates reciprocal trust and mutual understanding.

In the analysis of social movements in recent years, civil society was found to be comprised of networks instead of organizations. Coincidentally, the sociologist Fei Xiaotong (1992) also evaluated Chinese society in network and kinship-based terms. Comaroff (1999) points out a normative focus on voluntary associations to oppose the state, which might overlook those civil and political actions based on ethnic, kin-based and religious groups. To overcome such an unsatisfactory dilemma, this thesis seeks the alternatives to the concept of civil society through the employment of sociological theories, such as “network theory” and “network society”, instead of eliminating the cases from analysis, or concluding that civil society does not exist in this setting.

Global civil society networks have exerted a substantive influence in enlarging the space for the growth of civil society in China. The social structural theorists Wellman and Berkowitz (1986:20) announced that “the world is composed of networks, not groups”. The networks are more appropriate modal unit in China’s mass movement analyses. In a context of the lack of legal autonomous organizations throughout the Maoist period, there were plenty of rooms for the cultivation of social capital in the form of social networks, such as Guanxi networks, in the form of clientelistic relations were the basis for accumulation of social capital and cooperation on guaranteeing access to resources, (Parris, 2007). The Red Guard groups were mobilized to attack offices and criticized authority in the call of Mao’s advocacy for revolutionary. In Mao’s movement, the Party-state sphere squeezed the market to the “people’s commune”⁶⁵ (人民公社) and penetrated the family sphere of civil society. It atomized the family in the domestic sphere that many youths were sent to the countryside in the Up to the Mountains and Down to the

⁶⁵ According to Dikotter, the commune even banned private cooking, numerous problems aroused in the shared work ethic and food distribution which led to the low production and shortage of food. See more from Dikotter, Frank (2010). *Mao's Great Famine*. New York: Walker & Co. pp. 54, 60, 286, 311.

Countryside Movement. These “sent down” youth lately used the localized social networks and ideas in the creation of the Democracy Wall movement. Until the emergence of the black market networks in many regions of the country, it finally laid the groundwork for private trading networks and private firms as one basis for a nascent civil society during the end of the Great Proletarian Cultural Revolution.⁶⁶ Chan (1992) sees the Cultural Revolution as a time that produced autonomous social movements. Goldman (2002) found it providing a training ground for the democratic movements of the 1970s and 1980s.

Diani (2002) narrates the actor-centered mapping on network boundaries specification: “the network analyst adopts the presumed subjective perceptions of system actors themselves, defining the boundaries of a social entity as the limits that are consciously experienced by all or most of the actors that are members of the identity.”⁶⁷ The network structures are open where the boundary is able to be expanded without limits, and capable to integrate new nodes as long as it maintains the communication with existing ones (Castells, 1996). Since the failure of the state planned economy and the success of open door reform, it has become more necessary to look at the relationship between civil society and the arena of the market, including also the growing importance and unexpected size of the public sphere.

In order to understand the mobilization processes of social movements, Diani (1992) also confirms theorists have studied networks and created the category of “movement networks” (Diani, 1992, P.1-25). Social movements grow when individuals are mobilized to join informal networks, communities and organizations through relational channels by people they already know, such as existing friendships (Melucci 1996, p.330). The process of networking itself conveys a collective identity as a mobilizing factor. The theorists identified a model of

⁶⁶ It is a social political movement , split into rival factions and sometimes open battle See more from 1966 until 1976, Kristen Parris, Comparative Government and Politics: 2006–2007 Workshop Materials

⁶⁷ Diani M (2002) “Network Analysis,” in Klandermans and Staggenborg, eds. *Methods of Social Movement Research*. Minneapolis: University of Minnesota Press, 173-200.

“decentralized, segmented and reticulated”⁶⁸ groups with a web-like structure to connect networks to social movements in 1970 (Tarrow, 1998). Korten (1990b) concluded that “the power of voluntary action arises not from the size and resources of individual voluntary organizations” but rather from “vast and constantly evolving networks” (Korten, 1990b.p.26-30), which reach across sectors:

“we see that strategic networks are the building blocks of social movements. A strategic network is a temporary alliance of individuals and organizations through which their resources are combined in pursuit of shared, defined and consequential goals that strengthen the movement’s position in relation to major opposing forces. These alliances commonly reach beyond the formal voluntary sector to engage students, media, universities, agencies of government, and responsible business organizations.”⁶⁹

Civil society networks’ actions offer the potential of positive social change, but its valuation as an object of contestation shall suit within and across circumstances and cultures. The network includes or excludes actors on the basis of their ability to contribute, and the power has shifted to those who serve, manage and contribute to the goals of the networks. Castells (2000a) argues that “the work process is globally integrated, but labor tends to be locally fragmented”, and the “variable geometry” of the operation of networks, has individualized workers as “networked labor”⁷⁰ and “switched-off labor” which no longer comprise classes. Korten (1990b) expects networks to “energize spontaneous voluntary action on a considerable scale”, and also notices that, “participants in successful movements collaborate in continuously shifting networks and coalitions” (1990b, p. 3). In “Alternative Conceptions of Civil Society,” Chambers and Kymlicka (2002) points out during the current changes that “actors consciously try to enhance, expand, and transform the public sphere” (2002, p.98)

⁶⁸ Tarrow, Sidney. (1998), “The New Contentious Politics in China: Poor and Blank or Rich and Complex?” in O’Brien K, ed. *Popular Protest in China*. Cambridge MA: Harvard University Press, 1-10.

⁶⁹ Korten (1990b) “NGO Strategic Networks: From Community Projects to Global Transformation”, paper presented at the Asian Regional Workshop on Strategic Networking for Sustainable Development and Environmental Action, Bangkok, p.26-30

⁷⁰ Networked labor is divided into two groups: 1) Self-programmable labor is skilled and his/her interest coincides with the goals of the network, who manages information, such as financial analyst, company officer and journalist. 2) Generic labor is deskilled, interchangeable and disposable, who serves in natural resource, manufacturing, and service industries with minimum wage as sweatshop labor, his/her goal is survival so as not to be relegated to the class of switch-off irrelevant ones.

Castells points out the inclusion/exclusion logic of the network “switches off . . . people and territories dubbed as irrelevant from the perspective of dominant interests” (Castells in Nyíri, 2004, p. 7). If the individual networks with their own goals wish to interact with the dominant networks in society, they must adapt to the goals of those networks as shared goals. Waterman (2004, p.49) further explains this enforced domination “depends . . . on the simultaneous capacity of . . . elites to articulate themselves and disarticulate the masses”. Since 2013, the Party has launched a “mass line” effort to demand all media organizations to fall in line with the “will, the views, the authority, and the unity of the Communist Party.” It attempts to build an unifying ideology and embodies their goal into the 2017 CCP Constitution that “Party, government, army, society and education – east and west, south and north, the Party leads on everything” (党政军民学, 东西南北中, 党是领导一切的), neo-Maoism becomes one of the noisiest movements on the Internet.

Network theory has also been critiqued for the lack of accountability and the expensive maintenance of the large networks (McCarthy et al 2004:214), sometimes being even structurally biased. (Emirbayer and Goodwin 1994) For example, the Beijing branch of Greenpeace may have called Taobao Ecommerce Platform’s Nov.11th annual online shopping day as a frenzied environmental catastrophe. The Party not only permits but also encourages the representatives of global consumerism, such as the Alibaba Group. The Party’s policy casts a vivid structural bias between environmental and the consumer networks. Goodwin and Jasper (1999) even make the direct conclusion that networks have very little effect acting as mobilizing structures, although everyone is potentially accommodated as part of it. In response to these critiques, the network analysis of dynamic mechanisms and processes of change often linked to the broader process of civil society in public advocacy contexts is necessary.

Castells (2004) forecasts that networks could make power separated from political representation, production from consumption, information from communication, lead to the

“destruction of human experience.”⁷¹ In Chapter IV, “Propaganda in A Democratic Society” of Aldous Huxley’s *Brave New World Revisited*, he described the full-fledged biopolitical phase of the global market: the advocates of universal literacy and a free press “envisaged only two possibilities: the propaganda might be true, or it might be false. They did not foresee what in fact has happened, above all in our Western capitalist democracies—the development of a vast mass communications industry, concerned in the main neither with the true nor the false, but with the unreal, the more or less totally irrelevant. In a word, they failed to take into account man’s almost infinite appetite for distraction.”⁷² The recent emergence of networked social movements in Castells observation in the book *Networks of Outrage and Hope: Social Movements in the Internet Age*, shows most of them that “ignored political parties, distrusted the media, did not recognize any leadership and rejected all formal organization, relying on the Internet and local assemblies for collective debate and decision-making.”⁷³

The Network Society

On the basis of media communication networks,⁷⁴ there is a “network society”⁷⁵ instead of any other historical form of organization to organizing its public sphere. The key “spacial” characterization of the information age is the “space of flows”⁷⁶ which challenges the “space of places.”⁷⁷ He argues that “While organizations are located in places ... the organizational logic is placeless, being fundamentally dependent on the space of flows that characterizes information networks” (Castells in Nyíri, 2004). For example, Zhang Shuangbing (the investigator of Chinese women's ‘comfort women’), Noriko Omori (the chief of the Chinese comfort women's lawsuit

⁷¹ Quotes from Nyíri, J. C. (2004). Review of Castells, the information age. In F. Webster & B. Dimitriou (Eds.), *Manuel Castells*, Volume III (pp. 5-34). London: Sage Publications.

⁷² Huxley, Aldous (1958) *Brave New World Revisited* (www.huxley.net/bnw-revisited/)

⁷³ Castell Manuel, (2012), “Networks of Outrage and Hope: Social Movements in the Internet Age”, Polity press, p.4

⁷⁴ Lull, James. (2007). “ Culture-on-demand: Communication in a crisis world”. Malden, MA: Blackwell. McChesney, Robert Waterman. (2007). *Communication revolution: Critical junctures and the future of media*. New York: New Press. Cardoso, Gustavo. (2006). “The media in the network society”. Lisbon, Portugal: Center for Research and Studies in Sociology. [Retrieved on April 20, 2010 from http://www.obercom.pt/en/client/?newsId=35&fileName=media_in_the_network_society.pdf]. Chester, Jeff. (2007). *Digital destiny. New media and the future of democracy*. New York: New Press.

⁷⁵ See Castells, Manuel. (1996). *The rise of the network society*. Oxford, UK: Blackwell. ———, ed. 2004a. *The network society: A cross-cultural perspective*. Northampton, MA: Edward Elgar.

⁷⁶ “space of flows” is the domain of networks – of capital, of information, of business alliances, etc.

⁷⁷ “space of places” includes regional communities and nation states

group), Kang Jian (the Chinese lawyer of the lawsuit group), Su Zhiliang (the researcher on “comfort women”) from Shanxi, Tokyo, Beijing, and Shanghai, jointly organized research and a law suit network on the issue of "comfort women" in China, helping the victims to sue the Japanese government. Searching for information about the living "comfort women" and pushing for rights of the victims become the shared goal of this civil society network as an information network. Su Zhiliang like many other activists who believe Chinese folks still have the right to claim for litigation, noted that in his view "the war has not ended. There will be a fair day, but I don't know when this day will come."⁷⁸ Since 1990s, the civil society network has helped wartime “comfort woman” victims advocate for their rights, starting in China as a grassroots movement. Collaborative researchers and activists received no funding and volunteered to carry out the victim investigations for a long period of time. These individual actors and organizations have all devoted themselves to this cause, characterizing themselves as an information network for the humanitarian concerns about the suffering of Chinese women enslaved in “comfort stations”. It conveys Castells’ (1990) further elaboration on “the space of flows”, that “can be abstract in social, cultural, and historical terms... places are . . . condensations of human history, culture and matter.”

The “space of places” in opposition to the “space of flows” of the networks arises with the resistance, in the form of communities and nation-states oriented around places. Along with the development of Hong Kong’s No-extradition Bill protest from peaceful demonstration into violent resistance, the sovereign right of China as nation-state and the self-determination rights of the Hong Kong people are caught in a bind and ceded both upwards to the space of flows and downwards to regional and communal groups. Particularly when the US House committee passed “the Hong Kong Human Rights and Democracy Act of 2019”⁷⁹ in a unanimous vote, “[n]ation

⁷⁸ See Chinese activists remember ‘comfort women’, by Global Times

<https://www.manilatimes.net/2018/08/18/news/world/chinese-activists-remember-comfort-women/431641/431641/>

⁷⁹A US bill written to support a bicameral and bipartisan legislation that reintroduced the Hong Kong Human Rights and Democracy Act 2019.

<https://www.scmp.com/news/china/article/3030393/us-bill-hong-kong-democracy-which-has-angered-china-gets-approval>
<https://www.congress.gov/bill/116th-congress/house-bill/3289>

states will survive, but not so their sovereignty” (Castells in Nyíri, 2004, p.8). The heated online debate has interpreted and projected it as the dilemma of HK protests that if the activists such as Joshua Wang and Denise Ho who represent the local communities, start to isolate themselves from the Chinese nation state network, they become tagged as traitors or separatists.⁸⁰ If local people there and the HK government are aligned on the Party-state network logic, they cease to represent the local HK populations, they become nodes in the network and surrender their quasi-sovereign identity. This recent history has shown that “elites are cosmopolitan, people are local”, and the often reactionary and exclusionary communities and nation-states isolate themselves from the network, or become excluded by the network society, gravitate to such identities of communal resistance (Castells 2000b). Through this interpretation, the network society is more like a development of industrial society rather than an entirely new construct in an information age. Capitalism’s power is still demonstrated in faceless networks as the economic basis for society. Meanwhile, the social changes wrought by information technology are starting to show on the large scale. The question is whether Chinese society is ready to enter a new age for which access to information about relevant topics, from politics to social trends, is the basis to decide. A brand new form of civil society may emerge, characterized as an ‘Inter-network society’ through the development of the interactive, horizontal networks of communication over the Internet and wireless communication models.

The "Mass Self-communication" and “Inter-subjectivity” characters

The “web 2.0/3.0” platforms as world wide web platforms are becoming sites for communication, social networking, community building, file sharing, integrative information production, and interactive blogging–platforms, excluding the basic function as the sites for information consumption or search, that are more systems of communication and co-operation than systems of cognition (Fuchs 2009c, 2008a). The ICTs are the keys to the communication and operation of

⁸⁰ Jewish American Blogger Nathan Rich videos the online opinion sharing, many contentious replies about democracy fails in Iraq, Libya and Ukrain on Weibo, youtube and other main social medias.

https://www.weibo.com/NathanRich?is_hot=1
<https://www.youtube.com/watch?v=q9fd2m6su1o>

civil society networks, and facilitate, change and shape public opinion in a relatively effective way. Castells (1996) describes the pervasive networks “the new social morphology of our societies”, including diverse images of the virtual network (e.g. the World Wide Web, Facebook chat), personal networks (e.g. family party chatter, hiking club), and underground network (e.g. illegal human trafficking group, porn chat room). The Internet allows decentralization of operations to shift from vertical to horizontal, vastly increasing the effectiveness of networks relative to hierarchical structures. Castells’ (2000a; 2000b) argues that a historical change is passing from the industrial age into the information age by the advent of ICTs.

The communication environment created by mass media (including the Internet-based media), has become the space characterized by the widespread phenomenon of self-directed communication. In Manuel Castells’ (2009) words, communication technologies affects the way in which people feel, think, and behave where technology, communication, and power converge. The individuals who self-select using their chosen online channels (such as QQ, wechat, whatsapp, blogs, Twitter, YouTube, social networking sites and etc.), and self-edit such content outside of the institutions to communicate with potential audiences of other individuals. It is “self-communication”,⁸¹ which Castells (2009) emphasizes “self-directed in the elaboration and sending of the message, self-selected in the reception of the message, and self-defined in terms of the formation of the communication space.”

In the Inter-network society, the instant messaging, wechatting, social blogging, and networking of human interactions from what they value to how they communicate. Castells points out the novel quality of communication is “mass self-communication”,⁸²

“The three forms of communication (interpersonal, mass communication, and mass self-communication) coexist, interact, and complement each other rather than substituting for one another. What is historically novel, with considerable consequences for social organization and cultural change, is the articulation of all forms of communication into a composite, interactive, digital

⁸¹ Manuel Castells, (2009) Communication Power,

⁸² Castells calls it “mass self-communication” because it reaches tens of millions, as much or more than television, radio, and the print press.

hypertext that includes, mixes, and recombines in their diversity the whole range of cultural expressions conveyed by human interaction” (p. 70).

This “mass self-communication” turns into the crisis of political legitimacy that challenges the meaning of democracy in much of China and the world. In comparison, the traditional communities lack of social formality in the modern sense. Social formality in the modern sense is based on the public domain in order to establish organizations, which enjoy the high degree of autonomy and self-governance, and are supposed to be external and independent of the state. The development of China’s civil society primarily used to emphasize service provisions over advocacy, because the constraints of CSOs’ own capacity, and their advocacy methods also were quite restricted by the limited policy space without much influence on policy making. This prospect has changed through public interest advocacy via the new ‘public sphere’, particularly via the facilitation of the Internet. The networks analysis proves empowering to civil society actors to mobilize with enough support in a short timeframe which might reverse decisions of the local government. Rebecca MacKinnon explained that the ultimate impact of interactive media in China “will depend not only how people choose to use them but also to what extent the Chinese government succeeds in controlling the use of web-logs for political dissent.”⁸³

The role of communication networks are central to the implementation in power-making of any network (Castell, 2009), particularly weighs in that of a political network. Power inclines to aggregate in the hands of those who participate, understand or have control of the convergence between the Internet and wireless communication. The flow of digital communication is easy to access and participate in, but difficult to control, repress or censorship, due to the deliberate information diffusion designed into the Internet by its creators. The Internet becomes a personal tool for everyone with access, building their own spaces and selecting their networks to send messages before any deliberate control can stop it. Meanwhile, the major players including the global multimedia business networks, political networks, and other powerful actors are trying to

⁸³ Mackinnon, Rebecca. (2009)“Flatter World and Thicker Walls?” Public Choice 134(1–2):31–46. (2008),“China’s Censorship 2.0.” First Monday 14(2): 1–18.

control the Internet-based social autonomy, “the equal participation of all in power” (Castoriadis, 1991, p. 136; see also Castoriadis, 1998) and autonomous mass self-communication:

“The interactive capacity of the new communication system ushers in a new form of communication, mass self- communication, which multiplies and diversifies the entry points in the communication process. This gives rise to unprecedented autonomy for communicative subjects to communicate at large. Yet, this potential autonomy is shaped, controlled, and curtailed by the growing concentration and interlocking of corporate media and network operators around the world.” (Castelle, 2009, p. 136).

Although the state possesses the power to switch netizens off the networks, advocates have the counter-power capacities and increasing rights consciousness to use web 2.0 in political struggles. Castells (2009) observes that mass-self communication allows subjects to “watch the powerful” (p. 413), but those in power “have made it their priority to harness the potential of mass self-communication in the service of their specific interests” (p. 414). Political counter-power is always facing a massive asymmetry, but the power struggle on the Internet does mobilize more significant resources than before. It demonstrates the potential that citizens “overcome the powerlessness of their solitary despair by networking their desire. They fight the powers that be by identifying the networks that are” (Castelle, 2009, p.431).

Mass self-communication for Castells is a dialectical process in relation: On the one hand the “web 2.0/3.0”⁸⁴ brings “the commodification of freedom”, which is the “enclosing of the commons of free communication and selling people access to global communication networks in exchange for surrendering their privacy and becoming advertising targets” (p. 421). On the other hand, “once in cyberspace, people may have all kinds of ideas, including challenging corporate power, dismantling government authority, and changing the cultural foundations of our aging/aching civilization” (p. 420). The mass self- communication character of “Inter-network society” also shows they handle the social issues including communal problems through civil society networks with the employment of advocacy, local collective action and social movement, rather than rely on government itself to seek solutions. Foley and Edwards

⁸⁴ Castells defines it as “the cluster of technologies, devices, and applications that support the proliferation of social spaces on the Internet” p. 65.

(1996) suggest that in “contexts of democratic transition . . . , autonomy from traditional politics seems to be a prerequisite for oppositional advocacy.” Gramscian’s conception of hegemony and counter- hegemony apply well to China’s NGO development. Under the influence of digital information and communication technology, the main modes of communication for network actors are using e-mail, chatting and cell phones/texting. In fact, many network activities would be impossible without these ICTs. It seems many newer networks have emerged parallel to the growth of IT access. Diamond (2010) clarified the Internet is just a tool that has no inevitable guarantee creating inherently liberating tendencies.

A mass self-communication characterized civil society with dense networks of social interactive communication over the Internet, emphasizes the network society’s “inter-subjectivity” and “interactivity”. Under the influence of digital information and communication technology, an Inter-network society originates from the vast increased interaction between social organization and social change, and subjectivity is becoming more obviously inter-subjectivity, that human relations with others are intertwined with tension and revelation. Merleau-Ponty uses “inter-subjectivity” in political terms which overcomes the neglect of the “problem of the other”.⁸⁵ The individual is caught up in "a natural and historical situation"⁸⁶ who is “neither an isolated consciousness nor an absolute legislator; rather, as a ‘social being,’ the individual is a producer-product (or generic subject).”⁸⁷ The advocates and advocacy networks demonstrate that there is the political nature of the existential bonds that unite us within a "generic" being in an inter-subjective process. The embedding within this generic

⁸⁵ “Intersubjectivity” is often interpreted in the context of the philosophical problem of "other minds" which is in attempt to understand an ontology of the social. See Dan Zahavi,(2012) 'Intersubjectivity,' Routledge Companion to Phenomenology, New York: Routledge; James Schmidt, Maurice Merleau-Ponty: Between Phenomenology and Structuralism, (New York: St. Martin’s Press 1985), 58.

⁸⁶Merleau-Ponty, 'Marxism and Philosophy,' *Sense and Nonsense*, (Evanston: Northwestern University Press 1964),pg. 129.

⁸⁷ Mazzocchi, Paul (2016), dissertation-“The Flesh of History: Intersubjectivity, Experience and Utopia in Merleau-Ponty and Benjamin, in Political Science York University, Toronto, Ontario.p295

being has dynamics and implications to lead to the greater potential "of rupturing the given structures of society, and of acceding through praxis to 'the reign of liberty'."88

Merleau-Ponty employs Marx's proposition that the character of inter-subjective relations are determined by "a certain way of appropriating nature in which the mode of [one's relationships] with others takes shape."⁸⁹ Under such conditions, it is an ongoing evolved social structure that establishes norms of generalized reciprocity. The rise of public interest advocacy facilitated by the digital public sphere as one form of the structure of human existence intertwines us with others. And it increasingly develops to deny the autarchy of the self which echoes Merleau-Ponty's malapropism of Husserl that "transcendental subjectivity...is inter-subjectivity".⁹⁰

⁸⁸ Maurice Merleau-Ponty, 'Marxism and Philosophy,' *Sense and Nonsense*, (Evanston: Northwestern University Press 1964), pg. 128.

⁸⁹ *Ibid.*, pg. 129.

⁹⁰ *Ibid.*, pg. 134.

CHAPTER 3

The Rise of Public Interest Advocacy in China

“It is not a question to returning to an optimistic or superficial philosophy which reduces the history of a society to speculative conflicts of opinion, political struggle to exchanges of views on clearly posed problems, and the coexistence of men to relationships of fellow citizens in the political empyrean.”⁹¹

-Maurice Merleau-Ponty, *Adventures of the Dialectic*

Introduction

Public advocacy is a way of civil society networks to engage and make demands to the state and society, consisting of embedded, media campaigns and community-based strategies and various tactics. Concerning civil society networks' engagement in advocacy, Jenkins (1987) defined it as “any attempt to influence the decisions of any institutional elite on behalf of a collective interest”.⁹² In the development and public policy literature, advocacy models may focus on policy change, implementation or public opinion, and have also been used to explain policy processes within the state. Sabatier and Jenkins-Smith (1993) define the concept of advocacy coalitions that are “composed of people from various governmental and private organizations who share a set of normative and causal beliefs and who often act in concert”. Civil society networks engage in public interest advocacy with formal or informal structures, which compose the networks of individuals and/or organizations ranging in size from a small group of individual participants to formal organizational participants, or a coalition of both. In Leslie Pal's (2014) definition, advocacy coalition is “a wide range of actors, including government from all levels, officials, interest organizations, research groups, journalists, and even other countries, who share a belief system about a policy area and over time demonstrate some degree of coordinated activities” (Pal, 2014, p. 259). Advocacy coalitions usually are “composed of people from various governmental and private organizations who share a set of normative and causal beliefs and who often act in concert” (Sabatier, 1993, p. 18).

⁹¹ Merleau-Ponty, Maurice (1973) *Adventures of the Dialectic*, Evanston: Northwestern University Press, P.226

⁹² Jenkins JC (1987) “Nonprofit organizations and policy advocacy,” in Powell W, ed. *The Nonprofit Sector: A Research Handbook*. New Haven: Yale University Press.

The 3rd chapter interprets the momentum behind the phenomena of the rise of public interest advocacy. It deliberates on how the rise of public interest advocacy contributes to our understanding of the actors involved in the traditions and current development of China's civil society. This chapter adopts the view that, "Chinese society had built-in powerful forces for self-regulation. The traditions of the family, clan and other associations and occupational groupings made government intervention maintain routine order rare" (Pye, 1994, p.72). Xia (2014) explains that "the self-governance in its civil society has been translated into enormous productive forces."⁹³ About the power and participation, this chapter illustrates Chinese intellectualism and meritocracy as the tradition and incentives of advocacy for "Dao" (the right path/way). It also explores the rule of virtue together with the rule of law as the Chinese state's meritocracy model behind the state's policy of advocacy with guidance to consolidate the governance accountability. Chinese leaders consistently and repeatedly stress the importance of advocacy with guidance. The transitional character from a state-led civil society to a state-guided civil society is deviating from simply challenging and confronting the original political system into a community-building and cooperation process. Continuing with the demonstrations of observed the models of public interest advocacy and its legal application that including the Oppositional Model and the Collaborative Model.

This chapter's analysis shares Zhu and Robinson's optimism about the power of the emerging "critical masses" (particular the advocates, networks and the CSOs) becoming the main force to keep "the Party-state in check through increased transparency and thus accountability."⁹⁴ During the ten-year administration of Hu and Wen, China's social structures have become more unequal, and conflicts among different interest groups have become more acute. The new socialist countryside plan was not able to stem the numerous social and popular protests. Some scholars estimated that the amount of mass protests ranged from the

⁹³ Xia, Guang (2014) *Procedia - Social and Behavioral Sciences*, p.45

⁹⁴ Zhu, Ying and Bruce Robinson. (accessed 13 June 2010). "Critical Masses, Commerce, and Shifting State-Society Relations in China." *The China Beat* (17 February) <http://www.thechinabeat.org/?p=1526>

approximately 8700 in 1993⁹⁵ to over 90,000 in 2006,⁹⁶ to the still unconfirmed 180,000 in 2010.⁹⁷ Official statistics and domestic reports on the increase of large scale of mass incidents⁹⁸ are unavailable from official sources. The Tsinghua University NGO Research Institute's research finding reflects that,

“NGOs located in areas where policies have been relaxed, find it easy to obtain resources, which have resulted in the proliferation of mediocre service organizations. But in the fields which most urgently require citizens' participation, including the public policy fields of unemployment, social security, labor rights protection, international territory conflicts, and diplomacy, there are few active NGOs.”⁹⁹

Whyte (2009) warns that a “social volcano”¹⁰⁰ is about to erupt and become engulfed in revolutionary fervor in China. The minor incidents may trigger large scale mass incidents which will later snowball into social disturbances, riots and revolution of uncontrollable scale, such as HK's Non-extradition Bill protests which have escalated into a contentious “Times Revolutionary” (Chang, 2019). These participants and networks had particular purposes or interests, which reflected profound and broad social grievances that are difficult to address. David Zweig attributes China's “current political and social dilemma” to “the confrontation between an emerging ‘rights conscious peasantry’ and rapacious or entrepreneurial bureaucrats.”¹⁰¹

The root causes of the social tension and profound distrust of the government had been perceived as poor local governance as a result of corrupted and incompetent officials. China's social stability is at stake, which has been stretched to the limits for the sake of achieving sustainable economic growth. The country must choose the political path that would enhance social stability. In order to minimize the risks, the Party designed media policies and more institutional mechanisms to improve governance, such as reducing corruption, increasing public

⁹⁵ Tanner, Murray Scot. (2004) “China Rethinks Unrest”, *The Washington Quarterly*,

⁹⁶ *The Economist*, “Protest in China: The Cauldron Boils”, accessed on September. 29, 2005.

⁹⁷ Freeman, Will. (2010) “The accuracy of China's 'mass incidents'”, *Financial Times*, accessed March 2, 2010.

⁹⁸ Large-scale incidents of civil disobedience with more than 500 participants have been termed as “mass incidents” (群体性事件) or “mass frustration”, see the definition from https://en.wikipedia.org/wiki/Mass_incidents_in_China

⁹⁹ Wang ming and Jia xijing, (2002), “*The analysis for China's NGO Development*”, World Management, 8th edition

¹⁰⁰ Whyte, M.K. (2010), *Myth of the Social Volcano: Perceptions of Inequality and Distributive Injustice in Contemporary China*, Stanford: Stanford University Press

¹⁰¹ Zweig, David. (2003). “To the Courts or to the Barricades: Can New Political Institutions Manage Rural Conflict?” P.123

trust and facilitating better communication with the population. Sociologists at Tsinghua University documented a report about the government's increasing expenditure for internal stability maintenance that has reached 514 billion RMB in the same league as the expense of national defense in 2010.¹⁰² More emphasis is placed on maintaining social stability, and that often means suppressing the expression of legitimate interests. Under a bureaucratic system, the stability strategy results in the government policy facing limited external scrutiny and insufficient feedback from people. This is especially true for those who are disenfranchised or have grievances, those who have fewer opportunities to make appeals for their legitimate interests. More and more these groups and individuals seek to redress issues outside of the system, or even resort to violence. Sun Liping, a sociologist from Tsinghua University said "this is the true driving force that will make China change," he thought a "silent revolution has happened."¹⁰³

Advocacy for "Dao" (倡道) V.S. Advocacy with guidance (倡导)

The process of economic development creates a condition which drastically alters the class, organizational, cultural, and social structure of a nation, and that these are associated with new forms of political participation.¹⁰⁴ Chinese society is demanding greater participation in public decision-making. The existence of active civil society networks pushes the Party to adapt their ideology and continue the development of post Marxism, Leninism, and Maoism to suit policy decisions that will satisfy the public interest of the people. According to the US group NPAction, "advocacy/advocate" has an effective influence on public policy and politics, resource allocation, and social institutions.¹⁰⁵ It echoes view that "power is everywhere" and "comes from everywhere" (Foucault, 1998, p. 93) which inclines to define politics in open-ended terms with expressions through social conflict,

¹⁰² David Kelly, (2010) "Costs of Maining Stability in China", Accessed on 23 May.2010, <http://www.eastasiaforum.org/2010/05/23/costs-of-maintaining-stability-in-china/>

¹⁰³ Peng Tian, (2013) "China's next leader looks to soothe environmental angst", Accessed on 4 January 2013, <http://www.rsc.org/chemistryworld/2013/01/china-president-xi-jinping-environment-protests-pollution>

¹⁰⁴ Norman H. Nie, G. Bingham Powell, Jr., and Kenneth Prewitt, 'Social Structure and Political Participation: Developmental Relationship, Part I,' *American Political Science Review*, 63(2), June 1969, p 362.

¹⁰⁵ See "Lobbying Versus Advocacy: Legal Definitions". NP Action. 2010.

http://en.wikipedia.org/wiki/Advocacy#cite_note-1 Accessed Apr. 25th ,2015

power relations, and human agency.¹⁰⁶ Shi Tianjian (1997) observes that the political participation of Beijing citizens “develop new ways to articulate their interests in the political system,”¹⁰⁷ who are path-breakers in constructing new ways to engage in advocacy.

Mary Wright holds an opinion that “the obstacles to successful adaptation to the modern world were not imperialist aggression, Manchu rule, mandarin stupidity, or the accidents of history, but nothing less than the constituent elements of the Confucian system itself.”¹⁰⁸ This opinion had shared popularity among numerous scholars after the Opium War, including quite a lot of Chinese famous writers and Maoists who had embraced the same pessimistic assumption that Confucianism and modernity were incompatible in China.¹⁰⁹ Cohen objects with this intellectual bias that simply “equated modern with Western with important. Westernized China and modern China were indistinguishable.” In his book “Between Tradition and Modernity: Wang Tao and Reform in Late Ch’ing China,” Cohen calls for a “China-centered history of China”.¹¹⁰ In Cohen’s understanding, Historian John Fairbank’s interpretation about China was diverted in terms of an “impact-response”¹¹¹ framework which was influenced by Hegel's Philosophy of History a state without Spirit (Geist) can only be moved by external forces.¹¹² To move beyond such “Western-centric paradigms”, to achieve a better understanding of China is to explore the internal dynamic on its own terms towards “how the Chinese themselves experienced and wrote about it.”¹¹³

¹⁰⁶Foucault, Michel. (1980) *Power/Knowledge*. Brighton: Harvester Press

¹⁰⁷ Shi Tianjian (1997) *Political Participation in Beijing*. Cambridge, MA: Harvard University Press, p.93

¹⁰⁸ Mary Wright judged the incompatibility of Confucianism with Modernity for China after the research of Taiping Rebellion, see Wright, Mary (1957) *The Last Stand of Chinese Conservatism: The T’ung-Chih Restoration, 1862–1874*. [Stanford Studies in History, Economics, and Political Science, XIII.] ,Stanford, Calif.: Stanford University Press.

¹⁰⁹ Cohen is doubtful about the analysis of Joseph Levenson, *Liang Ch’i-chao and the Mind of Modern China* (Harvard University Press, 1954),

¹¹⁰ *Between Tradition and Modernity: Wang Tao and Reform in Late Ch’ing China*

¹¹¹ Fairbank was influenced by Hegel's Philosophy of History, placing China in a passive role and not being capable of change without a Western impact. See “China's response to the West: A Documentary Survey, 1839–1923”, Teng Ssu-yü and John K. Fairbank [Prepared in Cooperation with the International Secretariat of the Institute of Pacific Relations.] Cambridge, Harvard University Press, 1954

¹¹² Hegelm, Georg, (1807), *Phenomenology of Spirit (Phänomenologie des Geistes)*, 1807)

¹¹³ Cohen, Paul A. (1993). “Cultural China: Some Definitional Issues”. *Philosophy East and West*. 43 (3): 557–563. doi:10.2307/1399582. JSTOR 1399582

China has a tradition of civic participation such as advocate for “Dao” (倡道) to remonstrate to high-ranking officials or rulers. The advocates range from the common people to film-maker Jia Zhangke to the Comfort women activist Zhang Shuangbin and the Nobel Peace Prize laureate Liu Xiaobo. The “advocacy/advocate” is an inclusive remonstrance as “Jian Zheng” (谏诤),¹¹⁴ as political discourse of power and participation in Chinese civil society network. It is an expression of solemnity like “I protest my loyalty to defend the right” to affirmatively support the public interest by way of protest. The emerging Chinese civil society has begun to emphasize the functions and values of public advocacy as awareness of rights and responsibilities to protect vulnerable groups’ public interest and seek socioeconomic justice. William Rowe (1993) argues that a Chinese civil society and public sphere are “the ideal of the remonstrating official (yang, 言官), or the principle of governmental responsibility for guaranteeing popular livelihoods (minshen, 民生), as early or as fully as did imperial China.”¹¹⁵ The indigenous traditions of advocacy for “Dao” (倡道) with horizontal and vertical ties linked to Daoism and Confucianism. The advocacies of the Chinese Communist Party in the May Fourth Movement of 1919,¹¹⁶ brought the partial success of the movement which demonstrated the ability of China's social networks successfully collaborate given proper motivation and leadership.

On the other hand, the political institutions of society set the constitutional rules by which the debate is kept orderly and organizationally productive. In this post-Maoism society, advocacy currently often translates as “Chang Dao” (倡导) in Chinese characters, which emphasizes

¹¹⁴ See Zeng Zi (505 - 436 B.C.E), *Xiao Jing – The Classic of Xiao With English Translation*, Chapter Fifteen: Dissuading and disputing (谏诤章第十五), English Translation by Feng Xin-ming (May 2007) 昔者天子有争臣七人，虽无道不失天下。诸侯有争臣五人，虽无道不失其国。大夫有争臣三人，虽无道不失其家。士有争友则身不离于令名。 “Formerly when a Son of Heaven has seven subordinates who will dispute him, even though he has no virtue he will not lose all under Heaven (the Empire). When a Duke has five subordinates who will dispute him, even though he has no virtue he will not lose his state. When a Minister has three subordinates who will dispute him, even though he has no virtue he will not lose his clan. With a friend who will dispute him, an Officer will not lose his good name. Accessed on June 6 th, http://tsoidug.org/Xiao/Xiao_Jing_Transltn.pdf

¹¹⁵ William T. Rowe, “The Problem of ‘Civil Society’ in Late Imperial China”

Modern China 19, no. 2 (1993): 143–148. Number of Chinese Communist Party (CCP) members in China from 2008 to 2018 (in millions), <https://www.statista.com/statistics/281378/number-of-chinese-communist-party-ccp-members-in-china/>

¹¹⁶ It was an anti imperialist movement against the Chinese government's weak response to the unequal treaty of Versailles. It evolved from student protests in Beijing on 4 May 1919 till 1921, and became the culture and political movement. See Wasserstrom, Jeffrey N. “*Chinese Students and Anti-Japanese Protests, Past and Present*”. *World Policy Journal*. Retrieved November 18, 2008.

guidance (导) with disciplinary power¹¹⁷ rather than remonstrance for “Dao”¹¹⁸(道). The cultural/informational repository of both ideas and projects of advocacy for “Dao” (道/导) feed public debate. It becomes the struggle over networks: which can be “programmed and reprogrammed” (Casrells, 2009).The result of this chapter’s analysis shares with Zhu and Robinson’s optimism of the power of the emerging “critical masses” (the netizen community and the CSOs) in an active civil society, which would become the main force to keep “the Party-state in check through increased transparency and thus accountability.”¹¹⁹

The rising public interest advocacy reveals the more nuanced trend of flexible ideologies that the accounts of influence of civil society on state policy range from corporatism to public political will. It is an increasing feature of Chinese civil society’s input in public policy decision-making. A liberal civil society aiming to empower the independent self’s individual agency, the post-Confucian dialectic between agency and citizenship is focused on the interdependent selves’ shared cultural-political identity, collective freedom, and democratic citizenship. Shi proposed two dualities of China’s embryonic civil society “simultaneously has both ‘civilized’ and ‘uncivilized’ natures, and this is the most prominent characteristic of Chinese society as it stands now.”¹²⁰ This Chapter agrees that both “civilized” and “uncivilized” aspects of civil society in China directly or indirectly impose influences on possible prospects for the growth of civil society and democratization. It employs interpretative approaches, and the perspective of its participants. The dynamics of civil society must be understood within national and local contexts, China has a very different historical context and traditional philosophy which the Confucianism’s interpretation of collective moral responsibility contests the binary of individualism and collectivism. From the late Ming dynasty onward, there was a slow development of the public sphere “involving both state and social power, but it was different from

¹¹⁷ Foucault M, 1977 *Discipline and Punish: The Birth of the Prison* translated by A Sheridan (Allen Lane, London)

¹¹⁸ See Laozi, “*Dao De Jing*”-32., “Dao”(道) is the ‘proper’ way of existence underlying natural order of the universe in Laozi’s elaboration of “*Dao De Jing*”(道德经). Dao’s various meanings are prominent in Confucianism and philosophical Daoism.

¹¹⁹ Zhu, Ying and Bruce Robinson, “Critical Masses, Commerce, and Shifting State-Society Relations in China” *The China Beat* <http://www.thechinabeat.org/?p=1526> (accessed 13 June 2010).

¹²⁰ Yinhong Shi, (2004)“*The Issue of Civil Society in China & its Complexity*”, Growth & governance. Asia Pacific Center for Security Study, *Chapter18*

what was the beginning of civil society in the West.” (Mackinnon, 2009)¹²¹ Chinese civil society shall not be expected to develop along the same lines as the Western traditions.

Rights-based Advocacy for “Dao” (倡道)

The term of advocacy for “Dao” (倡道) is rarely used nowadays, mostly because of the complexity in the explanation of “Dao” (道).¹²² Reviewing Daoism, it advises self-communication and self-cultivation, which also could be linked with Hayek’s theory of “Spontaneous order” as “the result of human actions, not of human design.”¹²³ The philosophical work “Dao De Jin” uses the ideal metaphor of water as the agent of natural, harmonious and albeit imperceptible changes. Under Tao's leading, Lao Tzu believes individual development instead of government intervention is needed to reach a natural harmony.¹²⁴ In Hong Kong’s “Water Revolutionary”,¹²⁵ the advocates have adhered to a “be water”¹²⁶ strategy, which is evolved from the philosophical belief in advocacy for “Dao” (道). Both the terms -“fang” (放) and control-“shou” (收) translate the different political momentum behind advocacy, and resemble the reform as cyclical analysis of CCP rule (Thomas Gold,1990). The “fang” (放) signals a political opportunity as a reform and political loosening which allows society to advocate for “Dao” (倡道) on the benefit of the individual and civil society, while “shou” (收) represents the state response in reaction to threats to the Party power response to advocate for restricted public overreaction to social unrest of those adversely affected by reform. Advocacy for “Dao” (倡道) could be better described to seek the “dialectic control” in social systems, that “all forms of

¹²¹ Rankin, Mary B. (1993) “Some Observations on a Chinese Public Sphere,” *Modern China* 19,no. 2: 158–182;

¹²² “Dao” has a variety of meanings in Chinese word mainly signifying “way”, “path”, “road”, sometimes more loosely “doctrine”, “principle”

¹²³ “spontaneous order” describes the emergence of various kinds of social orders from an equilibrium behavior between self-interested individuals who are not intentionally trying to create order through planning. They usually are scale free networks, while organizations are hierarchical networks. See Hayek, Friedrich A. (1969). *Studies in Philosophy, Politics and Economics*. Touchstone. p. 97

¹²⁴ Laozi describes the social changes in “Tao Te Ching” as: “Tao gives birth to the One, the One gives birth to Two, and from Two emerges Three, Three gives birth to all th things. All things carry the Yin and the Yang, deriving their vital harmony from the proper blending of the two vital forces.” *Tao Te Ching*, Chapter I.8 and II.78

¹²⁵ Hong Kong’s ‘water revolution’ spins out of control, Accessed on Sep.2nd,2019, <https://www.ft.com/content/d1f60a3a-cd58-11e9-b018-ca4456540ea6>

¹²⁶ Bruce Lee, the influential martial artist, reminded “Water can flow, or it can crash — be water, my friend.Be formless, shapeless, like water” in a rare TV interview in 1971.

dependence offer some resources whereby those who are subordinate can influence the activities of their superiors” (Giddens, 1984, p.16).

Confucianism regards “Dao” (道) as equally necessary and well regarded as the “Way” as concordant with a particular approach to politics for “De” (virtue,德) and “Ren” (humanity, 仁). Confucius presents the “Tian Dao” (Way of Heaven, 天道), Neo-Confucians developed the “Dao” as an order of social justice in the context of “li” (Principle,理) and “tian li” (the Principle of Heaven,天理). Hsiin Tzu, acknowledged the existence and celestial importance of the Way of Heaven, but insisted that the “Dao” principally concerns human affairs.¹²⁷ Neo-Confucianism believes to maintain social and political order for good union of power and virtue of a society only through government rulers and officials. According to Murray’s (1990) interpretation, the philosopher Zhuangzi rejected the authoritarianism of Confucianism, writing that there "has been such a thing as letting mankind alone; there has never been such a thing as governing mankind [with success]."¹²⁸ In Sawyer’s (1994) interpretation about the “Art of War”, the “Dao” (道) is also defined as the way of social order rather than chaos. Sunzi deploys the “Dao” (道) as the “[method and organization] of command, and the management of logistics” that “causes the people to be fully in accord with the ruler.” (Sawyer, p. 167)

In the late 90s, the economic reform era gave rise to the concepts of “popular” and “personal”, Liu Xiaobo concludes that personal interest becoming the greatest source of motivation for the masses.¹²⁹ His conclusion demonstrates an inconsistent understanding about “Dao” (道), and the “Rights” (Quanl,权利) -“Power” (Quali,权力) between Chinese and Western

¹²⁷ Taylor, Rodney Leon; Choy, Howard Yuen Fung (2005). *The Illustrated Encyclopedia of Confucianism*. N-Z, Volume 2. Rosen Publishing Group

¹²⁸ Rothbard, Murray. (1990) “Concepts of the Role of Intellectuals in Social Change Toward Laissez Faire”, *The Journal of Libertarian Studies*, Vol. IX No. 2

¹²⁹ Liu Xiao bo,(2003) *The Rise of Civil Society in China*, China Rights Forum, Topic “Seeds of Change” Translated by Jonathan Kaufman and Stacy Mosher,

philosophical discourses.¹³⁰ It need to avoid simply equating “Dao” (道) as “Rights” (Quanl,权利).¹³¹ Confucianism’s “Dao”¹³² (道) with a philosophical emphasis of group unity properly applies to present the perspectives of the Chinese understanding about the dialectical relationship between “Rights” (Quanl,权利) and “Power” (Quali,权力). In Giddens’ (1985) definition, power characterizes for all social relationships as “transformative capacity’, the capability to intervene in a given set of events so as in some way to alter them” (p. 7), and the “capability to effectively decide about courses of events, even where others might contest such decisions” (p. 9). Kevin O'Brien and Lianjiang Li (2006) describe in the “Rightful Resistance in Rural China” that powerless people use the rhetoric and commitments of the central government to hinge on locating and exploiting divisions within the state against misconduct by local officials. Giddens’ (1981) structuration theory defines power as “routinely involved in the instantiation of social practices”, and not necessarily coercive, violent, and asymmetrically distribute, which is usually “operating in and through human action” (p. 49f). Castells (2009) builds on Giddens’ structuration theory, his interpretation about power is not an attribute of individuals and groups, but “the relational capacity that enables a social actor to influence asymmetrically the decisions of other social actor(s) in ways that favor the empowered actor’s will, interest and values” (p. 10).

The differences of “Power” (权力) and “Rights” (权利) between the two sides needs to be also studied in Chinese civil society context. Guo Yuhua (2018) posed that it is necessary to understand the relationship between “Power” (权力) and “Rights” (权利) that “when the logic of

¹³⁰ Huang Kewu. (1994). *Yige bei fangqi de xuanze: Liang Qichao tiaoshi sixiang zhi yanjiu* [The rejected path: a study of Liang Qichao’s accommodative thinking] Taipei: Academia Sinica Modern History Institute.

¹³¹The term “Rights” was a foreign concept introduced in the mid-nineteenth century by William. Alexander. Paserns. Martin (1863.), the first chancellor of Beijing university. See William. Alexander. Paserns. Martin (丁魁良), “Elements of International Law”, 《万国公法》, The “Rights” (German “Recht”) was translated directly into Chinese as “Quan” (权/权利) which is a combination of “power” (权力) or “authority”(权威) and profit (利益).

¹³² “Dao” (道) here refers to a grand philosophical term, not relate to its religious tradition. And “Rights” usually emphasizes on the legal perspective of freedom and entitlement, here I do not refers it to the natural rights and law.

‘power-eat-all’(权力通吃) spreads throughout society, no area will be morally cleaner.”¹³³ The “power” (权力) usually refers to public power implemented; the “Rights” (权利) usually refers to individual rights resistant to external forces. The phenomenon of "rightful resistance" is a form of popular contention that “entails the innovative use of laws, policies, and other officially promoted values to defy ‘disloyal’ political and economic elites; it is a kind of partially sanctioned resistance that uses influential advocates and recognized principles to apply pressure on those in power who have failed to live up to some professed ideal or who have not implemented some beneficial measure.” (O’Brian, 1996,p.31-55) The legitimacy of “Power” (权力) lies in the protection of legitimate “Rights” (权利).¹³⁴ There are four kinds of power in the network society which are introduced in Castells’ (2009) master work “Communication Power”¹³⁵: networking power, network power, networked power, network-making power (pp. 42-47, 418-420). Castells agrees on the central role of communication networks to the implementation of power-making of any network. As for Castells, network-making power is the “paramount form of power in the network society.”¹³⁶ Power and counter-power are “achieved through the same two mechanisms that constitute power in the net-work society: the programs of the networks and the switches between networks.”¹³⁷ And it is held and exercised through the usage of “programming” and “switching” networks by the programmer and switcher. Programmers have the power “to constitute network(s), and to program/reprogram the network(s) in terms of the goals assigned to the network.”¹³⁸ Switchers have the power “to connect and ensure the cooperation of different networks by sharing common goals and combining resources, while fending off competition from other networks by setting up strategic cooperation.”¹³⁹ The advocates’ enthusiastic participation are building up the actor networks, and making use of the digital communication networks are becoming an emerging source of power and counter-power in Chinese society. In Castells’

¹³³The “power-eat-all” (权力通吃) is the root of abuse. The power is greater than the law, also itself becomes the source of power. The power of monopoly is greater than the backing of law. The power of autocracy is the guarantee of expansion of power.

China's power institutional system in which China's power is located. <https://cn.ft.com/comments/index/001078682>

¹³⁴ In the real world, power often fails to protect rights, it is the hegemony of violating and depriving rights.

¹³⁵ Manuel Castells, (2009), *Communication Power*, Oxford University Press,

¹³⁶ *Id* p. 47.

¹³⁷ *Id* p. 47.

¹³⁸ *Id* p. 45

¹³⁹ *Id* p. 45

research, social networks are a “networking form of social organization” and ICTs are providing the “material basis” for the “pervasive expansion” of social networks (Castells, 2000b, p. 500). He agrees with Bruno Latour’s Actor- Network Theory (ANT)¹⁴⁰ that everything in the social and natural worlds exists in constantly shifting networks of relationships. (p. 45)

The “Dao” (道) replaces the usage of the “Quan /Quan Li”(权/权利) which is a combination of “power” (权力) or “authority”(权威) and “profit ” (利益), particularly when it relates to the Western notion of personal liberty -“Rights” in the Chinese political discourse. For instance, the China Rivers Network applies its understanding of “Rights”(权/权利), which are bestowed in a hierarchical order, and adopts multi-faceted advocacy campaigns against dams in south-western China. Liu Shippei quoted the neo-Confucianist Wang Yangming to credit Mencius with his own understanding of “Rights” in the Chinese context and culture that entails mutual and collective responsibilities on the part of rulers and ruled alike.¹⁴¹ The experiment of public consultation hearings for major development projects is one of institutionalized methods of political expression that allow people to advocate for “Dao”, and to have input of on policy decisions. For instance, China’s centuries-old petition system came to the climax in 1895. A total of 1555 scholars from all the provinces signed a ten thousand words petition and advocate publicly to oppose the unequal “Treaty of Shimonoseki”¹⁴² and demand changes in the law. It was called “Gong Che Shang Shu” (公车上书) which signified the start of mass movement in China.

The official discourse of the Party-state has the tradition of deliberately emphasizing the processes of human agency and puts the “Rights” (Quan,权) and “Responsibility” - “Ze Ren” (责任) together. According to this political thought, everyone should have a certain socioeconomic status and justice to meet people’s basic needs; it was part of the Confucian tradition for more

¹⁴⁰ ANT is a constructivist approach, and holds that social forces do not exist in themselves to explain social phenomena. ANT explains a successful theory by understanding the combinations and interactions of elements that make it successful. See Latour, B., 2005. *Reassembling the Social: An Introduction to Actor-Network-Theory*. Oxford: Oxford UP.

¹⁴¹ Liu Shippei, “The Essentials of the Chinese Social Contract” and “Textbook on Ethics;” quoted in Angle (2002), 172-175.

¹⁴² The Qing government failed in the Sino-Japanese War of 1894-1895 and sent Li Hongzhang to Japan to sign the unequal treaty, which aroused opposition from the people of the country

than two thousand years.¹⁴³ In the context of the Neo-Confucianism of the Song dynasty, the philosophical origins and implications of Chinese notions of human rights -“Ren Quan” (人权) define that the citizen rights as being based on the causes of the state. Andrew Nathan reviewed national constitutions from the late Qing to the People’s Republic of China (PRC), and found that “in none of the constitutions were rights considered to be derived from human person-hood; they were derived from citizenship in the state”¹⁴⁴ The co-founder of the Chinese Communist Party, Chen Duxiu, had advocated that it is necessary to “sacrifice a part of the rights of individuals, in order to protect the rights of the whole citizenry.”¹⁴⁵ The actor-oriented theories of constructivism, is not neglecting structural incentives and limitations – a “philosophically principled middle way” between positivism and post-structuralism (Wendt, 1999) needs to exist. Stephen Angle concludes that “Chinese rights discourse is not merely an imperfect attempt to mirror Western ideals . . . [it] has coherent history and is made up of Chinese concepts and concerns China has a rich and distinctive rights discourse.”¹⁴⁶

The rights approach to discover China’s Spirit (Geist) from the time of Mencius to Mao until the current government, statecraft with a proactive role, was expected to promote economic welfare and security to achieve a better order -“Da Dao” (大道).¹⁴⁷ The Confucian philosopher Mencius suggested that “An intelligent ruler will regulate the livelihood of the people, so as to make sure that . . . in good years, they shall always be abundantly satisfied, and that in bad years

¹⁴³ Mencius. (1970) *The Works of Mencius [Chinese and English]*. Translated by Legge. James. New York: Dover, Book I, Part II, Chapter 4, verse 6.

¹⁴⁴ Nathan, Andrew J. (1985). *Chinese Democracy*. Berkeley: University of California Press.

¹⁴⁵ Chen Duxiu, “The Direction of Contemporary Education;” quoted in Angle, Stephen C. (2002). *Human Rights and Chinese Thought: A Cross-Cultural Inquiry*. New York: Cambridge University Press., p. 186.

¹⁴⁶ Angle, Stephen C. (2002). *Human Rights and Chinese Thought: A Cross-Cultural Inquiry*. New York: Cambridge, University Press. p. 206-207; 250-251.

¹⁴⁷ See “The Commonwealth of Great Unity” (礼运大同篇) Translated into English by Ong Seng Huat. Quote from “The Commonwealth of Great Unity” (礼运大同篇) that “While the perfect order called the Great Dao prevails, the world is like a commonwealth shared by all. Virtuous and worthy people are elected to public office while capable people hold posts and contributing employment in the society. The maxim of living is to believe in peace and coherence, sincerity and trust among all people,” (大道之行也，天下为公，选贤与能，讲信修睦)

they shall escape the danger of perishing.”¹⁴⁸ This is the traditional thinking of government’s “Responsibility”-“Ze Ren” (责任) for collective welfare. By the end of the nineteenth century before the collapse of the Qing dynasty, many scholars advocated saving the country through Westernization, such as the political columnist Wang Tao. During his ten-year career as editor-in-chief of Universal Circulating Herald, he published almost one thousand editorials aimed at calling for the reform of the Chinese political system.¹⁴⁹ He was the de facto advocate of the reformist movement in China. In 1904, Sun Yat-sen proclaimed his goal “to expel the Tarar barbarians, to revive Zhonghua, to establish a Republic, and to distribute land equally among the people.”¹⁵⁰ (驱除鞑虏, 恢复中华, 创立民国, 平均地权). At that time, the debate about “Rights” reached the climax and the conception of “Rights”-“Quan/Quan Li” (权/权利) have demonstrated foreign influence with a closer affinity to Anglo-American conceptions of human rights and civil society.¹⁵¹ Finnemore (1996) assures constructivism bringing human agency back into politics and emphasizing on their persuasion and influence to contest definitions, the extent and nature of the political space, opportunities and constraints. Beijing resident Zhao Xiaoli¹⁵² is one of the advocating voices that still exists, she appealed online to the public with a direct criticism on the alteration of “Article 79”¹⁵³ of the constitution (Kai Strittmatter, 2019).

The state and the citizen are deemed in the Chinese context as being mutually the benefactor and the beneficiary of each other. With few exceptions, many network members recognize themselves as advocates rather than anti-government dissidents. These advocates are not afraid to

¹⁴⁸ Mencius. *The Works of Mencius [Chinese and English]*. Translated by James Legge. 1970. New York: Dover, Book I, Part I, Chapter 7, verse 21.

¹⁴⁹ Many of Wang Tao’s reformist editorials and articles were later published as *Collection of Essays from The Tao garden*. 《葑园文录外编》

<https://zh.wikipedia.org/wiki/%E5%BC%A2%E5%9B%AD%E6%96%87%E5%BD%95%E5%A4%96%E7%BC%96>

¹⁵⁰ 计秋枫, 朱庆葆. (2001). 中国近代史, Volume 1. Chinese university press.

¹⁵¹ Sun Yat-sen’s revolutionary political philosophy of “Three Principles of the People” includes the “principles of nationalism”- (Minzu, 民族), of democracy (Minquan, 民权), and of welfare (Minsheng, 民生).

¹⁵² Zhao criticized that “I will clearly express my point of voice...Silence has brought about the proposed amendment to Article 79 of the constitution.” Quoted by Kai Strittmatter, (2019) , We Have Been Harmonised, WWW.oldstreetpublishing.co.uk

¹⁵³ The amendment of Article 79 allows Xi’s lifelong term of presidency

advocate critical views regardless of their networks' connection with authorities. They employ political engagement in their effort to influence systems and structures. Hay (2007) further conceptualizes politics as "a process of public deliberation and scrutiny of matters of collective concern or interest to the community" and "a process for holding to account those charged with collective responsibility".¹⁵⁴ In China, the term "politics" (政治) refers not only to the internal workings of the Party and government apparatus, but intends to be considered sensitive or conversely related with oppositional-type activities. For example, a retiree and the activist of the 2004 Anyuan labor protest elaborated that "we're seeking wages and welfare, not power (权, *quan*) or politics" (Yu, 2006, p.417) He further expresses himself highly strategically and independently in the thinking that "we are asking for permission to stage a demonstration. We may not receive it, but the right to request it is stipulated in the national constitution".¹⁵⁵ This statement questions the government's "Responsibility"-*"Ze Ren"* (责任) and advocates to defend the citizen's rights. It also emphasizes that the protest was not seeking the "power/privilege"-*"Quan/Quan Li"* (权/权利) to threaten political stability. This retirees' protest is a request for *"Dao"* (道) - social welfare and economic justice. Castells (2009) defines power as "the relational capacity that enables a social actor to influence asymmetrically the decisions of other social actor(s) in ways that favor the empowered actor's will, interest and values" (p. 10). The correlation between *"Ze Ren"* (责任) and *"Quan"* (权) among the people and government explains their mutual expectations and commitments. Independent Director -Jia Zhangke calls himself an "under class" advocate that:

"For me personally, government approval did not markedly change my creative process. My basic principle as a filmmaker stayed the same – to protect the independence of my research on society and people. Whether I shoot openly or in secret, my work cannot be influenced because during the shoot I am a filmmaker and nothing else."

¹⁵⁴ Hay C (2007) *Why We Hate Politics*. Cambridge: Polity Press.

¹⁵⁵ Yu Jianrong. (2003). "Nongmin you zuzhi kangzheng ji qi zhengshi fengxian: Hunansheng Hxian diaocha"[Organized peasant resistance and its political risks: An investigation of H County in Hunan Province], *Zhanlue yu guanli*, no. 3: 1-16. --2006. *Zhongguo gongren jieji zhuangkuang: Anyuan shilu* [The plight of China's working class: annals of Anyuan]. Hong Kong and New York: Mirror Books.

According to Liu Xiaobo's observation, there is "a new breed of dissidents and people's champions bearing the labels of 'Peasants' heroes,' 'Leaders of industry,' 'Anti-corruption heroes,' and 'Martyrs of faith.' They are not a product of political opposition movements, but rather of the people's struggle to protect their own rights, and as such they have deep grassroots support."¹⁵⁶ Chinese thinkers such as Liang Qichao promoted the "rights consciousness", and explicitly linked the Western concept "Rights" to Mencius' understanding of human morality.¹⁵⁷ He posits that "as rights consciousness gets increasingly developed, people's duties become increasingly strong."¹⁵⁸ For instance, the return-to-work manifesto of the 1922 Anyuan coal miners' strike had the slogan, "Let us tighten our group unity, a multitude with but a single mind, to struggle for our own rights!"¹⁵⁹ Wendt (1999) points out that political meaning is socially constructed through relationships among people, with their collective beliefs and perceptions playing a crucial role.¹⁶⁰

There is growing freedom of citizen participation in civil society networks that promotes shared goals, supplements public benefit work, and represents a sphere of power outside the State. Elizabeth Perry (2008) concludes that "regardless of variations in partisan leanings, and despite the growing influence of Western ideas on this discussion, political rights in modern China were consistently regarded as bound up with a moral responsibility to the larger political community."¹⁶¹ Thus, public interest advocacy is more likely remonstrating for "responsibility and justice"-*"Dao"* (倡道) than advocating for "power/privilege"-*"Quan/Quan Li"* (权/权利). This type of advocacy discourse is spread throughout the new social media networks such as movies, micro-blogs, comparatively free spaces for the spread and discussion of public policy. The advocates will be important arbiters of morality and legitimacy when the personal rights

¹⁵⁶Translated by Jonathan Kaufman and Stacy Mosher, Liu Xiao bo,(2003)"The Rise of Civil Society in China", China Rights Forum, Topic "Seeds of Change"

¹⁵⁷ Angle, Stephen C. 2002. *Human Rights and Chinese Thought: A Cross-Cultural Inquiry*. New York: Cambridge University Press. P.153-154

¹⁵⁸ Liang Qichao, "On Rights Consciousness;" quoted in Angle, 2002: 159.

¹⁵⁹ Pingxiang City Chinese Communist Party Editorial Group 1990, volume 1,p.45.

¹⁶⁰ Alexander Wendt (1999) *Social Theory of International Politics*. Cambridge University Press

¹⁶¹ Elizabeth J. Perry, "Chinese Conceptions of "Rights": From Mencius to Mao – and Now",*Perspectives on Politics* (2008)

movement gains momentum, ultimately the scattered popular forces will coalesce into independent organizations, and local heroes will unite to face down the morally bankrupt agents of tyranny.

The most advocated issues could not be directly addressed, the framing of discourse reproduced in the public sphere has been brewing people's power to support or condemn the Party state. Movie director Jia zhangke advocated for "Dao" through his movie - "A Touch of Sin," which summarizes the current state of Chinese society. His use of the online stories of real events has been criticized as advocating for the "underclass". In response to the public interest advocacy, the Chinese government must be adherent to the "Dao." Even the *Global Times*' editor-in-chief, Hu Xijin wrote on social media *Weibo* to question the restrictions on accessing the web that "I suggest society should have greater access to the outside internet, which will benefit the strength and maturity of China's public opinion, scientific research and external communications, as well as China's national interests."¹⁶²

In contrast with Mao's era, contemporary China is substantially depoliticized, and there is much room for the revival of traditional morality. The approaches of advocacy for "Dao" are adopted by civil society networks to achieve their "de-politicized politics" objectives. For example, Ho and Edmonds (2007) pointed out that "environmentalism has gained an increasing political leverage by avoiding any connotation with being a movement, by all means trying to appear small, low-key and localized, and acting as the state's partner rather than its adversary"(p.21). Power in the network or network society is more about a relationship rather than an attribute of individuals and groups. Most civil society networks have been successfully claiming their "Rights", rather than confronting the authority of the Party or local officials, and instead focusing on shared goals of networks. The model of advocacy for "Dao" can be further

¹⁶² Donna. Anderson, "Tiananmen Square: The corridor for a Thousand Steps", blog accessed on Sep.26.2019, <https://hobblecreek.us/blog/entry/tiananmen-squae-the-corridor-of-a-thousand-steps>

applied to the Inter-network society, which has learned to avoid direct confrontation with the Party and state.

The Chinese civil society has succeeded in creating a public sphere to produce a growing, autonomous political thought through years of networks (Yang and Calhoun 2008, Yang 2009, Yang 2011). Tian anmen square is the center for large-scale commemorative events, and was also the most popular gathering place for the people's public advocacy, for instance several thousand of youths demonstrated in the square with banners reading "We don't want hunger"¹⁶³ and "We want human rights and democracy"¹⁶⁴ in January 1979. Out of this movement grew the Democracy Wall which was characterized by posters. The government has tolerated and allowed advocating for greater environmental protections which organizations like local association Green Zhejiang and even the international group Green Peace's Beijing branch have had moderate success. The local authorities have to prioritize reducing air pollution after the series of mass protests of the environmental advocacies. However, dozens of public interest advocates and advocacy networks, particularly who receive foreign funding and challenge the sensitive Rights issues such as labor rights and other political problems are increasingly purged using surveillance and imprisonment as "disturbing public order" or "subverting state power."¹⁶⁵ According to advocacy organizations, 30 activists and workers were arrested for attempting to unionize a factory in Shenzhen in 2018. The effort included the universities' Marxist youth group who were arrested for practicing Marxism to help educate and mobilize migrant workers to fight for the labor rights. The conflict exposed a paradox between the Party's leadership founded on Marxist principles and the young people having been guided by Xi's word to study and implement

¹⁶³Donna Anderson, (2019) "Tiananmen Square - Corridor of a Thousand Steps"

<https://hobblecreek.us/blog/entry/tiananmen-squae-the-corridor-of-a-thousand-steps>, accessed on Sep.26th,2019

¹⁶⁴ *Id*

¹⁶⁵ Emily Feng, "China's Crackdown On Human Rights Advocates", accessed on Sep.6th, 2019/10/3<https://www.npr.org/2019/09/06/753478775/inside-chinas-crackdown-on-human-rights-advocates>

Marxism.¹⁶⁶ Beijing-based historian Zhang Lifan commented that China's Communist Party has brainwashed people with Marxist ideology, and it is unwillingly giving opportunities or tools to criticize and participate the government's public policy making. (NPR reports, 2018)

Nowadays the social media connections have formed a new space to advocate publicly. The advocacy of a collective political will through the Internet which provides the new social space such as the Sina Weibo, which is more efficient and feasible, also retains advantage in freedom of participation. Chinese migrant workers with less access to public discourse were categorically excluded from Habermas' public sphere. The function of public advocacy for "Dao" and the ubiquity of communication technologies have given members of the civil society networks unprecedented ability to form a public opinion on government policy, which in turn empowers demands for government accountability.

Interest-based Advocacy with guidance (倡导)

From the perspective of political science, governance refers to the process of public administration which deploys authority to maintain normal social order and exercise administrative power to meet public needs. In Shambaugh's (2015) observation, "What do Leninist parties do to cope with the atrophy and stave off inevitable decline? Essentially, they can be reactive and defensive — ruling by repression, in effect — or they can be proactive and dynamic, ruling through opening and trying to guide and manage change."¹⁶⁷ The "China Dream" was unleashed to suggest that there could be a strong nation capable of representing an alternative model of governance from market-led capitalism or liberal democracy. Yu Keping (2010) generalizes that "the objective of governance is to make use of power to guide, control and institutionalize the various activities of citizens and maximize public interests in the various

¹⁶⁶ President Xi Jinping said "As Communists, we should incorporate Marxist classics and principles into our lifestyle and treat Marxism as a spiritual pursuit," at an event celebrating the bicentennial of Marx's birth in May.2018. See more from "The Communist Party's Latest, Unlikely Target: Young Marxists

<https://www.npr.org/2018/11/21/669509554/in-china-the-communist-partys-latest-unlikely-target-young-marxists>

¹⁶⁷ Shambaugh,D.(2015) "The Coming Chinese Crackup: The endgame of communist rule in China has begun, and Xi Jinping's ruthless measures are only bringing the country closer to a breaking point", *Wall Street Journal*, <https://www.wsj.com/articles/the-coming-chinese-crack-up-1425659198>, accessed on Apr.25,2017

institutional relationships.”¹⁶⁸ In his view, governance is a more extensive concept than government which is

“cooperation between the state and civil society, between government and non-government, between public and private institutions and between compulsion and voluntariness. Governance is a process of management featuring interaction between the higher and lower levels. It exercises management of public affairs mainly through cooperation, consultation, partnership and identity and common goals. The essence of governance is cooperation based on market principles, public interests and identity. Its management mechanism does not rely on the authority of the government, but that of cooperation network. Its orientation for the exercise of power is not single and from above, but pluralistic and mutual.”¹⁶⁹

In China’s current “parallel polis”,¹⁷⁰ the Party-state still plays a persistent role in tightening their grip on power and thus forming the contemporary concept of civil society. Contemporary, Chinese civil society is led by the state under the guidance of the CCP in China. To create the “China Path”- a broad societal consensus on China’s future, the Party has worked on forging a unifying national narrative in a distinct Chinese ideological framework. This path is designed, as an alternative to discredit “Western” concepts of political and economic order, and fill the perceived moral vacuum created by the materialism and individualism that has been of concern ever since the reform and opening policy. Roger Ames traces the evolution of key concepts in early Chinese political philosophy in “The Art of Rulership”, and reveals Taoist and Confucian ideals with functional practicability that a Legalist political framework,

“The purpose of setting up a bureaucracy in antiquity was to prevent the people from doing just as they pleased. That they set up a ruler was to check the bureaucracy and prevent it from being dictatorial.”¹⁷¹ (p.191)

From a Confucian perspective, the “rule of law” is only necessary that the preferred form of government is the “rule of virtue”, and basic feature of the state is its “meritocracy” (Guang, 2014,

¹⁶⁸ Yu Keping. (2010) “The Emerging of China’s Civil Society and Its Significance to Governance”, is the general report on the research project – “The Emerging of China’s Civil Society and Its Impact on Governance” supported by the Ford Foundation. The major members of the research group include Yu Keping, Liu Junning, Wang Ying, Wang Yizhou, Sun Liping, Sun Bingyao and Deng Zhenglai.

¹⁶⁹ *Id*

¹⁷⁰ Lagos, Taso; Ted M. Coopman; Jonathan Tomhave (2013). “Parallel poleis’: Towards a theoretical framework of the modern public sphere, civic engagement and the structural advantages of the internet to foster and maintain parallel socio-political institutions”. *New Media & Society*. **16** (3): 398–414

¹⁷¹ Roger Ames, (1994) *The Art of Rulership: A Study of Ancient Chinese Political Thought*. State University of New York press, Albany

p.44-45). A legitimate ruler should be a virtuous person in Confucius's words, "Let a ruler base his government upon virtuous principles, and he will be like the pole-star, which remains steadfast in its place, while all the host of stars turn towards it" (Analects, 2.1). The Chinese state as a bureaucratic system must be competent to meet requirements with "rule of virtue." It makes use of increased censorship and persuasive practices, which advocating its vision through modern formats and channels. Thus, "Advocacy" is always translated into Chinese political discourse as "Chang Dao" (倡导) in public and official discourse. Borrowing Merleau Ponty's argument about "being always contains a partial positivity", the CCP as subject cannot exist as pure negativity, in the opposite, it participated in as a pure non-being or being positively to affect history: "The proletariat is the revolution, the Party is the proletariat, the leaders are the Party. This is not an identity in difference but, like being, is being."¹⁷² The party's cultivation of nationalism ties its legitimacy to "national pride",¹⁷³ and turns increased support from domestic public opinion for the Party as the foremost advocate of national interest.¹⁷⁴

While actually practicing capitalism, the Party positions itself as Marxists to maintain "Chinese characteristics of the socialism reform"¹⁷⁵ as one of guiding principles which help it justify itself, while "serving the people." For Sartre, the proletariat's idealization represents humanity's aims, thus its power and authority "must pass to the Party which fights in its name."¹⁷⁶ Nowadays Chinese government's propaganda emphasizes the Party's leadership in shaping the public opinion based on morality, ethics, or faith. Jacques' theory of China as a "civilization-state" explains that, "The importance of maintaining the unity of China as a civilization, as a state, as a civilization-state, is the most important political imperative for

¹⁷² Merleau-Ponty, *Adventures of the Dialectic*, 89.

¹⁷³ Cabestan, Jean-Pierre (November 18, 2010). "How China Managed to De-Isolate Itself on the International Stage and Re-Engage the World after Tiananmen". In B éja, Jean-Philippe (ed.). *The Impact of China's 1989 Tiananmen Massacre*. Routledge. ISBN 978-1-136-90684-8.

¹⁷⁴ Cabestan, Jean-Pierre (November 18, 2010). "How China Managed to De-Isolate Itself on the International Stage and Re-Engage the World after Tiananmen". In B éja, Jean-Philippe (ed.). *The Impact of China's 1989 Tiananmen Massacre*. Routledge. ISBN 978-1-136-90684-8.

¹⁷⁵ It refers to the program of the economic reform started in 18 December 1978, the Party terms it "socialism with Chinese characteristics" and socialist market economy", led by Deng Xiaoping..

¹⁷⁶ *Ibid.*, 135-137.

Chinese politicians.”¹⁷⁷ To apply the CCP’s self-claimed proletariat status quo in Ponty’s queries of Lukács: “Can one continue to think that negativity remains identical once it has acquired a historical vehicle?”¹⁷⁸ The answer hides in the causes of “public interest advocacy” which usually involve the misconduct of the local government administration and enterprises, such as house demolitions, corruption and forceful land grabs etc. Locke’s view about the justifiable rebellion if government violated the “social contract”¹⁷⁹ does not to fully explain rising public interest advocacy in China. Perry’s observation points out that,

“China’s pervasive moral economy protests, framed in a language of ‘rights,’ have often demanded (sometimes successfully) the removal of unpopular lower-level officials. Rarely, however, have they questioned the ruling authority of either the Communist Party or its ideology.”¹⁸⁰

These advocacies project Ponty’s understanding about Max Weber’s emphasis on “the opaqueness of social reality as a ‘second nature’ [which] seems to postpone infinitely the limiting concept of transparent social relationships and therewith the categorical definition of history as the genesis of truth.”¹⁸¹ In China’s context, the social as “second nature” posits the Party as inter-subjective constellation, where the “critical” power of CCP during its revolution time (before 1949, the establishment of PRC), nowadays becomes a positive, historical being then its self-criticism acts nominal. Thus, the transparency and self-contained character of the Party-state’s revolutionary tradition became dubious.

Shambaugh (2008) also argues the Party’s continued success as being driven by its willingness to continually “rejuvenate” itself, taking extreme measures to “finesse and adapt the ideology to suit policy decisions taken on non-ideological grounds.”¹⁸² The top leaders of the Party-state expressed the government’s deep concern for people’s livelihood and its commitment to socio-economic justice. Meanwhile, the identical subject-object of the CCP’s history also

¹⁷⁷ Martin Jacques, Mark Tully, and James Crabtree, “Understanding China and Its Rise: The ‘Civilization State’”, <https://asiasociety.org/india/understanding-china-and-its-rise-civilization-state>, accessed on July 31, 2012

¹⁷⁸ Merleau-Ponty, *Materials for a Theory of History*, 106

¹⁷⁹ Locke, John. 1960. *Two Treatises of Government*. New York: Cambridge University Press.

¹⁸⁰ Elizabeth J. Perry, “Chinese Conceptions of “Rights”: From Mencius to Mao – and Now”, *Perspectives on Politics* (2008)

¹⁸¹ Merleau-Ponty, *Materials for a Theory of History*, 106.

¹⁸² David. Shambaugh (2008), *China’s Communist Party: Atrophy and Adaptation*, University of California Press, p.105

negates any possibility of opposition or plurality, and asserts the Party's own identity as the conditions of society.¹⁸³ Over the past few years, the government has officially responded to public interest advocacy, gradually necessitating a fundamental change in the government's role. The Party's governance is reflected in its petition system,¹⁸⁴ which aims to balance the rights of the public while also serving the interests of the parties concerned (Tang, Xiaotian, 2010).¹⁸⁵ The Han dynasty's "Gong Che" (公车) was an apparatus responsible for hearing public complaints and proposals from many of China's disenfranchised to advocate for their grievances to the top leadership. It is similar with today's National Public Complaints and Proposals Administration (NPCPA, 国家信访局). Besides the departments of NPCPA that receive petitions, the major offices of Party organs and ministries, such as the Central Committee for Discipline Inspection (CCDI) also received 1.9 million petitions and complaints in 2013. Xin Ming, professor at the Party School of the CPC Central Committee confirms the petition system is a key channel for the Party to hear public opinion, and he also insisted "petitioning should work alongside the rule of law."¹⁸⁶

The number of petition cases dropped by a quarter in 2016 compared with 2013. Online petitions became easier to process and made up 40 per cent of the total of complaints filed in 2016, with petition submitted via the mobile devices accounting for more than 50 per cent of all online submissions (Xinhua News Agency, 2017). The combined numbers of petitions received by all departments are not publicly available. Many local officials see petitions lodged against them as a politically sensitive topic and try to scale down the number of petitioners by diverting petitions relating to court cases back to the judicial system and targeting rights activists. There is

¹⁸³ James Miller, *History and Human Existence: From Marx to Merleau-Ponty* (Berkeley: University of California Press, 1979), 220-221.

¹⁸⁴ The petition system was formerly named as Letters and Calls Bureau, also known as Xinfang Bureau, Petition Administration¹⁸⁴, which is a deputy-cabinet level state agency, promote the cooperation and mutual assistance of public power and private rights, executing two-way persuasions, improve error corrections and regulate the settlement of disputes.

¹⁸⁵ Tang, Xiaotian (2010). *Reforms in the petition letter and visit system of China and construction of a harmonious society*. *Frontiers of Law in China*. .www. doi:org.10.1007/s11463-010-0004-5. ISSN 1673-3541.

¹⁸⁶ "Petition process is made easier", http://www.chinadaily.com.cn/china/2017-03/13/content_28527737.htm

also corruption at the top level of officials in the petition system¹⁸⁷ that helps local bureaus fiddle with the details of cases to avoid embarrassment for provincial officials. The structural problem of petitioning operations of the national administration is not the judicial system which provides space for rent-seeking and the revealed issues will not be thoroughly settled. This confirmed flaw in the petition system shows the state the necessity for greater reform in governance.

About what is the democracy which could be qualified as “good” enough to fit China, Kitschelt et al.(1999) considered ‘accountability’ as another ‘procedural dimension’ excluding the rule of law, just as Putnam’s conclusion (1993) that changes of a country’s institutions are necessarily to be extremely slowly accompanied with the institutional contours of democratic regime, it could be fixed originally on the basis of its old civic traditions, but Pei (2002) alarmed that China must start implement political reform without delay in order to a long-term catastrophe of “slow economic growth, mounting social ills, and an incapacitated state.”¹⁸⁸

The pioneer of Xinhai Revolution, Sun Yat-sen interpreted “Democracy”-“Minzhu” (民主) into Chinese as “people’s rights”- “Minquan” (民权). And Mao Zedong put "great democracy (Da minzhu, 大民主)" as one of “ the Four Great Rights”¹⁸⁹ into the constitution during the Culture Revolution. This "great democracy (Da minzhu, 大民主) "was actually employed to advocate Mao’s political campaign rather than to achieve “democracy”. The need to show accountability and earn the trust of the citizenry makes the CCP prove that its role as the People’s Party means that they serve the interests of the people—Mao Zedong’s “serving the people” captures this well. Sanders points out the importance of neighborhood politics in his work “The Passage of the 1974 Housing and Community”. The Party mainly institutionalizes public consultation hearings, letters

¹⁸⁷ According to the official magazine of the Shanghai government prosecutors, the vice chairman of the bureau, Xu Jie, took bribes to make cases disappear, had amassed gifts and cash worth 5.5 million yuan (\$796,900) and was jailed for 13 years in 2015. See Christian Shepard, “Corruption at top rung of China’s ancient petition system sparks calls for reform”, accessed in Apr.2017, <https://www.reuters.com/article/us-china-petitioners-idUSKBN17D0QR>

¹⁸⁸ Mingxin,Pei (2002), “Beijing Drama,China’s Governance Crisis and Bush’s New Challenge”, <https://carnegieendowment.org/files/Policybrief21.pdf>, accessed on Nov.21,2002

¹⁸⁹ See Decision Concerning the Great Proletarian Cultural Revolution, adopted on August 8, 1966, by the CC of the CCP (official English version), The understanding about the distinctive origins, notions and implications of “Rights” in Chinese cultural and political contexts helps the analysis of the different perspectives.

and visits to government offices, and direct election of community-level People's Congresses to preemptively receive citizen's feedback and advocacy input relating to issues of concern.

Despite the Constitutionally bottom-up structure of electoral system and the high degree of integration of the Party at various levels of government means that elected government officials are beholden to the will of the Party (Chen 2011). These mechanisms are actually constituted structural flaws of a top-down model, which limit the effectiveness of government accountability. The CCP claims its legitimacy by way of the Constitution of the PRC (1982) that "under the leadership of the Communist Party of China, ... the Chinese people of all ethnic groups will ... turn China into a socialist country that is prosperous, powerful, democratic and culturally advanced." The People's Congress usually seeks the Party's guidance instead of providing a voice for societal interests on issues of public concern. The civil society networks have collectively started to mobilize the people's voice for which the CCP must account.

The sufficiency of economic development and the Party's ability to satisfy the material interests of the people are not sustainable approaches to achieve the CCP's popular legitimacy goals to be "the first Chinese government in a century capable of keeping the peace within its own borders" (Riskin 1987). Thus, the Party launched the "mass line" campaign in the name of encouraging government responsiveness to the people in 2013. It is an effort to close the widening gap between the public and the Party. The Kantian scholar Thomas Seebeohm reminds that "The right that a nation must not be hindered in providing itself with a civil constitution that appears good to the people themselves."¹⁹⁰ The Party has to do more on political reform instead of anticipating society's reaction to avoid the collective action or mass incidents will happen again.

The critique to the Party's "mass line" advocacy so far never the case lead to anarchism, the

¹⁹⁰ Thomas Seebeohm, "Kant's theory of Revolution", In: Schurmann, The public Realm, p62

“liberty of the strong”¹⁹¹ must be limited in a boundary, this should not incline to a total denial of all authority. From 1993 to 1997, the scope of the Chinese civil service is less inclusive than that of civil services in many other countries in Asia-Pacific region. Burns (2003) pointed out the total amount of government employees, including staff of the civil service, has not changed over the past decade according to the statistics. But the undergoing reform of the civil service has started quietly. The government tried to recruit college graduates and select the appropriate qualified candidates, the research of Burns and Wang (2003), confirmed that civil service reform was perceived to play some role, but they agree it is far from homogeneous comparing the China’s civil service system with developed countries. Manion (2004) says the corruption and high control of Communist Party of China (CPC) has undermined the civil service. As Ingraham (1995, p. 141) says, “the fair and equitable public management system addresses issues of recruiting, rewarding, and managing a committed and qualified workforce, and that serves the public and elected officials productively and effectively remains central to good government.” China has the unresolved governance crisis which the Party’s ruling power becomes decay. State capacity is deteriorating with the increased regime–society tensions. Pei (2002) concludes that the Chinese governance crisis of China actually “stems from the fundamental incompatibility between the CCP’s goal of perpetuating its political monopoly and its means of doing so through market-oriented economic reform,”¹⁹² and the economic prosperity that has brought social transformation with expanding personal freedoms, it “have contributed to the emergence of a citizenry that is more aware of its rights and has greater interests to protect.”¹⁹³

There is impressive extent to which the Party has integrated with society, the prestige and privileges of Party membership has led to widespread participation in the Party, which increased from 75.93 million to 90.59 million members during the period of 2008-2018.¹⁹⁴ According to

¹⁹¹ Giddens, Anthony (1994), *The transformation of intimacy. Sexuality, love and eroticism in modern societies*. Cambridge (Polity Press), p.186

¹⁹² Mingxin, Pei (2002), “Beijing Drama, China’s Governance Crisis and Bush’s New Challenge”, <https://carnegieendowment.org/files/Policybrief21.pdf>, accessed on Nov.21,2002

¹⁹³ *Id*

¹⁹⁴ Number of Chinese Communist Party (CCP) members in China from 2008 to 2018 (in millions),

Castells' (2009) significant work *Communication Power*, the programming of single networks and switching of different networks are the most fundamental sources of power. The Party's material-based legitimacy in a way that suits the people at a current development stage, but it must find resonance among citizens and its own cadres to explain its actions as a continuation of the grand scheme of Marxist, Leninist, and Maoist development. In Sartre's understanding, the Party and the proletariat remain identical, thus the "permanent revolution" "becomes the permanent anxiety of the Party".¹⁹⁵ Xi Jinping advocated that correct "guidance" of public opinion must be adhered to through public opinion work, which he introduced as "public opinion struggle" (yulbun douzheng, 舆论斗争)¹⁹⁶, essentially an invocation of Jiang-era "guidance" and the need for agenda control. The official editorial (社论) in the *People's Daily* does mention the phrase "ideological struggle,"¹⁹⁷ (yishixingtai douzheng, 意识形态斗争), which is essentially elaboration on Xi's "public opinion struggle."

The Party's news and public opinion work must adhere to the principle of the Party character, cleaving fundamentally to the Party's leadership of news and public opinion work. Media run by the Party and government are propaganda positions, and they must reflect the Party (必须姓党) [lit., "be surnamed Party"]. All work of the Party's news and public opinion media must reflect (体现) the will of the Party, mirror (反映) the views of the Party, preserve the authority of the Party, preserve the unity of the Party, and achieve love of the Party, protection of the Party and acting for the Party (爱党、护党、为党); they must all increase their consciousness of falling in line, maintaining a high level of uniformity (高度一致) with the Party in ideology, politics and action (The People's Daily, 2016).

<https://www.statista.com/statistics/281378/number-of-chinese-communist-party-ccp-members-in-china/>

¹⁹⁵ Merleau-Ponty, *Adventures of the Dialectic*, 168-171.

¹⁹⁶ Xi's speech on Aug. 19th, 2013, by China Daily . and an accompanying official editorial (社论) in the *People's Daily* does mention the essentially equivalent phrase "ideological struggle," or *yishixingtai douzheng* (意识形态斗争). See David Bundaski, (2016), "Mirror, Mirror on the Wall", <http://chinamediaproject.org/2016/02/22/mirror-mirror-on-the-wall/>

¹⁹⁷ *Id*

The Party attempts to act as the a priori apparatus to create the proletariat's non-being into being, through a falsified self-guidance to legitimize itself. The "public interest advocacy" with guidance (倡导) led by the CCP becomes the approach to unify thinking and plays an essential role in the Party's mass mobilization. Most of the emphases of the Party's vocal demands often go to its leadership in governance promotions. The Jiang and Hu-era policies on public opinion and media control were emphasized on a refinement of "guidance"- "guidance of public opinion" (*yulun daoxiang*, 舆论导向) and "public opinion channeling" (*yulun yindao*, 舆论引导). The Party employs "Chinese characteristics" and neo-Confucianism as the guiding principles to program and switch of the networks of citizen participation and the mechanisms of Party's governance in recent years.

Xi Jinping becomes one of the most powerful network "programmers" (political institutions, state-owned /private media companies, public institutions, publishers, editors, technicians) and "switchers" in China. Xi links media, cultural, political and financial networks, and is one the most influential "holders" of power in Chinese network society. The "programmers" and "switchers" are not represented as individuals, instead are network positions embodied by actors. Actually Xi "is a node, albeit a key node" (Castells, 2009, p.429). His media policy works to mobilize the social networks being intensified to the CCP's authority on political power and ideology more deeply than before with the party's omnipresent force in society at large.

The Mao-era's notion of "politicians running the newspapers," (*zhengzhijia banbao*, 政治家办报), and the idea that public opinion control is essential to the maintenance of social and political stability for the benefit of the people (福祸论) are also adopted by Xi Jinping's "48-character policy,"¹⁹⁸

"raising high the banner" (高举旗帜), public opinion leadership (引领导向), revolving around the centre (围绕中心), and serving the overall situation (服务大局)."

¹⁹⁸Xi Jinping's speech refined China's media policy at the Party's News and Public Opinion Work Meeting, Beijing, , Feb.19th, 2016

Figure 3.1 Screenshot of Xi Jinping’s media policy, the “48-character policy” (48 字方针),



(Source: February 20, 2016, edition of the *People’s Daily*)

Xi Jinping’s neologism with his “holder” of power acts as the “programmer” and “switcher” entering dominant discourse across all imaginable mass media platforms, demands a heightened sense of obedience, and requests public opinion and ideology to fall in line with the leadership of the Party. The *People’s Daily* clarified the statement of Xi Jinping’s media control policy, which projected its all-dimensional nature:

“He emphasized that the Party’s news and public opinion work is an important task for the Party, that it is a major matter concerning the management of national affairs and [the maintenance of] national peace and stability; [The Party and the media] must grasp their position [and role] with the overall work of the Party as the point of departure, and accommodating situational developments domestically and internationally; [They must] adhere to the leadership of the Party, adhere to correct political orientation, adhere to a work guidance of people at the core, respect the principles of news and communication, innovate their methods, and effectively improve the propagation force (传播力), guiding capacity (引导力), influence (影响力) and credibility (公信力) of the Party’s news and public opinion.” (The *People’s Daily*, 2016)

Eric Blair points out that Vaclav Havel’s advocacy has shown that “totalitarianism is essentially paternalistic. In the totalitarian order, the state is the teacher and civil society is the pupil in the classroom.”¹⁹⁹ Public governance occurs only through social networks involving the collaboration of state bureaucracies, community organizations and market agencies. Since the

¹⁹⁹ Blair, Eric (1988) “Towards a civil society: hope for Polish democracy”, In: *Times Literary Supplement*, p19

recent political campaigns,²⁰⁰ the Party has been adapting its ideology to "Meta-governance" which is the "governing of governing,"²⁰¹ to sustain in power and suit policy decisions in response to the major challenges at various stages. The "advocacy" with the emphasis on guidance (倡导) appears in top leader Xi Jinping's official discourse that,

"We propose to advocate for prosperity, democracy civilization, harmony, advocate for freedom, equality, justice, the rule of law, advocate for patriotism, dedication, integrity, kindness, and actively cultivate and practice the core value of socialism"²⁰² (倡导富强、民主、文明、和谐, 倡导自由、平等、公正、法治, 倡导爱国、敬业、诚信、友善, 积极培育和践行社会主义核心价值观。)

It is widely cited as the "Three Advocacies"(三个倡导) in Chinese public media. "The core value of socialism"(社会主义核心价值观)²⁰³ is carried out as the common value and the guidance for the public advocacy. Xi promotes "Three Advocacies"(三个倡导) by emphasizing the tradition for "Dao"(道) - the social order as the right approach to life and politics. Xi's ideological advocacy campaigns focus to extend the CCP's social reach to shore up popular support with the aim of cementing the Party's hold on power.

In witnessing the changes brought by the rise of a robust and autonomous civil society in China since the late 1980s, the post-Marxist Party-state has already designed its state led-society relations and implemented a pragmatic and instrumentalist framework. In a reference to the primacy of socialism with Chinese characteristics, Xi's recent speech²⁰⁴ also used a quote from "The Great Learning 大學" to explain "Dao" (道): "The way of great learning consists in manifesting one's bright virtue, consists in renovating the people, consist in stopping in perfect goodness"²⁰⁵ (大学之道, 在明明德, 在亲民, 在止于至善). Giddens (1994) agrees "Democracy"

²⁰⁰ Four campaigns refer to: Jiang Zemin's "Three Represents" campaign in 2001, Hu Jintao's "Scientific Development" and "Socialist Harmonious Society" campaigns in 2003 and 2005 respectively, and a campaign on the CCP's "Governing Capacity" in 2004-5

²⁰¹ Kooiman, J. (2003) *Governing as Governance*. Sage publications, p.170

²⁰² Xi Jinping, "Practice the Core value of Socialism" Beijing University on the Youth Day, May 4th 2014, <http://politics.people.com.cn/n/2014/0505/c1024-24975911.html>

²⁰³ During the most recent visit to Beijing University on the Youth Day, May 4th 2014, Xi Jinping quotes Hu's report of 18th Party congress which is origin of "Three Advocacies".

²⁰⁴ Xi Jinping, "Practice the Core value of Socialism" Beijing University on the Youth Day, May 4th 2014, <http://politics.people.com.cn/n/2014/0505/c1024-24975911.html>

²⁰⁵ Zengzi, "The Great Learning" Translated by A. Charles Muller, July 4, 2013

implying “the right to free” and “equal self-development,” but he emphasized it should also including the “constitutional limitation of (distributive) power.”²⁰⁶ The authority of Xi’s Party state is justifiable to the degree that it recognizes the “principle of autonomy”; in Giddens’ words, to the extent to which “defensible reasons can be given as to why compliance enhances autonomy, either now or in the future” (Giddens, 1994, p.186).

If Xi’s government guides and supports civil society to balance the interests and needs of different social groups as Xi’s speeches suggest, it would safeguard public interest advocacy as the remonstrance for socioeconomic justice. Only an independent legal system, a robust civil society, and a responsive government could strengthen public interest advocacy mechanisms to deal with wide spread conflicts. This public advocacy mechanism might help to divert the political tensions and add vigor to China’s state-society relation. Xi employs Sunzi’s famous tactic “Tong Dao” (unification in the Dao, 同道)-“The Dao causes the people to be fully in accord with the ruler.”²⁰⁷ It is the idealized principle of his administration and emphasizing on the need for “Tong” (同)-unification, which the Party-state expects Chinese people to be in accord with the CCP’s rule and mission. In an ideal view, the state provides guidance and support, rather than leading civil society to practice public advocacy for “Da Tong” (大同)-“The Great Harmony.”

Over the past few years the government has officially responded to public interest advocacy, which has necessitated a fundamental change in the government’s role. And the rise of public interest advocacy via the Internet has begun to influence China’s policy making. The responsive attitude expressed in the propaganda of Chinese leaders toward the public interest is the evidence of the increasing resilience and the adaptive governance of the Party-state. The Party-state began to adopt the responsive tactic to guide public interest advocacy. In order to advocate for society

²⁰⁶ Giddens, Anthony (1994), *The transformation of intimacy. Sexuality, love and eroticism in modern societies*. Cambridge (Polity Press), p.186

²⁰⁷ See concept of Sunzi’s famous tactic “Tong Dao” (“unification in the Dao” 同道), the first chapter “Initial Estimations,” in Roger Ames,(1993, 2015) *The Art of Warfare: Illustrated Edition* [Sun Tzu].

and the citizen to be fully in accord with the Party's rule, Xi Jinping employs advocacy with guidance (倡导) that:

“Prosperity, democracy, civilization and harmony are the value requests from the national level, freedom, equality, justice, the rule of law are the value requirements from the social dimension, patriotism, dedication, integrity, kindness are the value request from citizen-level. This generalization actually answered the critical question: what kind of country we want to build, what kind of society to construct, what quality of citizens to cultivate.”²⁰⁸ (富强、民主、文明、和谐是国家层面的价值要求, 自由、平等、公正、法治是社会层面的价值要求, 爱国、敬业、诚信、友善是公民层面的价值要求。这个概括, 实际上回答了我们要建设什么样的国家、建设什么样的社会、培育什么样的公民的重大问题)

Xi's advocacy for “Dao” is powerful with the influence of moral guidance. For instance, one of the youths in the Marxist group of Renmin University was arrested because he was stood up for coworkers in a labor rights dispute. He insists his believing in Xi's advocacy: "I think he'd definitely side with us. We've studied his theories, too, and if you look closely, you'll find that what the school is doing is against his ideas." (NPR reports, 2018) From this perspective, Xi successfully links the “Tong Dao” (同道) with the “De”(德) to promote his understanding of the rule of order. The inner nature of “Dao” involves the “De”²⁰⁹(德) – “power, virtue, integrity” as the active living or civilization of the Way.²¹⁰ Xi emphasizes the “core value of socialism” and the “faithful move” – “Da De” (大德)²¹¹ among the “Three Advocacies”²¹² (三个倡导), that “Core values, in fact, is a virtue, both personal virtue, but also a Da de (大德) -faithful move, that is ethic of nation, the moral of society. The State could not be prosperous without a faithful move out of fashion, the individual can not accomplish without virtue. If a nation, a country without a common core values, guidance in mind, and rule of conduct that this nation, this country can't move forward.

²⁰⁸ Xi Jinping, “Practice the Core value of Socialism” Beijing University on the Youth Day, May 4th 2014, <http://politics.people.com.cn/n/2014/0505/c1024-24975911.html>

²⁰⁹ Confucianism regards it as the humanistic perspective “Dao” with emphases in the values of duty and obedience to rigorously codified social orders.

²¹⁰ Henri Maspero (1981), Taoism and Chinese Religion p. 32.

²¹¹ *Id*

²¹² It reflects the hierarchical order of the state, society and the citizen, the coercion of state power tried to set the rules and values. Though there is the loss of absolute control, the party state still tries to use “power” (权力) or “authority” (权威) to lead/guide advocacy. See Xi Jinping, “Practice the Core value of Socialism” Beijing University on the Youth Day, May 4th 2014, <http://politics.people.com.cn/n/2014/0505/c1024-24975911.html>

Such a situation, in our history, in today's world, frequently appears.”²¹³(核心价值观，其实就是一种德，既是个人的德，也是一种大德，就是国家的德、社会的德。国无德不兴，人无德不立。如果一个民族、一个国家没有共同的核心价值观，莫衷一是，行无依归，那这个民族、这个国家就无法前进。这样的情形，在我国历史上，在当今世界上，都屡见不鲜。)

It is a proper correlation to legitimize the advocates' belief of the “De” (德) and shoulder the duty to seek better social order through the “decent cause” - “Da Dao” (大道).

In a realistic view toward an authoritarian country, Perry sees “it more as state-authorized channels to enhance national unity and prosperity than as naturally endowed protections against state intrusion, popular demands for the exercise of political rights are perhaps better seen as an affirmation of -- rather than an affront to -- state power.”²¹⁴ It not only explains the reasons to allow citizen participation in governance but also offers moral incentive of civil society networks' demand of a greater stake in political decision-making. Constitutional authority in Giddens' understanding can be understood as “an implicit contract which has the same form as conditions of association explicitly negotiated between equals.” The rise of public interest advocacy shows the utilization of the connections and resources of civil society via the new public sphere, and reveals a tendency to achieve a multi-sectoral partnership among social actors.

The Models of Public Interest Advocacy and its Legal Application

Kerkvliet, Nguyen, and Sinh (2008) identifies advocacy as “forms of engagement with the state”,²¹⁵ for organizations to be involved in public issues. Civil society networks have been inclined to online open letters, micro-blogging and wechatting among multiple tactics to constitute an advocacy repertoire which is designed to reach an objective. The observed network members are good at demonstrating their statements and actions in the aim of the public interest, but few of them conduct advocacy strategies with position papers. Mass mobilization techniques are rarer. The networks usually organize activities to express inquiries and demand transparent

²¹³ Xi Jinping, “Practice the Core value of Socialism” Beijing University on the Youth Day, May 4th 2014, <http://politics.people.com.cn/n/2014/0505/c1024-24975911.html>

²¹⁴ Elizabeth J. Perry, “Chinese Conceptions of “Rights”: From Mencius to Mao – and Now”, *Perspectives on Politics* (2008)

²¹⁵ Kerkvliet B, Nguyen Quang A, and Bach Tan Sinh (2008) “Forms of Engagement Between State Agencies and Civil Society Organizations in Vietnam.” Hanoi: NGO Resource Centre.

management and accountable governance. There are two types of public advocacy models: the Oppositional Model and the Collaborative Model of public interest advocacy to demonstrate the opinions and defend rights.

Ho (2008) and other researchers emphasize the de-politicization as a conscious strategy of Chinese environmental organizations trying to reach their objectives. Thousands of environmental advocacy groups are not contentious enough, but civil society networks are reluctant to link with confrontational protestors or illegal protests. The current PX protest tends to apply the Oppositional Model to advocate and protect public interest. In fact, the lack of strong enforcement and rule of law in China adds to the social costs and challenges of using the Oppositional Model. The increasing number of social protests in China reflects the people's growing awareness of their rights and a revival of pursuits for "Dao"(道). Elizabeth Perry sees it as "a much older *rules consciousness*, in which savvy protesters frame their grievances in officially-approved terms in order to negotiate a better bargain with the authoritarian state."²¹⁶

Michael Munger (2008) shows that the application of "Public Interest Advocacy" (PIA) in the West, is "performed by organizations that exist primarily to promote a common good that extends beyond the narrow economic or sectarian goals of their members or supporters. Organizations in this domain typically address such issues as consumer protection, free markets, the environment, taxation, peace, fiscal responsibility, campaign finance reform, civil rights, and social welfare."²¹⁷ In China, people primarily understand "Public Interest Advocacy" as remonstrance for "Dao" (谏净倡道), which could help to legitimize their requests and demands.

To act on behalf of constituents for policy implementation, there are four different advocacy techniques: lobbying, social mobilization, demonstrations, and public pressure. The civil society networks often conduct watchdog actions with selective use of both demonstrations and public

²¹⁶ Elizabeth J. Perry, "Chinese Conceptions of "Rights": From Mencius to Mao – and Now", *Perspectives on Politics* (2008)

²¹⁷ Michael Munger, (2007), Public Interest Advocacy, International Encyclopedia of the Social Science, 2nd Edition, P.614

pressure that expose corrupt officials and public criticism of policies. VuTN (2008) calls advocacy a key defining feature that civil society “networks are most effective and achieve their greatest power when presenting advocacy messages”.²¹⁸ Network functions are necessary for local NGOs to conduct joint actions and advocate with a common voice. And advocacy is also employed by business interests in advocacy campaigns for their own benefit in the adoption of the similar strategies and tactics as civil society networks.

The Oppositional Model

The ‘Oppositional Model’ of public interest advocacy/litigation began in the United States, and has been emulated throughout the world, including recently in the PRC. Hershkoff pointed out that this model is centered on litigation, where the Court is supposed to play the main role in conflict resolution, not merely negotiate and mediate for the achievement of a final settlement.²¹⁹ Thus, an independent judiciary is the ideal requirement for this model. The judiciary often acts directly with a part of a civil society (which includes interest groups as well as mere associations of like-minded individuals) in opposition to the interests or policies of the government (or a government institution) for a certain civil society purpose. It seeks to achieve fundamental changes in the law, its enforcement and the public policy by judicial decree.

According to Friedman, the public interest advocacy “illustrates the danger of reform that is perceived to be imposed by an outside force, whether that force is a judiciary, a distinct geographical area of the same country, the developed world or even former colonial powers.”²²⁰ The ‘Oppositional Model’ of public interest causes has been taken as an expression of exclusive disapproval, meaning as an objection to challenge the local authority or regime for rights protection, which is tagged as pro-democratic. Rabinow (1991) reinforced Foucault’s view that

²¹⁸ Vu Thi Nga (2008) “Báo cáo kết quả hội thảo: Sự tham gia của các tổ chức phi chính phủ và các tổ chức cộng đồng trong vận động chính sách: kinh nghiệm thực tiễn và khuynh hướng pháp luật” *Workshop report on Participation of NGOs and community organisations on policy advocacy], 16 September, Hanoi.

²¹⁹ Hershkoff, Public Interest Litigation: Selected Issues and Examples, *supra* note 1, at 3. Accessed on Jan, 2015, <http://siteresources.worldbank.org/INTLAWJUSTINST/Resources/PublicInterestLitigation%5B1%5D.pdf>

²²⁰ Andrew. Friedman, Chinese (Taiwan) Yearbook of International Law and Affairs, Vol 27 p 101

challenging power is not a matter of seeking some “absolute truth”, but “of detaching the power of truth from the forms of hegemony, social, economic, and cultural, within which it operates at the present time”.²²¹ For example, both of the 1922 Anyuan coal miner strike and 2004 Anyuan labor protest publicly advocated their aspiration for a “better order” - “Da Dao” (大道), not the direct opposition against the ruling government. Very few anti-state social movements and political groupings have emerged with the intent on subverting the political order. However, even the jailed Nobel Prize laureate Liu Xiaobo and like-minded activists, have less intention to overthrow the existing political system, but more to advocate for “Dao” (谏诤倡道). Ho (2008) sees non-political orientation or de-politicisation as an approach of Chinese environmental organizations seeking to avoid state repression.²²²

During the culture revolution, the protests were mobilized to deploy the oppositional action as the remonstrance for “Dao” (谏诤倡道), with the aims to seek better social order through the decent cause - “Da Dao” (大道). As a profound ruling institution for Chinese society, the Communist Party always tries to attach more importance to traditional culture than to its political identity to change the perception of its role. It mobilized people were convinced that “Destroy the old world; Forge the new world”²²³ is the “Dao” (道). The Cultural Revolution’s task of “transforming the superstructure” was seeking the better social order with the Chinese Utopia type of great unity - “Da Tong” (大同). The quote from “The Commonwealth of Great Unity” (礼运大同篇) explains that

“The maxim of living is to believe in peace and coherence, sincerity and trust among all people. Everyone loves and respects his or her own parents and children, as well as the parents and children of others. There are caring and protection for the aged until their last days; there is appropriate employment for the able-bodied; and there are nourishment and education for the children and youth.

²²¹ Rabinow, Paul (editor) (1991) *The Foucault Reader: An introduction to Foucault’s thought*, London, Penguin

²²² Ho Peter (2008a) “Introduction: Embedded activism and political change in a semi-authoritarian context,” in Ho P and Edmonds RL, eds. *China's Embedded Activism: opportunities and constraints of a social movement*. London: Routledge, 1-19. --- (2008b) “Self-imposed censorship and de-politicized politics in China: Green activism or a color revolution?” in Ho P and Edmonds RL, eds. *China's Embedded Activism: opportunities and constraints of a social movement*. London: Routledge, 20-43.

²²³ Huang, Shaorong. “The power of Words: Political Slogans as Leverage in Conflict and Conflict Management during China's Cultural Revolution Movement,” in *Chinese Conflict Management and Resolution*, by Guo-Ming Chen and Ringo Ma (2001), Greenwood Publishing Group

There is kindness and compassion for the widows and widowers, for the orphans, for the childless and for all who find themselves alone in the world, as well as for the disabled and sick. Every man as well as woman has an appropriate role to play in the family and society. Although nobody likes to see natural resources and wealth wasted on the land, no one keeps it for oneself. Nobody likes wealth which is not the creation of one's own labor. Moreover, nobody does things just to benefit oneself. A devotion to public service leaves no room for idleness; intrigues and connivances for ill gain are unknown. Villains such as thieves, robbers, rogues and rebels no more exist. The door of every house needs not to be locked and bolted during day and night. The above-mentioned are the characteristics of an ideal world called the commonwealth of Great Unity.”²²⁴(故人不独亲其亲，不独子其子。使老有所终，壮有所用，幼有所长，矜寡孤独废疾者，皆有所养。男有分，女有归。货，恶其弃于地也，不必藏于己；力，恶其不出于身也，不必为己。是故谋闭而不兴，盗窃而不作。故外户而不闭，是谓大同。)

In such an authoritarian state, the result of the request of an ‘Oppositional Model’ always appears presumptive in this way, which sometimes ignores the importance of context and the immutable aspect of cultural heritage, and further misses the opportunity to explore the deep roots of the reasons behind this grand phenomenon. Perry commented that in Mao’s political philosophy, popular uprisings could be celebrated as “a legitimate response to a government’s failure to fulfill its social responsibilities.”²²⁵ Mao’s philosophy of revolution mobilized millions of student Red Guards to oppose the “capitalist”²²⁶ at the start of the Cultural Revolution. The advocacy for revolution was calling on not only students but also "the masses of the workers, peasants, soldiers, revolutionary intellectuals, and revolutionary cadres"²²⁷ to carry out the task of "transforming the superstructure"²²⁸ by writing big-character posters and holding "great debates."²²⁹

Mao’s original aim was mobilizing people to advocate as the remonstrance for “Dao” (諫诤 倡道) in a nationwide mass campaign. On August 8, 1966, the Party's Central Committee defined the Cultural Revolution as “a great revolution that touches people to their very souls and

²²⁴ “The Commonwealth of Great Unity”(礼运大同篇)Translated into English by Ong Seng Huat

²²⁵ *Id*

²²⁶ Mao Zedong. 1971. *Selected Readings from the Works of Mao Tsetung*. Beijing: Foreign Languages Press.

²²⁷ Decision Concerning the Great Proletarian Cultural Revolution, adopted on August 8, 1966, by the CC of the CCP (official English version)

²²⁸ Decision Concerning the Great Proletarian Cultural Revolution, adopted on August 8, 1966, by the CC of the CCP (official English version)

²²⁹ *Id*

constitutes a new stage in the development of the socialist revolution in our country, a deeper and more extensive stage."²³⁰ People's confidence in public interest advocacy as remonstrance for "Dao" (倡道) reached the climax. Mao Zedong's classical phrase "It is right to rebel"- "zaofan youli "(造反有理)²³¹ refers to a proper order/correlation (因果) that "to rebel is justified."²³² It legitimized the reason for the Great Proletarian Cultural Revolution. The Party's Central Committee clearly explained the reason for starting the Culture Revolution that "Although the bourgeoisie has been overthrown, it is still trying to use the old ideas, culture, customs, and habits of the exploiting classes to corrupt the masses, capture their minds, and endeavor to stage a comeback. The proletariat must do just the opposite: It must meet head-on every challenge of the bourgeoisie in the ideological field and use the new ideas, culture, customs, and habits of the proletariat to change the mental outlook of the whole of society. At present, our objective is to struggle against and crush those persons in authority who are taking the capitalist road, to criticize and repudiate the reactionary bourgeois academic 'authorities' and the ideology of the bourgeoisie and all other exploiting classes and to transform education, literature and art, and all other parts of the superstructure that do not correspond to the socialist economic base, so as to facilitate the consolidation and development of the socialist system."²³³

The imposed nature of the "Oppositional Model" and its reliance on the Court to change the policy of the government prospectively, makes its application meet with what Sumi Cho described as "massive resistance" or "absolute defiance."²³⁴ The requirement of a fully independent judiciary usually decreases its potential in an autocratic or semi-autocratic political system. The achievement of China's legal system reform lags behind its economic reform. In the

²³⁰ Decision Concerning the Great Proletarian Cultural Revolution, adopted on August 8, 1966, by the CC of the CCP (official English version)

²³¹ Mao Zedong. 1971. *Selected Readings from the Works of Mao Tsetung*. Beijing: Foreign Languages Press. 34-35.

²³² *Id*

²³³ Decision Concerning the Great Proletarian Cultural Revolution, adopted on August 8, 1966, by the CC of the CCP (official English version)

²³⁴ Sumi Cho, "From Massive Resistance, to Passive Resistance, to Righteous Resistance: Understanding the Culture Wars from Brown to Gutter", 7 *U. Pa. J. Const. L.* 809, 814 (2005).

near future, it seems not to be a viable option for a success of its aims to pursue litigation and prospective relief.

The Collaborative Model

The Collaborative Model of public interest advocacy is a novel approach and usually aims for legal reform. Friedman (2017) emphasized that “Litigation, in this model, was a central piece of the advocacy; it was not *the* central piece.”²³⁵ Not only the litigation but the legislative and administrative measures as elements of the overall strategy become the focus in this model. Friedman further pointed out that “in the case of the PRC, the CCP, are all major points of interest and effort.”²³⁶ Wexler (2006) reveals China Development Brief’s research of Chinese NGOs, demonstrating that most conduct non-adversarial tactics of advocacy. Howard French has discussed the Chinese government’s relative responsiveness to the demands of citizen participatory governance concerning its development prospects. He concludes that this model “can succeed in systems that are autocratic or semi-autocratic if the administration is willing to reform policies in order to better serve its citizens, even while keeping a tight grip on its own power.”²³⁷

The overriding reasons of presumed success of the Collaborative Model include the heterogeneous CCP leadership group and the perception of the gradual democratization from the rights groups, such as the like-minded leaders working within government institutions. Li Cheng observes that “there is even recent evidence that one or more senior officials within the Party are willing to take into account concerns of social groups due to the tremendous growth of coverage of social unrest and protest within the state-run media, a marked change from history.”²³⁸ The

²³⁵Friedman, Andrew (2017) *Chinese (Taiwan) Yearbook of International Law and Affairs*, Vol 27 p 101

²³⁶ Ibid

²³⁷ Howard French, (2008) “Letter from China: A ‘Harmonious Society’ Hearing Different Notes”, *N.Y. Times*, Jan. 4, 2008, <http://www.nytimes.com/2008/01/04/world/asia/04iht-letter.1.9022176.html>

²³⁸ Cheng Li, (2009) “The Chinese Communist Party: Recruiting and Controlling the New Elites”, 38 *J. Current Chinese Aff.* 13, 14-15 *supra* note 2, at 28.

current generation of Chinese leaders has demonstrated the willingness to employ a responsive approach to respond to key grievances conveyed by public interest advocacy groups. It reflects the state's political flexibility. Friedman optimistically presumed the heterogeneousness of the "fifth generation" of leaders and the changing political landscape leading to the legal reform.²³⁹

A successful legal reform will give the promise and pave the way for the realization of advocacy as the remonstrance for "Dao" (谏诤倡道) with guidance (倡导). The history of the Cultural Revolution, not only reflects an extreme way of public advocacy as the remonstrance for "Dao" (谏诤倡道), but also shows the necessity to lead the society and the citizen's public advocacy with guidance (力言倡导). The Red Guards firstly engaged in "verbal struggle" (文斗, wéndòu) through hosting "great debates" and public meetings to criticize and solicit self-criticisms from suspected "counter-revolutionaries", but later on they assembled in large groups in "physical struggle (武斗, wǔdòu)" and became more violent. Meanwhile, the central Maoist leaders did not guide the mass movement properly by limiting the activist's violence to verbal criticism. It turned into the "the mob dictatorship"²⁴⁰ of the Red Guard', and demonstrated that the state needed to lead society and the citizen's public interest advocacy with guidance (力言倡导). Maureen Fan observes the efforts of public interest advocacy for freedom of speech and against censorship, also social movements and peaceful protest towards the right to meet China's former President Hu Jintao's policy of "Harmonious Society", which "emphasizes the need for overall development over the assertion of individual rights."²⁴¹

The institutionalization of the public interest advocacy could add balance to contribute for a dynamic harmony in society. Today's patterns of protest still have the tendency towards violent

²³⁹ Friedman, John. (2011) "Pragmatism Over Idealism: Public Interest Advocacy in the People's Republic of China and the Importance of Collaboration", *Chinese (Taiwan) Yearbook of International Law and Affairs*, Vol. 27, p. 97, 2011

²⁴⁰ de Tocqueville, Alexis. (1955) "Old Regime and the French Revolution", translated by Stuart Gilbert, Random House Inc.

²⁴¹ Maureen Fan, "China's Party Leadership Declares New Priority: 'Harmonious Society'", *Washington Post*, Oct. 12, 2006, <http://www.washingtonpost.com/wp-dyn/content/article/2006/10/11/AR2006101101610.html>.

escalation, such as the Anti-Japanese protest that was accompanied by Mao slogans and violent destruction on the street. It explains part of the reasons of the popularity of Tocqueville's classic "Old Regime and the French Revolution" and the implication of China's top leader Wang Qishang's recommendation of this book. There are concerns toward the Party-state controlled civil society organizations such as government organized non-government organizations (GONGOs). Most of them were simply interpreted to be part of the state apparatus supporting the survival of the authoritarian regime rather than bringing democratic changes. Muthiah Alagappa (2004) also reminds us that civil society "is an arena of power, inequality, struggle, conflict, and cooperation among competing identities and interests. It is populated by diverse formal and informal organizations with widely varying structures, resources, purposes, and methods."²⁴² In fact, the majority of NGOs and associations including GONGOs and grass roots organizations are eager to advocate their public campaign, yet also strive to seek legitimacy, endorsement, and support rather than autonomy from their registered sponsor-state departments. Zhu Liqun (2011) commented that given the specific Chinese cultural context, "most Chinese civil society organization (CSOs) still see non-governmental behavior as a citizen's responsibility in collaboration with government."²⁴³

Meanwhile, the Collaborative Model of public interest advocacy proves more system-supportive than system-subversive. For example, the recent successful litigation of the All China Environmental Federation (ACEF) was seen as a positive step in the PRC. It is the first organization to have a successful environmental law-suit. Note that due to the dual registration rule of None Government Organizations (NGOs) in China's state controlled civil society, the ACEF as a NGO has to affiliate with a governmental institution. Thus it is listed as an 'Affiliated Social Organization' by the Ministry of Environmental Protection that "consists of personages,

²⁴² Muthiah Alagappa, *Civil Society and Political Change in Asia: Expanding and Contracting Democratic Space* (Nov 8, 2004)

²⁴³ Zhu Liqun (2011), "Civil Society and Governance: the Chinese Experience", in A. de Vasconcelos (ed.), *Global Governance: Building on the Civil Society Agenda*, European Union Institute for Security Studies, pp. 67-78.

enterprises and public institutions.”²⁴⁴ Thus, ACEF is one of the Government Organized None Government Organizations (GONGOs) which is the specific characteristic of Chinese state-led civil society. Friedman concludes that “it is the use of the Collaborative Model that allowed the government and the ACEF to move towards a peaceful middle ground in which there is compensation for environmental harms that appear to come from within the system in an organic fashion. This not only compensates the victims of such harm, it also avoids the perception of imposed modes of governance.”²⁴⁵

In the current political climate, the diverse nature of the new ruling bloc and legal situations within the PRC resonate government support for public interest work and the level of success the Collaborative Model achieved. However it is not merely a successful model but an important weapon for public interest advocates and legal reformers. The public interest advocacy has started to play a major role in the formulation of conflict resolution and environmental legislation reforms in China. It pushes the local authorities to draw on Karl Popper’s gradualist concept of “piecemeal social engineering”²⁴⁶ of political change to respond and deal with social, environmental or economic problems through an ad hoc effort. To get better conflict resolutions, public interest advocacy need to pressure the local government to execute John Dewey’s model of concrete politics of participatory democratic experimentation solving dilemmas, which confronting both democratic theorists and citizen activists.²⁴⁷

Facing the mixed opportunities and constraints, Chinese civil society network members start to push at the boundaries of the legal system, and act as legal aid intermediaries on behalf of communities. According to Zweig (2003), ChenX (2007), CaiYS’ (2008) researches show that collective action and protest have been successful for people that suffered, while what have not

²⁴⁴ Ministry of Environmental Protection – The People’s Republic of China, “All-China Environment Federation”, Aug. 14, 2007, http://english.sepa.gov.cn/About_SEPA/Social_Organizations/200708/t20070814_107914.htm

²⁴⁵ Andrew.Friedman, Chinese (Taiwan) Yearbook of International Law and Affairs, Vol 27 p 101

²⁴⁶ Karl R. Popper, (1961), *The Poverty of Historicism*, Routledge & Kegan Paul, London, third edition, p. 43.

²⁴⁷ William R. Caspary, (2000), *Dewey on Democracy*, Cornell University Press

been any successful cases of legal action. The government faces its own difficult task of improving law enforcement, regulation, transparency and public participation in decision-making. There is a remarkable evolution of the resilience of the Chinese government toward the popular demand for participatory governance. The White Paper of Progress in China's Human Rights released by the Information Office of the State Council in 2012, claims “China is working to build a beautiful country and guaranteeing the citizens' environmental rights, as part of its human rights protection efforts. A legal and policy framework has been established to protect citizens' environmental rights, and their rights to a clean living environment and good eco-environment have also been further secured.”²⁴⁸ Xi Jinping, the general secretary of CCP central committee, also gave recognition to the recent environmental protests and promised that the Party would fight for “a more beautiful environment” in his first address to the Chinese people in 2012.

²⁴⁸ “China protects environment to ensure human rights: white paper”, Xinhua News Agency, May 14, 2013 <http://english.peopledaily.com.cn/90785/8243325.html>.

CHAPTER 4

Advocacy Strategies and the Digital “Public Sphere”

"Across the Great Wall, we can reach every corner in the world".²⁴⁹

-The first email sent out from China

Introduction

An Asia Foundation report of 2008 shows the term “advocacy” has long been in use, regardless that it has entered theoretical vocabularies relatively recently in China. Existing studies on advocacy of Chinese NGOs emphasize its supposedly “non-political” orientation and favoring non-adversarial tactics (Wexler et al 2006:9). The term “politics” (政治) is limited to internal affairs of the state in formal, institutional settings, frequently perceived conversely as oppositional-type activities against the internal workings of the Party and government apparatus. Ho and Edmonds (2008) interviewed an activist who stated that “Chinese environmentalism cannot always rely on non-confrontational tactics to achieve its aims” (p.221), and also assume that environmental activists desire to engage in “de-politicize politics” and are constrained on their own “self-imposed censorship” (Ho,2008a,p.8, 2008b,p.29; JiangR 2005). It is highly effective within China’s political system, which can be concluded as a “fragmentary, highly localized, and non-confrontational form of environmentalism” (Ho, 2008a, p.14). Political opportunities and constraints coexist, because there are thousands of annual environmental disputes that become social movements which advocate for better implementation of existing policy, even as a few call for public confrontation. Ho captures the “negotiated symbiosis” of state-society relations (Ho,2008b,p.36), and points out the “embedded activism”²⁵⁰ as a China-specific phenomenon that is “restrictive but conducive” (Ho 2008b,p.21). The

²⁴⁹ The ICA Beijing and Karlsruhe University established the first Internet connection, the content of the first email sent out from China on Sep.14th, 1987. Accessed on May, 2015, <http://tech.sina.com.cn/i/c/2003-07-18/1127210948.shtml>

²⁵⁰ Ho P and Edmonds RL, eds. (2008) *China's Embedded Activism: opportunities and constraints of a social movement*. London: Routledge.

de-politicization is a strategy of Chinese environmental organizations to avoid getting involved in the contentious politics.

This chapter inquiries into if advocacy has been indeed “depoliticized”. Reaching such a judgment is that depends on the perspective and conceptualization of politics as an open-ended “process of public deliberation and scrutiny of matters of collective concern or interest to the community” (Hay, 2007, p.62) and also as “a process for holding to account those charged with collective responsibility.”²⁵¹ Public interest advocacy seeks policy change and social reform through public participation. And, public participation aims to educate the general public so that they will understand the context of policies, be familiar with the law and associated rules, and mobilize to participate in social agendas. This construct expands Blumer’s inclusive definition about social movements that and they “can be viewed as collective enterprises seeking to establish a new order of life. They have their inception in a condition of unrest, and derive their motive power on one hand from dissatisfaction with the current form of life, and on the other hand, from wishes and hopes for a new system of living. The career of a social movement depicts the emergence of a new order of life.”²⁵²

There exists a growing, autonomous political sphere in which views become advocated, and protests organized to engage in oppositional political action with the aim to change certain policies and practices of the state and social elites. Foucault’s (1980) open ended-definition of politics is shown in the PX protests, which advocate through social conflict, power participations, and human agency. The localized relations of power extend beyond the state and exercise in institutions, like the family (Foucault, 2008, 2006, 1995, 1994, 1990). “The state,” Foucault explains, “is super-structural in relation to a whole series of power networks that invest the body, sexuality, the family, kinship, knowledge, technology, and so forth” (Foucault, 1980, p. 123). The

²⁵¹ Hay C (2007) *Why We Hate Politics*. Cambridge: Polity Press, p.62

²⁵² Herbert Blumer. (1939) "Collective Behavior," in Robert E. Park, ed. *An Outline of the Principles of Sociology*. New York: Barnes and Noble, p. 199.

protesters have mobilized together with enough support from an apolitical constituency in a short timeframe to reverse a local government's decision. Shi (1997) points out that social contexts, framing, timing and location are sensitive conditions in China. It requires not only a free market economy and liberal institutions, but also civic participation of individuals in private spaces as well as the public sphere. The emergence of digital technology and globalization has provided new tools for powerful non-state actors and hyper-connected networks operating within social media with a more determined effect.

As an essential element in the evolution of the “public sphere,”²⁵³ the growing number of Internet and cell phone users in the PRC creates a virtual “public sphere” that is likely responsible for the development of more democratic features, such as “social stability risk assessment”.²⁵⁴ In line with current global trends, the impotence of the state and the decline of expertise have led to the rise of public interest advocacy. Citizens expect to use the Internet as a digital public sphere, displaying their opinions for systemic changes. The Internet has opened up a vast new domain for civil society by the new media, which might have the potential of robbing societies of a shared narrative that maybe currently held by any governments. The digital public sphere even as it facilitated the transformation of civil society participation and organization, also has imposed challenges. It requires insights concerning on interactions and participation among the digital models of networks, activism, and associations in civil society.

This chapter emphasizes advocacies that are most efficiently facilitated via the digital/virtual public sphere. It outlines the dynamics of online activism, and how they deploy the informational flows to demonstrate their power and reshape public opinion. The Chapter discusses details of

²⁵³ The “public sphere” is deemed as a platform for rational self-expression, public opinions and discourses among citizens and social groups. See Jurgen Habermas, *The Structural Transformation of the Public Sphere* (Cambridge: MIT Press, 1989). Citizens articulate their autonomous views through the public sphere which is essential to influence the sociopolitical institutions.

²⁵⁴ According to two primary legal documents requiring public consultation hearings, it is designed to gain citizen input on large development projects in order to avoid not-in-my back yard protests. See “social stability risk assessment”—are State Council Order No. 590 (2011), “Regulation on the Expropriation of Buildings on State-owned Land and Compensation,” and State Council Document No. 16 (2013), “Notice of the State Council on Issuing the Working Rules of the State Council.” Additionally, the SPC’s Document No. 1 (2011) “Notice of the SPC on Issuing the Work Outline for People’s Courts in 2011,” mentions the court’s goal to establish a mechanism for social stability risk assessment. Translations by www.lawinfochina.com.

three overall public interest advocacy strategies observed among networks that respectively are Embedded Advocacy, Media Campaign Advocacy and Community based Advocacy. It also reveals online censorship as a tool of governance can never stop the potential of a virtual public sphere facilitated by the Internet, particularly through social networks and micro-blogging (weibo), to become important means of communication and mobilization for public interest advocacy to protect citizen rights. This chapter offers a scholarly literature review of online activism and the growth of civil society in China, confirming the potential importance of Habermas' concept of "public sphere" as "rational discourse among citizens and social groups"²⁵⁵ in addressing the changing state-society-market relationship. Advanced information and communication technology (ICT) provides social space for public communication and socializing which adds the virtual "public sphere" as a new part to the "public sphere". It explores the complex ways of online public interest advocacy that alter traditional patterns of socio-political engagement. This chapter agrees with Xiao's idea that the Internet is "changing the rules of the game between society and the state" and contributing to an unprecedented "power shift in Chinese society."²⁵⁶ The virtual public sphere/space for consumption and communication not only connects and disconnects markets, civil society and state, but also alters and perpetuates long-standing patterns of socio-political engagement. The exploration of these new avenues in this chapter shows that Chinese citizens have a growing opportunity to explore their identities and social experiences with more individual autonomy and influence.

Overview of Civil Society Networks' Advocacy Strategies

As a never fully open and democratic society, China's reality is more complex. Heinrich Böll Stiftung (2006) pointed out the picture of a political system with many constraints as alike to "political wraps." But Shi (1997) found that many network members including activists, NGO leaders, journalists and academics are highly strategic and independent path-breakers, who

²⁵⁵ Habermas, Jurgen (1989) *The Structural Transformation of the Public Sphere*, Cambridge: MIT Press,

²⁵⁶ Xiao Qiang. (2004) "The 'Blog' Revolution Sweeps Across China", *New Scientist*

.<http://www.newscientist.com/article/dn6707-the-blog-revolutionsweeps-across-china.html?full=true> .

“develop new ways to articulate their interests in the political system”(Shi, 1997,p.264). They rarely view themselves as anti-government dissidents, and dedicate themselves to construct new forms of organizing and ways to engage in advocacy, which has brought sweeping changes in “a period of extraordinary contention” (Perry and Selden 2003, p.6, p.20). It is advisable to define advocacy based on the goals and methods of an actor-centered approach rather than how the state (or part of a state) reacts to it. Wexler, Xu and Young (2006) summarize advocacy strategies in three inductive categories of NGOs in China: constructive engagement as embedded advocacy, media campaign advocacy, and community-based advocacy, meaning efforts to raise visibility and voice of the marginalized groups.²⁵⁷

Embedded advocacy

Embedded advocacy uses personal and institutional ties to engage the state and public opinion. It means working within the system and making direct contact with parts of the state. Embedded advocacy is closely linked conceptually with “guanxi”, meaning vertical social capital, and corporatism, “embeddedness” is referred by Granovetter (1985), and Evans (1995, 1996) as synergies between the state, economy and society synergies. “Embeddedness” is central to the identity of Chinese NGOs that “civil organizations find themselves embedded in a Party-statist structure of control, as well as an intricate web of personalized relations and informal politics.”²⁵⁸ Embedded advocacy is based on mutually co-opted relationships between individuals and state authorities. Almost all social organizations in China, particularly the government operated non-governmental organizations (GONGOs), need permission from a certain level of authority to engage in their action. The authorities involved may consist of a state employee, who uses their position to exercise oversight and control over the organizations. The NGO key leaders’ personal or inter-organizational political connections have an opportunity to act as a channel by which social interests potentially affect the policy-making process. The same relationship can also form

²⁵⁷ Wexler R, Xu Ying, and Young N (2006), *NGO Advocacy in China*. Beijing: China Development Brief.

²⁵⁸ Ho P (2007) “Embedded activism and political change in a semi-authoritarian context,” *China Information*, p. 21,

--- (2008a) “Introduction: Embedded activism and political change in a semi-authoritarian context,” in Ho P and Edmonds RL, eds. *China's Embedded Activism: opportunities and constraints of a social movement*. London: Routledge, 1-19.

an entry point for advocacy, as networks leverage access and connections with other parts of the state to collect information or influence others. Zhang Zhibin and Guo Chao (2012) recommend that NGO leaders to “restructure their own participatory procedures so that constituents can be more directly involved in the decision making process.”²⁵⁹

Kerkvliet, Nguyen, and Sinh (2008) simply define advocacy as “forms of engagement with the state,”²⁶⁰ including the direct lobbying of government officials. Bratton (1990) shows the positive connotations of state-society synergy that organizations need to “identify openings in the administrative system” and “cultivate non-adversarial working relationships with the politically powerful”.²⁶¹ The network allies employ embedded advocacy to use available legal mechanisms, participating within the institutionalized policy process (including official workshops, review boards, the Party Congress, and National Assembly hearings), and contact sympathetic government officials with open letters and petitions via personal and institutional connections. Within the context of the interaction between state and society, political embeddedness provides the informal channels through which lawyers can communicate with officials and bureaucratic agencies in the Chinese legal system.²⁶²

Howell (2004) summarizes major activities of the civil society networks’ advocacy in China as “research dissemination, the demonstration of alternative models, and conducts training courses for government leaders”.²⁶³ Most Chinese NGOs prioritize close connections with the authorities, through whom they seek to influence and attempt to get them to agree and communicate with their policy objectives. Playing insider (or relative insider) roles gives advocates more leverage and influence, as well as a better understanding of constraints on

²⁵⁹ Zhang Zhibin and Guo Chao (2012), “Advocacy by Chinese Nonprofit Organizations: Towards a Responsive Government?”, *Australian Journal of Public Administration* 71, no. 2: 221–32.

²⁶⁰ Kerkvliet B, Nguyen Quang A, and Bach Tan Sinh (2008) “Forms of Engagement between State Agencies and Civil Society Organizations in Vietnam.” Hanoi: NGO Resource Centre.

²⁶¹ Bratton M (1990) “Non-governmental organisations in Africa: can they influence public policy?” *Development and Change* 21: 87-118.

²⁶² Michelson, Ethan (2007) “Lawyers, Political Embeddedness, and Institutional Continuity in China’s Transition from Socialism” *American Journal of Sociology* 113, no. 2: 352–414.

²⁶³ Howell J, ed. (2004a) *Governance in China*. Lanham MD: Rowman and Littlefield.p.160

officials to help shield them from potential criticism or reprisals. However, embedded advocacy also risks compromising advocates' independence. Shi Tianjian (1997) describes that, "Since government policy is hardly monopolistic, there is always space for citizens to maneuver" and managing advocacy remains within the system to circumvent at the boundaries of embeddedness. For example, O'Brien (1996) found advocates creatively using the state's own laws and rhetoric of the discourse of "harmonious society" (和谐社会) to point out the gap between rights promised and delivered in an effort to hold the state accountable.

Parris, Song and Wang's (2015) research on the social network embeddedness perspective of the "top-down" and "bottom-up" types of NGOs found that they undertake different strategies to achieve a certain degree of autonomy in both internal management and external relations.²⁶⁴ These NGOs might suffer from a lack of objectivity, after being embedded with the authorities they are seeking to influence and they might lose sight of the broader context of the conflict. Lu Yiyi (2008) points out that Chinese advocates take an opportunistic approach to advance their own interests and as a result the "multiple dependence on the state have led many NGOs [directors] to view their relationships with government agencies and officials as the most important of all." Minzner (2006) adds that petitions by nature are a "multipurpose tool of governance" and "an appeal to discretionary authority, rather than an assertion of clearly defined independent rights."²⁶⁵ Meanwhile the objects of advocacy also have the power to shut down the advocates themselves.

This system of influence is unique to China and it is difficult to tell where embedded advocacy ends, and back-room deals or interest group politics begin under an inherently unequal and hazardous system. In their book on Chinese environmentalism, Ho and Edmonds (2008) capture the "negotiated symbiosis" of state-society relations, and describe an advocacy in which

²⁶⁴ Parris, Song and Wang (2015), "All Roads Lead to Rome: Autonomy", in *Political Connections and Organisational Strategies in China*. CIJ Volume 13, Numbe 3, 74-95

²⁶⁵ Minzner C (2006) "Xinfang: An Alternative to Formal Chinese Legal Institutions," *Stanford Journal of International Law* 42(2): 103-79.

“civil organizations find themselves embedded in a Party-statist structure of control, as well as in an intricate web of personalized relations and informal politics.” As a result of this “restrictive but conducive” political context, they further conclude that this is “fragmentary, highly localized, and non-confrontational form of environmentalism.”²⁶⁶

Media campaign advocacy

The media campaign advocacy strategy differs from embedded advocacy in its use of wider channels with the purpose of reaching leaders and influencing public opinion. Advocates use connections with official organizations or media outlets to work with journalists, scientists and researchers to affect public opinion through print and Internet media, such as newspapers and magazines, films, movies, bulletin boards, organizational websites, personal sites, blogs, e-mail list-serves, chat groups, even mobile phones and texting. They reach their objects of advocacy indirectly. The contradictory reality sometimes forces advocates into de-politicized spaces, where they carry out media-attractive activities in an effort to make journalists of state-owned media outlets be explicitly sympathetic and act beyond professional neutrality.

Environmental organizations and networks, such as the PX protesters, are the most likely to use media as both objects and means of network advocacy, to raise public awareness of an issue. Journalists have published their own articles and interviews with other network members, disseminated information, lent their clout to the PX protest campaign and facilitated public comment through web interfaces. The Internet and other communication technologies are crucial tools for individuals with no links to state officials to engage in advocacy even if he/she is based in a rural area. Baum (2008) argues the media has become the natural ally and active participant of civil society networks.²⁶⁷ Civil society networks have the capacity to colonize the media, but state censorship designed to control the Internet is heavy handed and limited their efforts to

²⁶⁶ Ho P and Edmonds RL, eds. (2008) *China's Embedded Activism: opportunities and constraints of a social movement*. London: Routledge.

²⁶⁷ Baum R (2008) “Political Implications of China’s Information Revolution: The Media, the Minders, and Their Message,” in Li, Cheng, ed. *China’s Changing Political Landscape: Prospects for Democracy*. Washington: Brookings Institution.

partial penetration at most. The media quite expectedly to play important roles in an advocacy campaign, Tran and Linh (2010) quote the description of the media from two network participants as “a system of public information [that] plays an extremely important role... It is just about the only information source for the community to understand about the situation, its changes and structure... Journalists always gather the opinion of people living in the surrounding areas. This is almost the only channel that people have to present their opinions.”²⁶⁸

Covey (1995) asks a question in his study of “NGO alliances”: “What factors increase the effectiveness of NGO alliances in achieving policy outcomes and strengthening civil society?”²⁶⁹ Information Communication Technology (ICT) has helped expand the efficiency and the effectiveness of public advocacy aiming to increase public participation and influence policy decision making. In today’s China, along with the deployment of globally advanced ICT, the rights-seeking groups work advertently to create large-scale social movements. The employment of new social media strategies and networks help expand the influence and scope of the movement. Public interest advocacy groups have sought to adopt the latest developments of ICT technology, like the Web 2.0, to embrace the public needs and promote change in government and the business community.

Social media, such as the micro-blogging and we-chat (the Chinese version of whats app), has played an increasingly important role in providing a public sphere to push the groups of environmental rights seekers to join a “micro-public interest” network and they are becoming a major platform for public interest advocacy. Similarly, the expansion of public advocacy spaces to the online public sphere, like the online circulation of PX protest information helps achieve extensive social resources and public influence. It also drives mainstream media to actively report on the public interest sector. The potential of media advocacy should not be overstated, communication technology helps empower network members to challenge state control of

²⁶⁸ Linh Thuy (2009) “Báo chí quanh vụ xây khách sạn tại CV Thống Nhất” *Media reports on the case of hotel construction in Reunification Park], Tuan Viet Nam, 19 February.

²⁶⁹ Covey J (1995) Accountability and effectiveness in NGO policy alliances, *Journal of International Development* 7:6:857-67

information, but it is impossible to change the underlying reality of state power. Wang (2009) points out that it does not necessarily lead to “the development of democratic politics”²⁷⁰.

Community-based advocacy

Community-based advocacy is a network strategy requiring building links between local residents and elites. It involves broader-based network members and their allies putting public pressure behind advocacy objectives through community-organized peaceful complaints and demonstrations, which sometimes result in violence. Community-based advocacy involves more people who are affected by legal action and negotiation networks' issues, and builds connections between all levels of community. China has indigenous traditions and historical connections of community-based advocacy, including the Taiping Movement, the Chinese Communist Party's origins, the Rural Reconstruction Movement, etc.

In China, community-based advocacy faces severe restrictions from legal enforcement and security forces, but increasing conflicts about numerous sensitive issues such as environmental pollution, corruption and land expropriation, have resulted in thousands of local protests and spontaneous demonstrations each year, particularly in rural areas. According to Cai's (2008) research 87,000 cases of rural protest were documented in 2005. Johnson (2004) and Brettell (2008) find community-based advocacy taking place in rural China, that many outspoken individual “rights defenders” with no links to networks or NGOs are the first to be suppressed. Ho and Edmonds (2008) claim that, “activists are forced... to abandon any radical, confrontational, and mass mobilization tactics to achieve political objectives”.²⁷¹

²⁷⁰ Wang Chen (2009) “China Embraces The Information Age,” speech at Second Israeli Presidential Conference “Facing Tomorrow 2009”, 20-22 October, in China Daily, 1 November, p. 4.

²⁷¹ Ho and Edmonds (2008). *China's Embedded Activism: Opportunities and constraints of a social movement*, Routledge.2nd Edition

Facing such mixed opportunities and constraints, Chinese NGOs usually choose to act as legal aid intermediaries for class action suits, rather than sue on behalf of communities. Community environmental activism, such as the Xiamen PX plant protests have attracted media attention, inside and outside China. van Rooij (2010) notes that a loosely-structured “rule of law”²⁷² network of environmental lawyers has come into existence, and community-based legal advocacy increases in China, alongside a broader “rights defense”²⁷³ community (B ĩa 2009).

Community-based advocates are pushing at the boundaries of the legal system with local and sometimes national government included, to address identified injustices and achieve desirable aims, alongside the established repertoire of embedded and media campaign strategies. Community-based advocacy is highly sensitive in major cities, where the government is very reluctant to respond positively to network members who not only share information, but also encourage people to take group action. Given these barriers, pragmatic considerations encourage NGOs and networks to use elite advocacy strategies, and tread existing community activism pathways carefully.

In comparison with the mass strategy of community-based advocacy, embedded and media campaign advocacy are basically elite network strategies carried out by small groups of urban activists with close connections to government or journalists. Zweig (2003) finds that employing a combination of embedded, media campaign and community-based strategies is desirable and effective in many cases. The notion of “rightful resistance”²⁷⁴ springs from increasing rights consciousness of community activists who “use the vocabulary of the regime to advance their claims... They launch attacks that are legitimate by definition in a rhetoric that even unresponsive

²⁷² Van Rooij B (2010) “The People vs. Pollution: understanding citizen action against pollution in China”, *Journal of Contemporary China* 19(63): 55-77.

²⁷³ B ĩa J-P (2009) “China Since Tiananmen: The Massacre’s Long Shadow”, *Journal of Democracy* 20(3):5-16.

²⁷⁴ O’Brien, Kevin.J. (1996) “Rightful Resistance”, *World Politics* 49.1 (1996) The Johns Hopkins University Press.p. 31-55, See more from O’Brien K and Li Lianjiang (2006) *Rightful Resistance in Rural China*. Cambridge Studies in Contentious Politics; O’Brien K and Stern R (2008) “Studying Contention in Contemporary China,” in O’Brien K, ed. *Popular Protest in China*. Cambridge MA: Harvard University Press, 11-25.

authorities must recognize, lest they risk being charged with hypocrisy and disloyalty to the system of power they represent.”²⁷⁵

Advocacy Provides a Political Equation through the “Public Sphere”

Advocacy for the public interest (公益倡导) is emphasizing “gong” (公) to require consultation with stakeholders of state and the society. In the Chinese political lexicon “gong” (公) refers to similar meanings of the Western counterpart “public” in multiple aspects. William Rowe points out that “gong” (公) refers to the emerging “public utilities” and “public services” outside the direct control of the state, during the Qing and Republican eras, and now this “ancient and highly value-charged term has become unprecedentedly energized.”²⁷⁶ Fang Zhou (2014) argues that “unlike Europe, this Chinese concept ‘gong’ (公) never developed into a similar model of civil society.”²⁷⁷ Other harsh critiques mainly compare China with Eastern Europe, also emphasizing the difference of social and cultural traditions, to raise doubt about the initiatives or abilities of the Chinese “gong” (公) transcending government’s accountability and challenging the authority of officials.²⁷⁸

The nature of the public sphere is also developed by the public, representing the common will and advocating for the public interest while resisting political authority. Habermas (1989) defines the public sphere as spaces where autonomous individuals freely engage in rational debate.²⁷⁹ In the context of civil society’s formation as a rational-communicative space vis-à-vis the modern State, the idea of “Offentlichkeit” is generally translated as “public sphere”, which is characterized by the freedom and continuity of the ancient polis (Habermas, 1990, p.5-23). It

²⁷⁵ Ibid

²⁷⁶ Rowe, William (1992), *Hankow: Conflict and Community in a Chinese City, 1796-1895*, Stanford University Press

²⁷⁷ Fang Zhou, (2014), *Understanding “Public Sphere” and “Civil Society” in the Chinese Context*, International Journal of Humanities and Social Science, Vol. 4, No. 13;

²⁷⁸ Frederic, Jr. Wakeman, (1993), “The Civil Society and Public Sphere Debate: Western Reflections on Chinese Political Culture.” *Modern China*, Vol. 19, No.2, , pp. 108-138.

²⁷⁹ Habermas, Jurgen (1989). *The Structural Transformation of the Public Sphere*, Cambridge, MA: MIT Press,

refers to a “deliberation” process of making public with “a network for communicating information and points of view.”²⁸⁰ Lincoln Dahlberg (2005) summarizes,

“When talking of the public sphere, Habermas is not talking about a homogenous, specific public, but about the whole array of complex networks of multiple and overlapping publics constituted through the critical communication of individuals, groups, associations, social movements, journalistic enterprises, and other civic institutions.” (Dahlberg 2005, p.112)

Through operating “deliberation” on political issues, of public value and importance in the Habermasian public sphere, democratic differences are subject to “the force of better argument”, that citizens should gain influence (Edgar 2006,p.124). The “deliberative democracy” as constitutive of Habermas’ theory of public sphere (Habermas 1989, 1996, 1997), “is supposed to generate legitimacy through a procedure of opinion and will-formation that grants: publicity and transparency for the deliberative process; inclusion and equal opportunity for participation and a justified presumption for reasonable outcomes” (Habermas 2006, p.4).

To apply this essentially Europe-oriented notion into the Chinese context, the public sphere demonstrates the capability of citizens to participate in public discourse and form public opinion to support or counter-support the critical accountability of a government. Craig Calhoun uses the “public sphere” of critical discourse to analyze its role as a channel for public opinions and discussions of the Tian’anmen student movement.²⁸¹ The public sphere appeared shortly on Tian’anmen Square not only in 1989, but also during the April Fifth movement of 1976. People from almost every social class gathered at Tian’anmen Square mourning the death of Prime Minister Zhou Enlai, and expressing their dislike of the Gang of Four. The application of community-based advocacy and embedded tactics echoes the tradition of advocacy for “Dao” (倡道). Madsen indicates it is possible to “have a public sphere with a distinctively Asian cultural

²⁸⁰ Habermas formulated the theory of ‘public sphere’ from the ideal type of eighteenth-century bourgeois public sphere. See Jürgen Habermas (1996) *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, tr. William Rehg. Cambridge, MA: MIT Press.p 360.

²⁸¹ See Calhoun, Craig (1989),“Tiananmen, Television and the Public Sphere: Internationalization of Culture and the Beijing Spring of 1989,” *Public Culture* 2, no. 1 : 54–71.

style”, if “it is used at the proper level of abstraction.”²⁸² Arendt (1951) authored *The Origins of Totalitarianism* which emphasized the special importance of an autonomous public realm, and saw the public sphere as the arena in which we are uniquely able to express our human capacity. With increasing multifaceted and complex interactions (Green, 1990), the public sphere is again a key issue as a discursive-deliberative, subaltern-agonistic, elitist-deficitarian, liberal-democratic or empirical-descriptive sphere (Habermas, 1990).

The Habermasian public sphere contributes a mediation space for state and society, and leads to an increase in community advocacy in China. When the relatively freer media access and increasing availability of Internet technologies make connections with state agencies less crucial for advocacy than previously, media campaign advocacy became prominent. The incidents of community environmental activism have attracted media attention within and outside China, in the case of the Xiamen PX plant “flash mob” (Li, 2007). The PX participants are advocating for the people's inalienable rights through the public sphere, which make the voice from affected communities heard in public. As Judith Shapiro (2012) explains, “not all Chinese public participation is expressed through citizens’ groups ... Moreover ‘environmental mass incidents,’ as the government calls such protests, are astonishingly numerous”(104).

The Chinese authorities are fully aware of the important role the media could play and that it constitutes and maintains a “public sphere.” There is a lack of a formal institutional system to channel dissent and redress grievances over a broad range of issues, from environmental pollution to corruption and ethnic conflicts, etc. Habermas concludes that “The communication structures of the public sphere are linked with the private life spheres in a way that gives the civil–social periphery, in contrast to the political center, the advantage of greater sensitivity in detecting and identifying new problem situations.”²⁸³ As a result of these processes, mass media and horizontal communication networks are converging. The net outcome of this evolution is a historical shift of

²⁸² Madsen, Richard. (1993)“The Public Sphere, Civil Society and Moral Community: A Research Agenda for Contemporary China Studies.” *Modern China*, Vol. 19, No.2, pp. 183-198.

²⁸³ Habermas, Jurgen (1996) *Between Facts and Norms*, Cambridge, MA: MIT Press, , p. 381.

public sphere from the institutional realm to the new communication space. Public interest advocacy is mobilized by diverse forms of civil society, which enacts public opinion and debate to weigh in the public sphere, ultimately to influence the decisions of the state (Stewart, 2001). The terms of the “political equation,”²⁸⁴ remain as “a way of representing the contradictory relationships between the conflictive interests of social actors, the social construction of cultural meaning, and the institutions of the state”²⁸⁵ (Castells, 2008, p. 80).

The Digital “Public Sphere” Facilitates Advocacy

The liberating potential of public advocacy will be vastly enhanced by the achievement of “mass self-communication” through the digital public sphere. The digitalization of social communication and a growing dynamic of media fragmentation have functioned as two sides of a coin, and also imposed a new structural change in the public sphere. (Binder & Oelkers, 2017). Castells (2009) argued that there were both a tendency and potential for counter-power within an autonomous web 2.0 emergent at the first decade of this century. He pointed out it could create spaces that are autonomous from capital and state power. The ideal ground for all these actors and institutions to interact within the public sphere in a non-disruptive manner starts to emerge in the digital era. John Thompson views the media as a major component of the public sphere in an industrial society.²⁸⁶ History shows a major site of the public sphere evolved from the emerging newspapers of national and territorial states to the media of the bourgeois constitutional state.²⁸⁷ As Habermas’ argument about the importance of media points out, the public sphere requires “specific means for transmitting information and influencing those who receive it.”²⁸⁸ Subject to the increasing social usage of the Internet, the theoretical concept of the public sphere is intended to apply as a digital “public sphere” in this regard.

²⁸⁴ See Habermas (1976), considering the capitalism’s penetration of the state, he admitted the theory of democracy is an idealized situation.

²⁸⁵ Castells, M. (2008) “The new public sphere: Global civil society, communication networks, and global governance, p. 80

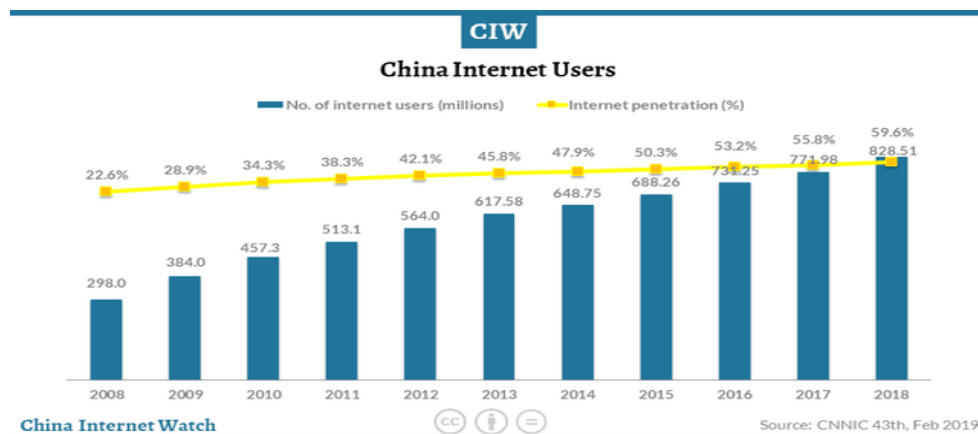
²⁸⁶ See John B. Thompson, *Political Scandal: Power and Visibility in the Media Age*, Polity Press. 2000. 324 pp. The public sphere here is viewed by Thompson mainly as the media or the socio-spatial sites of public interaction.

²⁸⁷ Habermas, Jürgen. (1974) “The Public Sphere: An Encyclopedia Article.” Trans. Sara Lennox and Frank Lennox. *New German Critique*, No. 3, 50-53.

²⁸⁸ Habermas, Jürgen. (1989) *The Public Sphere: An Encyclopedia Article. In Critical theory and Society. A Reader*, ed. Stephen E. Bronner and Douglas Kellner, 136-142., New York: Routledge, p. 136

The digital “public sphere” empowers private messages to reach the masses beyond the control of any organized authority, which is different from traditional mass communication. In this perspective, the network programmers and switchers are increasingly “contested by the reprogramming work of mass self-communication” (Casetells, 2009 p.). Thus networks can be reprogrammed. China hosts the largest base of Internet users in the world, particularly, the 500 million mobile Internet users become the main driving force behind the growth of Internet users, and 300 million netizens create a rapidly growing micro-blog sphere.²⁸⁹ According to the latest statistical report on the Internet development in China, it shows a phenomenal increase of 56.53 million users with a total of more than 829 million netizens were roaming on social networking websites in December of 2018.²⁹⁰ Civil society network members communicate and advocate via texting, uploading on the Internet. The anonymity of the Internet potentially adds a transnational element to advocacy campaigns, such as the case of the SARS epidemic or the 2007 Xiamen anti-PX advocacy, where civil society networks might post from inside or outside a country. Despite the limits, the media role with the proliferation of blogs and websites is relatively less restricted by the legal structures when mobile phone texting and the Internet circulation go viral and attract wider notice.

Figure 4.1. The 33rd statistical report on Internet development in China



(Source: CNNIC 43th, Feb 2019)

²⁸⁹ The 33rd statistical report on Internet development in China
<http://www.cnnic.net.cn/hlwfzyj/hlwxzbg/hlwtjbg/201403/P020140305346585959798.pdf>

²⁹⁰ “China internet users snapshot 2019”, China Internet Watch,
<https://www.chinainternetwatch.com/29010/china-internet-users-snapshot/>

The Internet facilitates feasibility of public interest advocacy by providing greater access to information and public discourse. Compared with the relatively expensive and less wide-spread fax-machines and satellite television, which helped influence the fall of the Iron Curtain in Europe, the Internet's low barrier of accessibility has empowered netizens to peek over the Great Fire Wall. And text messaging through cell phones also helps exchange information promptly particularly when some hot-button issues attract users' attention. These facilities have relatively low infrastructure costs. In particular, text messaging is much cheaper than voice phone calls, and users of mobile phone in China have been trained to be very skillful in using text messages, which was reported being used to organize protests by sending to multiple receivers. Under these conditions, insurgent political and social movements are able to intervene more decisively in the new communication space. In the digital era, the impact of advanced information and communication technologies (ICTs) enables the Internet to act as an efficient communication tool which provides a cyberspace for civic participation and the generation of social capital. It has changed the picture in which direct citizen voices were relatively absent from the public arena in China.

According to James Leibord (2011), ICTs provides "Chinese netizens with even more diverse and far more engrossing ways to distract and dampen any subversive thoughts and actions."²⁹¹ The decentralized, person-to-person communication framework of the Internet can spread information widely without geographic limits.²⁹² The Internet has provided the digital 'social space/public sphere' as a vast new domain for civil society, where power is decided. Manuel (2000) calls it a "self-directed mass communication."²⁹³ Xiao Qiang (2004) agrees that the Internet is "changing the rules of the game between society and the state" and contributing to an unprecedented "power shift in Chinese society."²⁹⁴ The ubiquity of ICTs improves the Chinese

²⁹¹ James.Labord, (2011) " Blogging Alone: China, the Internet, and the Democratic Illusion?" The Journal of Asian Studies Vol. 70, No. 4 p.8

²⁹² Ching-Ping Tang, (2007) "Space, Civic Capacity, and the Rise of NIMBY Environmental Movements in China: The Cases of Xiamen PX and Shanghai Maglev Protests"

²⁹³ Castells Manuel (2000). *The Rise of The Network Society: The Information Age: Economy, Society and Culture*, Wiley

²⁹⁴ Xiao Qiang (2004), "The 'Blog' Revolution Sweeps Across China." New Scientist

citizen's accesses to the public sphere to engage in public discourse. The digital public sphere for consumption and communication not only connects and disconnects markets, civil society and state, meanwhile it alters and perpetuates long-standing patterns of socio-political engagement.

The voices of public interest advocacy are allowed to multiply through the facilitation of ICTs, which could reshape public opinion debates, spur belligerent rhetoric, interrupt economic activities, and even impede diplomatic negotiations. The digital public sphere facilitates netizens to play a supervisory role in direct proportion to the decision-making process in public life and government administrative affairs. More and more people pose doubts about the governance accountability of the state and the Communist Party through social media such as the Weibo (China's twitter or mini blog is a leading micro-blogging platform). Weibo offers such a broad public space to Chinese netizens who yearn for democracy on-line, embodying Eyerman and Jamison's (1991) description about social movements that "are . . . best conceived of as temporary public spaces, as moments of collective creation that provide societies with ideas, identities, and even ideals."²⁹⁵

Effective advocacy is expected to result in political change within the existing political system. The potential of a digital public sphere facilitates public interest advocacy via the Internet, such as the social networks and micro-blogging (*weibo*), which have become an important means of communication and mobilization to protect citizen rights. The digital public sphere offers a virtual space where feelings and reactions can be more safely aired than in physical spaces. Hartford (2000) forecasts that the impressive development and deployment of the Internet in China, would result in "the inexorability of the political opening—alternative sources of information, communications channels beyond government control."²⁹⁶ The combination of media campaign advocacy with the embedded advocacy and community-based strategies

[.http://www.newscientist.com/article/dn6707-the-blog-revolutionsweeps-across-china.html?full=true](http://www.newscientist.com/article/dn6707-the-blog-revolutionsweeps-across-china.html?full=true) .

²⁹⁵ Ron Eyerman and Andrew Jamison (1991). *Social Movements: A Cognitive Approach* University Park: Pennsylvania State University Press, pp. 184

²⁹⁶ Kathleen Hartford (2000). Cyberspace with Chinese Characteristics. *Current History*. 8(11): 255-262.p25

multiply the effect through the digital public sphere that participate and put pressure on power-holders from several directions at once.

The Internet usually consolidates citizens' right of freedom of speech. The Internet impact on Chinese civil society has been to provide new platforms and to facilitate public interest advocacy during the information age. Chinese Nobel Peace Prize laureate Liu Xiaobo believed that "The Internet is God's great gift to China—it has provided the Chinese people with the best tool in their efforts to cast off slavery and fight for freedom."²⁹⁷ Chase and Mulvenon (2002) point out that despite strong counter-strategies of government, netizens and public advocates have made extensive use of the Internet in voicing opinions and advocacy.²⁹⁸ Guobin Yang (2009) conducts a comprehensive survey of the Sinophone internet and provides critical analysis in his landmark study, "The Power of the Internet in China." Yang (2009) argues that the Internet (and weblogs in particular) have added virtual Habermasian public sphere, creating a sort of "digital civil society," which "can challenge cultural stereotypes, correct misinformation, and resist symbolic violence (symbolic violence meaning violence inflicted on society by the ruling elites through labeling, categorization, and other discursive forms)"(p. 216). His observation leads to an optimistic opinion that even without formal institutional reform, "this communication revolution is expanding citizens' unofficial democracy" by undermining state control and generating greater political transparency (p. 213) In the concluding chapter, "China's long revolution," Yang (2009) refers China as "a restive society alive with conflict and contention" (p. 209), that characterized by "the palpable revival of the revolutionary spirit (p. 209), and the forging of "the social and cultural foundations for a democratic political system"(p. 214).

²⁹⁷ Zhihai,Xie,(2015) "Chinese Democracy Gets Help", *The Japan Times*,
<https://www.japantimes.co.jp › commentary › world-commentary>,*accessed on 09/18/2015*

<http://www.japantimes.co.jp/opinion/2013/08/25/commentary/world-commentary/chinese-democracy-gets-help/#>

²⁹⁸ Michale S. Chase and James C. Mulvenon, (2002), "You've Got Dissent! Chinese Dissident Use of the Internet and Beijing's Counter-Strategies", Santa Monica: RAND.

Along with Western-style democratic assumptions, the Internet's ability is to facilitate robust public debate, foster critical and rational thinking and cultivate participatory individualism. But this kind of belief as "a virtual form of the Habermasian public sphere" was called into question by Jin Liwen after her research on Chinese Internet forums. She concluded that "The masses live by, and are ruled by, subconscious and emotional thought process. The crowd has never thirsted for the truth. It turns aside from evidence that is not to its taste, preferring to glorify and to follow error, if the way of error appears attractive enough, and seduces them. Whoever can supply the crowd with attractive emotional illusions may easily become their master; and whoever attempts to destroy such firmly entrenched illusions of the crowd is almost sure to be rejected."²⁹⁹ The digital public sphere itself actually can be both progressive and regressive in nature. Corporate media and mainstream politics also have invested in this new communication space. Manuel Castells (1999) referred to the social movement as the proliferation of "identity based movements" and "cultural communes" which rebel against "the dominant ideologies and institutions of global flows, and instead seek to construct alternative utopias."³⁰⁰

The new public sphere facilitated by the Internet serves as open space for debate, exchange and interaction. Power and inequality often play in the public sphere. Sometimes the content of the public interest advocacy on Internet is still regarded as highly suspicious by the state as a Western "Trojan horse" under the disguise of democratization. But, the digital public sphere serves the most public interest advocacy groups addressing social problems.³⁰¹ Habermas (2006)

²⁹⁹ Jin Liwen.(2007). "Liwen's Digital Journey into the Computer World. Confessions of an Aca-Fan" . http://www.henryjenkins.org/2007/04/liwens_digital_journey_into_th.html (2010).

———. (2008). "Chinese Online BBS Sphere: What BBS Has Brought To China." Thesis (S.M), Massachusetts Institute of Technology. <https://cmsw.mit.edu/chinese-online-bbs-sphere/>

³⁰⁰ Castells, Manuel. (1999). "Flows, Networks, and Identities." In *Critical Education in the New Information Age*, edited by Manuel Castells, Ramón Flecha, Paulo Freire, Henry Giroux, Donaldo Macedo, and Paul Willis, p.37–64. Lanham: Rowman & Littlefield Publishers.

———. 2010. *The Power of Identity: The Information Age: Economy, Society, and Culture*, 2nd edition. West Sussex: Wiley-Blackwell.

³⁰¹ Yang Guo bin, (2003) "The Internet and Civil Society in China: a preliminary assessment" *Journal of Contemporary China*, 12(36), August, p.453–475

admitted that the cyber-dislocation operating as a “huge number of isolated issue publics”³⁰² created by the informal and horizontal flows of computer mediated communication might undercut the public sphere in liberal societies.

With the development of information communication technology (ICT), it becomes less possible for the government to control people in the name of social stability as it once did. ICT has provided public advocacy groups the possibility to become the key players in handling conflicted demands from the Party-state and emerging civil society. For example, micro-blogs assume four new roles: “as a new way for representatives to perform their duties (offering public proposals as well as behind-the-scenes trivia); as a new form of news dissemination for the news media (opening official micro-blogs, establishing micro-blog columns and layout in newspapers); as a new platform for citizen participation in politics (virtual proposals were submitted; interaction with council members); and a new interactive way for the press to investigate stories (setting topics to get user comments).”³⁰³

Currently, almost every department of government has launched its micro-blogging services to offer a new communication channel between the officials and the general public. Also the advanced ICTs makes micro-blogging an efficient alternative for mass communication that “has been used in ways that are creative, widely participative and, often, surprisingly effective to cope with various crises or emergencies.....and plays a role during all four phases of crisis management, mitigation, preparation, response and recovery.”³⁰⁴ The micro-blog has been deployed by public interest advocacy groups to take the advanced ICT facilities of the Internet to rebuild and expand public life, in which the thousands of followers of an advocate’s blog offer the media campaign advocacy group the opportunity to spread its opinion and target mission widely.

³⁰² Habermas, Jurgen (2006) “Political Communication in Media Society: Does Democracy Still Enjoy An Epistemic Dimension?” *Communication Theory* 16: 411–26.

³⁰³ Wang Hongguang,(2003) “Microblog: Micropower to a Civil Society”, School of Journalism and Communication, Wuhan University, Wuhan

³⁰⁴ *Id*

The leaders of public interest advocacy groups usually act as key brokers, consultants and experts within policy issue networks to demonstrate their ability to mobilize constituencies important to politicians. They can, to a certain extent, mobilize residents to overcome the limitations of the environmental “not-in-my-backyard” (NIMBY) movement. Particularly when environmental protection groups start to be aware of the citizens’ rights and responsibilities, they stand up in support of other cities that fall victim to PX polluting projects with the aim of pushing local government to change policies. This change appears in the latter series of environmental movements as demonstrated through the support for the PX protests from the public, netizens and public figures with no direct interests in the specific issue. Observations about the development of hot-button environmental protests against the paraxylene (PX) petrochemical plant plan to demonstrate the ever-shifting connections between public interest advocacy participating in public policy-making processes and social change in today’s China.

In this context of free market development, weak environmental protection law enforcement and widespread environmental irresponsibility, the public had doubts that the PX factories would be well regulated by an authoritarian state apparatus to provide safe production activities. The local level of Chinese government is facing increasing pressures from the public interest advocacy groups to respond to social demands. Environmental issues tend to be apolitical, usually only involving the commercial enterprises that might directly/indirectly relate to local governments. Maintaining stability is the priority for local authorities. When the eruption of dissatisfaction took the masses to the street protesting, local officials did not have much choice but to halt the projects in order to end the protests and maintain social stability. The Internet, especially micro-blogging on websites and we-chat platforms through mobile phone, has raised the public interest consciousness of millions of Chinese netizens. Most of them are looking for the opportunity to change their country’s future from the ground up in an orderly and civilized way, rather than through the ideological trappings of class struggle. Thus, using the Internet to arouse public awareness and mobilize the masses participating in the protests might be deemed as a politically safe tactic for the public to achieve their goals.

Power and Participation - The Online Activism

The Internet has the potential to create new forms of civic activism and socio-political change which presents a challenge to official orthodoxy. In the early literature on the Internet, there are findings from Howard Rheingold's "virtual community"³⁰⁵ to Stewart Brand's axiom "information wants to be free"³⁰⁶ which propagated in digital-utopianism. There is a need to avoid simplistically equating a facilitative or transformative social influence brought by the Internet with the 'super counter-power.' The new media scholar, Guobin Yang's (2009) recent studies describe the Internet as "a place for demanding democratic supervision and independent thinking",³⁰⁷ and hold an optimistic view about the benefits of the Internet creating "citizens' unofficial democracy," indicating that "online activism is a microcosm of China's new citizen activism, and it is one of its most vibrant currents. In this sense, online activism marks the expansion of grassroots, citizen democracy".³⁰⁸ Despite the dominating role of Party-state propaganda, competing ideological clusters in online debates show a remarkable plurality of opinions on public social media platforms.

Online activism indicates that citizens have an increasing awareness of their rights and social responsibilities. Still, the public awareness on certain issues is very low. For example, with respect to discrimination against marginalized or disadvantaged groups that most people are unaware of. The online version of Gustave Le Bon's unruly "popular mind" in "The Crowd: A Study of the Popular Mind"³⁰⁹ reminds us that the risks of employing the overly simplistic assumptions about the freedom of the information age. According to Lawrence, Sides and Farrell's studies of political beliefs, activism and deliberation in the American blog-sphere, the result that "about 94 percent of political blog readers consume only blogs from one side of the

³⁰⁵ Rheingold, Howard. (1993). *The Virtual Community: Homesteading on the Electronic Frontier*. Boston: MIT Press. 2003. *Smart Mobs: The Next Social Revolution*. Cambridge, U.K.: Perseus.

³⁰⁶ Brand, Stewart.(1987) "The Media Lab: Inventing the Future at MIT". New York: Viking Penguin.

³⁰⁷ Yang Guobin. (2009). *The Power of the Internet in China: Citizen Activism Online*. New York: Columbia University Press. - (13 March,2011), "China's Gradual Revolution." *The New York Times*.

³⁰⁸ *Id*

³⁰⁹ Gustave Le Bon, (1895) "The Crowd: A Study of the Popular Mind"

ideological spectrum” shows that “discourse on blogs falls well short of the deliberative ideal.”³¹⁰ It reflects the level of network homophily³¹¹ effect that netizens might be more polarized in their opinions.

The activism of a large population of netizens is supposed to bring a great hope for democracy in China, but equally the adverse may also be the case. The complexity of digital activism is like a double-edged sword. Internet activism through the virtual public sphere could have the opposite effect to allow the propagation of nationalists, and extremist views. If belligerent views begin to influence the country's foreign policy. It might have manifested a disruptive role that public interest advocacy could play through the digital public sphere. Meaning it could also be a source of oppression on public sphere which is subject to dramatic change.

The subtle changes brought by digital activism and its precise implications need more empirical, comparative, and cross-disciplinary research. Many observers hope this activism is a sign of growing democracy in China. Chinese netizens increasingly write about politics on line especially a group of engaged political cohort leaning on digital community. They create an active, public-minded sphere with relative freedom of speech compared to the reality of the overall restricted political discourse in China. Netizens acknowledge and organize themselves as if they can engage in a digital state exploring new powers and opportunities. But it would be premature to conclude that digital activism is successfully promoting a novel deliberative public sphere and even naive to suggest that the countervailing effects might gradually subvert

³¹⁰ Lawrence Eric, John Sides, and Henry Farrell (2010), “Self-Segregation or Deliberation? Blog Readership, Participation and Polarization in American Politics.” *Perspectives on Politics* 8(1): 141–57.

³¹¹ The similarity-attraction hypothesis and theory of self-categorization are two main lines of reasoning to support the theory of homophily. See Byrne, D. E. (1971). *The Attraction Paradigm*. New York: Academic Press. Turner, J. C. (1987). *Rediscovering the Social Group: A Self-Categorization Theory*. Oxford: Basil Blackwell. Monge, P. R., & Contractor, N. (2003). *Theories of Communication Networks*. Oxford: Oxford University Press.

Party-state hegemony in China. To examine the role of the Internet in Chinese politics, further observation of online activism's growing influence on public interest advocacy could be helpful.

Governance - The Censorship

It is important to reflect on novel governance models that might unconsciously transform citizens into an active element in the emerging form of politics. In modern China, totalitarianism was the "novel form of government"(Adhrent, 1953, p. 303-327). Aadvocacy networks have been subject of Internet censorship and polarized activist's cyber-attack. One form of the censorship is a prominent human-made obstacle, which is known as "the Great Firewall"- the Golden Shield Project.³¹² The government mouthpiece Xinhua News Agency stated that censorship targets "superstitious, pornographic, violence-related, gambling and other harmful information."³¹³ The Great Fire Wall is the most sophisticated content-filtering Internet program that exists and assists the state in tightening control of public opinion and flow of information. The government can control access to sensitive information via the Great Fire Wall. For example, not only was the early spread of HIV/AIDS censored, but the outbreak of SARS, fatal industrial disasters, and political actions are censored as well.

Online communication is mainly conducted through the Instant Messenger Networks including wechat QQ (Chinese version online chatroom), renren (Chinese version facebook) and MSN (microsoft messenger) under the technology infrastructure of Web 2.0, which had been widely applied on-line. The majority of Chinese Internet users use Wechat and QQ to communicate with friends, family members and other users simultaneously by chatting, posting and updating information without extra charge online. These two online applications are owned by the Chinese Internet giant Tenxun which usually updates applications frequently and cheaply

³¹² It was proposed by Premier Zhu Rongji to the State Council in 1993. The internet technology and equipment for building Golden Shield Project were imported from U.S. and other foreign companies including Cisco Systems and Juniper Networks as hardware providers, also Yahoo, Microsoft, Secure Computing, Fortinet, and Websen as Internet service providers. Not only aiding China's Internet filtering capabilities, particular Yahoo had also involved in providing the personal details of the Internet activist to the Chinese government in the Shi Tao Case, See "Yahoo helped jail China writer". BBC News. September 7, 2005. <http://www.webcitation.org/6BPawYVsa>

³¹³ China: Internet censorship, including state regulations, technical control, enforcement, and methods used to avoid censorship (2005-2006), Immigration and Refugee Board of Canada, 20 March 2006, <http://www.refworld.org/publisher/IRBC.html>

with globally competitive ICT. This has made it possible for protesters to form public interest advocacy groups and organize their activities through these online APPs. These online communication means are instant communication tools which add to the challenges of government's censorship to trace the information's transmitting, and to target and arrest the core organizers, particular when the number of people involved is too big to manage.³¹⁴

In the emergence of the digital public sphere, the Party-state mechanism is required to intensified its efforts to censor information flows through the deployment of the “mosquito-net model”(Chen, Ko and Li ,2010, p.665-666), in order to control Internet information and retain its capacity to shape public opinion. For instance, the Wukan officials deleted and blocked the information about the Wukan protest.³¹⁵ As James Scott (1990) pointed out in his work on “hidden transcripts,” that it is never an easy task to censors ideas.³¹⁶ In this case, the Web users reacted by using alternative terms to refer to the Wukan protest.³¹⁷ This kind of censorship was deployed for many other protests, such as the series of “paraxylene petrochemicals” (PX) protests. To get around censorship, unregistered regional networks whose websites have been blocked on several occasions, set up new web addresses with domains registered outside China.

The Chinese government promotes self-censorship among the public mainly through the imposition of legal regulations and surveillance to filter content the government wants to content. The Information Office of the State Council of the PRC (the People's Republic of China) announced in 2010: “The authorities attach great importance to social conditions and public

³¹⁴ Ching-Ping Tang, “Space, Civic Capacity, and the Rise of NIMBY Environmental Movements in China: The Cases of Xiamen PX and Shanghai Maglev Protests”

³¹⁵ The villagers' micro-blogs were deleted by censorship, searches for Wukan appears with a message that: "According to relevant law, regulations and policies, searching results for Wukan cannot be displayed."

³¹⁶ James C.Scott (1990), *Domination and the Arts of Resistance, Hidden Transcript*, Yale University Press; Reprint edition (July 29, 1992)

³¹⁷ “China protest in Guangdong's Wukan 'vanishes from web” ,<http://www.bbc.co.uk/news/world-asia-china-16192541>
China: Internet censorship, including state regulations, technical control, enforcement, and methods used to avoid censorship (2005-2006), Immigration and Refugee Board of Canada, 20 March 2006, <http://www.refworld.org/publisher/IRBC.html>

³¹⁷ The villagers' micro-blogs were deleted by censorship, searches for Wukan appears with a message that: "According to relevant law, regulations and policies, searching results for Wukan cannot be displayed."

³¹⁷ “China protest in Guangdong's Wukan 'vanishes from web” ,<http://www.bbc.co.uk/news/world-asia-china-16192541>

³¹⁷ Information Office of the State Council of the People's Republic of China, June 8,2010,Beijing

³¹⁷ <http://www.chinaonline.com/issues/internetpolicy/newsarchive/secure/2001/June/C01060150.asp>.

³¹⁷ Rohlinger, D. (2007). American media and democratic deliberative processes. *Sociological Theory*, 25(2), 122–148.

opinion as reflected on the Internet, which has become a bridge facilitating direct communication between the government and the public.”³¹⁸ Particularly, during the sensitive moment in the Mao Ming PX protest, the local Propaganda Department has issued to the media a censorship instruction: “All websites are kindly asked to take care to delete all calls for protest in Guangdong.”³¹⁹ Thus, the terms relating to the Mao Ming PX protest were taken as harmful information by state regulated media. The online search terms relating to “Maoming PX protest” were also blocked on Sina Weibo, the China’s largest micro-blog.

Looking back to 2001, a report already pointed out the incompetent execution of Internet control in China such that “Internet regulations come from Beijing, but each province has a significant amount of control, and authorities in each city also have some local autonomy. Consequently, in different places, there is great variation in policy, regulations, service and price.”³²⁰ This perspective supports the growing evidence that the media systems are more closely linked with the political system - political parties and other groupings in the society.³²¹ There is also official an online force serving as the Cyber Police to censor online information content. In the case of the Xiamen PX protest, the government arbitrarily arrested Wu Xian, the webmaster of “Returning my Blue Sky and Green Water” instant messaging network, who advocated wearing “yellow-Ribbons” for street demonstration in his instant messaging networks, and detained him the night before a scheduled street demonstration.³²² And in total, 7 internet micro-bloggers were arrested and charged with forging false information and spreading rumors. They all had been actively posting blogs on line during the burst of the Hangzhou waste plant protest on May 10th, 2014.³²³ These actions executed by the web police force are a reminder of

³¹⁸ Information Office of the State Council of the People's Republic of China, June 8,2010,Beijing

³¹⁹ Tiezze,S. (2014)“Mao Ming Protest Continue in Southern China” , The Diplomat

<https://thediplomat.com/2014/04/maoming-protests-continue-in-southern-china/>, accessed on Apr.25, 2014

³²⁰ <http://www.chinaonline.com/issues/internetpolicy/newsarchive/secure/2001/June/C01060150.asp>. ccessed on Apr.28, 2018

³²¹ Rohlinger, D. (2007). “American media and democratic deliberative processes”. *Sociological Theory*, 25(2), 122–148.

³²² Ching-Ping Tang, “Space, Civic Capacity, and the Rise of NIMBY Environmental Movements in China: The Cases of Xiamen PX and Shanghai Maglev Protests”

³²³ “China says no waste plant without support after protests”, accessed on June ,2015
<http://www.reuters.com/article/2014/05/11/us-china-protests-idUSBREA4904320140511>

Habermas' comment about the caveat of the information age in his book "Further Reflections on the Public Sphere" that:

"Many of the features of our 'Information Age' make us resemble the most primitive of social and political forms: the hunting and gathering society. As nomadic peoples, hunters and gatherers have no loyal relationship to territory. They, too, have little 'sense of place'; specific activities are not totally fixed to specific physical settings. The lack of boundaries both in hunting and gathering and in electronic societies leads to many striking parallels. Of all known social types before our own, hunting and gathering societies have tended to be the most egalitarian in terms of the roles of males and females, children and others, and leaders and followers."³²⁴

The state and the state enterprises also pay bloggers and users of Twitter 50 cents RMB for each blog post and tweet they make in an effort to help shape public opinion.³²⁵ Before the vast changes brought by the Internet in the last decade, the state might have been very successful in meeting "its goal of keeping citizens ignorant."³²⁶ Citizens are "isolated from one another and woefully lacking in organizational capacity and the ability to engage in political activity ... [and] are utterly incapable of opposing government corruption, no matter how blatant."³²⁷ The lack of democratic politics of the public sphere in China marks it as the most sophisticated content-filtering Internet regime in the world. According to Garnham's critique of Habermas's comment about the public service model,³²⁸ the judgment about China's censorship shall also consider whether it is a necessity imposed by the technical limitations of frequency scarcity.³²⁹

To avoid oversimplifying the correlation between media policy and the state-society tension, Yang (2003) suggests a critique of the analysis focused a notion of a dichotomy between a free

³²⁴ Habermas, Jürgen. *Further Reflections on the Public Sphere*, Thomas Burger, Cambridge Massachusetts: The MIT Press, (German 1962, English Translation 1989),p. 456,

³²⁵ These people were termed as the "50 Cent Party" (Wu Mao Dang 五毛党)

³²⁶ Rosen,S.(2010)"Is the Internet a Positive Force in the Development of Civil Society, a Public Sphere, and Democratization in China?" *International Journal of Communication*, vol4

³²⁷ He Qinglian, "The Fog of Censorship,media Control in China" (2006)
<http://www.hrichina.org/sites/default/files/PDFs/Reports/HRIC-Fog-of-Censorship.pdf>

³²⁸ Habermas attacks the supposed "paternalism" of the Italian public service model that preceded the media system under Berlusconi's Italy was incompletely differentiated from the political system. See Habermas, J. (2006). *Political communication in media society: does democracy still enjoy an epistemic dimension? The impact of normative theory on empirical research.* *Communication Theory*, 16, 411– 426.

³²⁹ Garnham, Nicholas.(1994), *Policy and politics: Public service broadcasting and the information market The Media and the Public Sphere*, London: SAGE, pp. 108–109

press and state controlled media policy³³⁰ is necessary, and should be situated in China's context and political culture. Apart from these caveats, Yang (2003) also has pointed out the existing obstacle in China is that "as a civil society institution, the public sphere remains incipient and weak. Articulation of social issues and sharing of information are limited by the lack of institutionalized means of communication and public forums."³³¹ Harwit and Clark (2001) conclude that there exists ambivalence about the political control of the Internet in China: "As for content, in the short run, political controls will remain schizophrenic as the value of an open network conflicts with conservative political philosophies and as the nature of the Internet's audience makes it an unlikely tool for precipitating socially disruptive forces."³³² The decentralized and interactive features of the Internet add to the difficulty to the Party-state's central control.

The limitations caused by online censorship could be overcome tactically, and official control is virtually impossible. Despite noting the growing sophistication of the state's censorship, there is the use of proxy servers and other technologies to circumvent the so-called Great Firewall of China. The exploration of these new accesses to information and communication in this chapter shows that Chinese citizens have opportunities to explore their identities and social experiences with more individual autonomy, even further to influence or check state action.

³³⁰ Garnham, Nicholas. (1993), *The Media and the public sphere*, London: The MIT Press, pp. 360–361,

³³¹ Yang Guo bin, (2003) "The Internet and Civil Society in China: a preliminary assessment", *Journal of Contemporary China*, 12(36), August, 453–475

³³² Eric Harwit and Duncan Clark, 'Shaping the Internet in China: evolution of political control over network infrastructure and content', *Asian Survey* XLI(3), (2001), p. 408.

Chapter 5: Micro Public Advocacy Case Studies

“Allowing the voiceless to have a voice,
and those with a voice to multiply”³³³

-China Development Brief

Micro Public Interest Advocacy

Public advocacy as the remonstrance for “Dao” (谏诤倡道) with guidance (倡导) helps divert the political tensions and add vigor to the cohesion of China’s state-society relationship. China’s civil society is expected to cultivate an autonomous sphere which social power could be enhanced by rights-seeking groups from a bottom- up model. Alagappa (2004) agrees with this optimistic view about the promise of civil society,:

“Civil society is viewed as a supporting structure to democratize the state. Associational life is thought to provide the social infrastructure for liberal democracy, supply the means to limit, resist, and curb the excesses of the state and market, present alternatives when they fail, facilitate service delivery at the local level, assist in conflict management, deepen democracy (by cultivating civic virtues, establishing democratic norms, and spreading democracy to more domains of life), offer a voice to disadvantaged groups, and promote economic development”³³⁴(Alagappa, 2004, p.41).

The success of advocacy networks depends mainly on the openness of policy-making processes, access to political leaders and the nature of state-society relations, which significantly affect outcomes of advocacy network efforts. Online campaigns for charitable or public interest causes and events deploys micro-blogs and other forms of social media, which could be termed as “Micro-blog Charity or Micro- blog Public Interest Advocacy”, shortly as “Micro Public Interest Advocacy”. The public interest advocacy model of the Free Lunch Charity Campaign in Case Study I indicates the major changes in civil society activities following the rise of the Internet. Yang Tuan, the chief editor of “The 2012 Philanthropy Blue Book,” confirms that micro-blogging public interest activities allows common people to bear the same rights and shoulder the responsibilities “in effecting social change as the government, scholars and enterprises. Citizens

³³³ Guo Ting, Fu Tao & Liu Haiying, (2013), “The Diversification of Public Advocacy in China”, *China Development Brief* Beijing Civil Society Development Research Centre

³³⁴ Alagappa, Muthiah (2004) *Civil Society and Political Change in Asia: Expanding and Contracting Democratic Space*, Stanford University Press, p.41

can express their own appreciation of the concept and of public events through the activities of their choice.”³³⁵

Rights-seeking groups such as the writers and Writers Association in Case study II also deploy the Oppositional Model and the Collaborative Model of public interest advocacy as the remonstrance for “Dao” (谏诤倡道) to exert influence on copy right policy decision making. There will be a triggering snowball effect, if grassroots NGOs are well-equipped with the new media technology. The public interest advocacy networks employ media-campaign strategies, which are facilitated through Web 2.0 technology. These technologies can bypass the foundations and NGOs, and have direct impacts on charity.³³⁶

Case I. The Free Lunch Charity Campaign (免费午餐计划)

In China you do things not because there is a legal channel to do them: you occupy the space before the government claims it, and the legal mechanisms all happen after the fact... Use the space you have – don’t wait for policies and laws, because you have to create new ways of doing things.

Women’s organisation leader, 2002 (cited in Bentley 2004)

Deng’s Free Lunch Charity Campaign (免费午餐计划) is the most influential case to demonstrate the rise of online charities in China. It has been publicly advocated since April of 2011. The journalist Deng Fei, who has nearly 3 million Chinese micro-blog followers, discovered there was no cafeteria in rural schools and as a result many pupils went hungry. It was a nationwide problem, “In China you can write articles, but they don't often change things. We need action, and the government reacts very slowly to social problems.”³³⁷ He decided to mobilize five hundred reporters to write about the issue and posted photos of hungry children. This advocacy network was made up primarily of individuals from the media. He successfully magnified the advocacy's

³³⁵ “China philanthropy blue book released”, <http://english.cntv.cn/program/china24/20120714/105099.shtml>,07-14-2012

³³⁶ Jin Wang.(2012), “Triggering a snowball effect”

http://usa.chinadaily.com.cn/weekly/2012-05/11/content_15265316.htm. China Daily, 2012-05-11

³³⁷ Ford,Peter (2012) “Deng Fei goes beyond journalism to right wrongs in China”, Christian Science Monitor”, accessed on 02/9/12,<https://www.csmonitor.com/World/Making-a-difference/2012/0206/Deng-Fei-goes-beyond-journalism-to-right-wrongs-in-China>

impact several thousand fold by posting these stories on Weibo, the massively popular social networking site. Deng also asked his followers on Weibo and Tencent (Chinese Twitter-like services with Facebook elements), to send donations to a bank account he had opened.

To Deng this was an act of the advocacy for “Dao” (倡道) that “journalists can do more than just write articles. They can take action, I reported on the secret dark side of China, so I know what the problems are. As a journalist and as a citizen, I have a responsibility to try to solve those problems.”³³⁸ In 2010, Deng realized there was great potential for micro-public interest advocacy. He helped two young petitioners who were preparing to complain to the local Communist Party chief about the NPCPA to save their home from expropriation. The petitioners had been locked in the bathroom at Nanchang Airport to prevent them from leaving. Deng began live blogging about the petitioners’ confrontation with the officials, and also asked people who followed his live blogging to send him money to pay for the medical care of the petitioners’ wounded family member. He admitted “that was when I saw the power of new media to organize and encourage people to do things in line with the public interest and human nature.”³³⁹

Deng Fei aims to raise money online to feed schoolchildren in impoverished areas of China. His micro-blogging initiative mobilized civil society organizations, volunteer groups, the media and celebrity micro-bloggers participated in this campaign to contribute online donation. Deng said that “I’d like to be an explorer.”³⁴⁰ He adds, “to find problems, expose them, and help the government to solve them.”³⁴¹ He had raised \$3.7 million from the donation of individuals who followed his blog about investigative reporting on sensitive topics and trusted him with their money. The Free Lunch Program successfully launched online fundraising through the Web 2.0 techniques. Millions of individual citizens participated in micro-blogging to advocate for a public-interest. Up to July 2019, the Free Lunch Charity Campaign has been extended to 1263

³³⁸ Ibid

³³⁹ “Shenzhen Media Group. Charity Fair: Three-Yuan Free Lunch Keeps Children Away from Hungry” www.s1979.com/shenzhen/201207/1344080713.shtml, 2012-07-13

³⁴⁰ Ibid

³⁴¹ Ibid

schools, 26 provinces and autonomous regions, and total donations have reached \$ 5.586 billion according to the preliminary statistics, with 60 percent of its donations having originated from nearly one million internet users.³⁴²

Figure 5.1 Introduction form official website and Micro-blog



(Source: Baidu.com)

Figure 5.2 The media campaign advocacy for “Free Lunch”



(Source: Baidu.com)

Advocacy Network Effectiveness: Policy Change, Sustainability, Political Space

Each of the 1263 schools this advocacy network is helping has to open a micro-blog account and post details about how much money it has received and how it has been spent. Comparing the difference with the faceless bureaucracies of the official charities, Professor Wang, head of the One Foundation Philanthropy Research Institute at Beijing Normal University, points out that Deng's micro public interest advocacy makes it so “the charity can tell people a lot about what they are doing, read messages from the children they are helping to feed.”³⁴³ The elected donors also can supervise the activities and audit balances of the fund. The Internet provides a very direct tool of communication and a platform for participation between the charity and the public.

The Free Lunch advocacy network uses micro-blogs strategically to mobilize, interpret, and disseminate information with the aim to change the behavior and policy of government. The Free

³⁴² Official website of “Free Lunch For Children”, <http://www.mianfeiwucan.org/>

³⁴³ Ibid

Lunch advocacy network emerged from a journalist circle and bloggers' network. Deng's network already existed with personal and working relationships as "the network making power"³⁴⁴ of key individuals and leaders to reprogram the mass self-communication. His campaign not only involved journalists and his blogger followers, he has also been working closely with local authorities who usually give support or funds to the targeted poorer schools. According to a NPR report, the local government provided 1 million yuan (\$150,000) to build the school canteen in Huijiaying School.³⁴⁵

Deng adopted both strategies of embedded advocacy and the media campaign advocacy to mobilize readers into active agents of social change. In October 2011, this network formed a coalition with the government and enterprises, such as the China Social Welfare Foundation (CSWF, 中国社会福利基金会), the Alibaba Group and etc, to advocate for more resources and gain more symbolic power for the charity work. On October.26th, 2011, this network successfully promoted a policy change when the central government announced a "nutrition improvement plan"³⁴⁶ which would expand its own \$2.5 billion program to provide nutritional subsidies for a basic lunch to 26 million primary and junior high school students in rural areas. This policy announcement demonstrated the power of mass participation of Micro-public interest advocacy pushing the state to react quickly and positively. Wang Zhenyao, former director of the Ministry of Civil Affairs made a comment that, "The free lunch project is a charitable initiative initiated by non-governmental organizations. In just six months, it has changed the direction of national policies and benefited tens of millions of rural children. It achieved such a great effect in a short time, and there is no such a precedent could be found in Europe and the United States. Whether it is the benign interaction between the people and the government, or the initiation of policy

³⁴⁴ The most important form of power in Castells' analysis. "network-making power" is the capacity to set-up and program a network – of multimedia or traditional mass communication.
Quote in Jan A.G.M. van Dijk (2009), Review of Manuel Castells, Communication Power. Oxford, New York: Oxford University Press. (571 p.) ISBN 978-0-19-956-701-1

³⁴⁵ Lioua.Lim, "For China's 'Left-Behind Kids,' A Free Lunch"

<http://www.npr.org/2012/01/24/145521090/for-chinas-left-behind-kids-a-free-lunch,2012-1-24>

³⁴⁶ The introduction of "Free Lunch" on Baidu(China's largest searching website
<https://baike.baidu.com/item/%E5%85%8D%E8%B4%B9%E5%8D%88%E9%A4%90>

advocacy that is influencing the decision making of public policies, the free lunch campaign is unprecedented advocacy in the history of China’s philanthropy.”³⁴⁷

Figure 5.3 Founder Deng Fei interacted with the village school kids



(Source:Baidu.com)

Figure 5.4 Deng fei advocated with local officials



(Source:Baidu.com)

The advent of micro-blogging as social networking has significantly increased the speed and effectiveness of the advocacy network. The Free Lunch advocacy network monitors its fund by requiring schools to post the weekly expense reports online. Meanwhile, it has invited local governments, the media, NGOs, parents, and netizens to participate in front-line supervision since its establishment. This transparent management has become one of the network’s important contributions within the framework of micro-blog public-interest advocacies. In comparison, the government organized non-government organizations (GNOGOs) generally lack the transparency to check corruption that has plagued government projects in the past. Increasingly social networks posted on Micro-blogs questions about the pervasive corruption of GNOGOs, such as the Red Cross scandal. It has cost the public confidence and trust in GNGOs’ proposed charity work.

³⁴⁷ See the introduction about Deng fei and his campaigns from the Baidu’s encyclopedia <https://baike.baidu.com/item/%E9%82%93%E9%A3%9E/1525913?fr=aladdin>

Exactly like Jörg Balsiger's (2013) diagnosis is of the strength of advocacy networks, the success of the Free Lunch advocacy network relies on the power of "information, the membership numbers, organizational structure and leadership, and symbolic power."³⁴⁸ In 2015, the Free Lunch advocacy network elected 45 national representatives to establish a management committee and an oversight committee operating respectively. In 2016, this network was working hard to promote membership numbers, and to innovate a system of "public partner"³⁴⁹ with the right to know, participate and supervise activities. Participants obtained the right to vote and be elected to participate in all related matters. On August 14th, 2018, the blogger *dangpu* posted questions about 28 million RMB having disappeared from the audit amount of donations during 2011-2016.³⁵⁰ It generated a heated online debate and inquiry of the public audit function and pushed the CSWF to officially release that it would review the financial accounts, and contact the blogger about the yearly audit information. Meanwhile, there was an outburst about the online exposure of Deng's sexual harassment scandal. Volunteers of the NGO "Me-too" also collected a number of publicly verifiable facts related to Deng's improper behavior.³⁵¹ Both Deng Fei and CSWF publicly announced Deng's withdrawal from the daily management team, and his indication he would no longer be involved in the management of affairs as the leader of the Free Lunch advocacy network. Thus, the Free Lunch Charity's organizational form developed an advocacy network, characterized as having "voluntary, reciprocal and horizontal patterns of collaboration, which allows for flexibility, adaptability, and quick reaction to political exigencies"³⁵² (Jörg Balsiger and Uyar, 2013,p.1).

³⁴⁸ Jörg Balsiger,(2013) *advocacy network* , <https://www.britannica.com/topic/advocacy-network>

³⁴⁹ From 2011-2016, the network member's accumulated donation of more than 880 RMB (the amount fee about one child's meal expense in 2016), will automatically become the charity partner.

³⁵⁰ <http://news.sina.com.cn/c/2018-08-17/doc-ihhvciw3934498.shtml>

³⁵¹中国 #metoo 蔓延 揭权力规则下隐蔽性侵, <https://www.bbc.com/zhongwen/simp/chinese-news-44982540>, 邓飞事件 <https://ngometoo.github.io/Deng-Fei/>; <https://metoochina.me/deng-fei>

³⁵² Balsiger, J. & Uyar, A. (2013) "Comparing Regional Environmental Governance in East Asia and Europe: Proceedings". Kyoto: Research Institute for Humanity and Nature. 2013, p. 1-6

Case II. Chinese Writer's Copyright Issue

“I thought: hope cannot be said to exist, nor can it be said not to exist. It is just like roads across the earth. For actually the earth had no roads to begin with, but when many people pass one way, a road is made.”

-Lu Xun, 1921

In recent years, more and more public advocacy campaigns have pushed the Chinese government to launch crackdowns on copyright infringements. The novelist Mian Mian posted via the micro-blog to protest that “I had to report Google because I think the Google Digital Library Program is a monopoly and is predatory, and it sets a bad example for future writers in terms of copyright protection.”³⁵³ Mian Mian’s advocacy online was widely spread. It aroused public awareness of intellectual property rights protection and has encouraged more Chinese writers to protect their legal rights. China's leading critics and writers such as Li Chengpeng, Mu Rong Xue Cun and Han Han, also joined the campaign on digital copyright protection. Han Han is a young author and active blogger who plays an important role in online advocacy for copyright protection in a lawsuit against Baidu (the searching engine that is equivalent to Google in China). After he was told by other authors about Baidu Wenke’s alleged copyright infringements and the ongoing dispute regarding the settlement for the compensation of damage to the entire publishing industry, he wrote in his blog (which has thousands of micro-blog followers on line) to call on authors “Let’s sue them.” He further added that, “we represented 315 authors, I felt that China’s Written Works Copyright Association should have shown their face, because last time they joined the talks with Google, they were so effective that Google eventually pulled out of the country.”³⁵⁴ Lately, 315 authors have participated in the online campaign for copyright protection in the latest legal battle over Baidu Wenke ebook piracy.

³⁵³ Chinese CCTV report, “Hearing of Chinese writer's landmark case against Google begin”, <http://english.cntv.cn/program/newsupdate/20120725/118554.shtml> , accessible on may 27th,2014

³⁵⁴ Han han’s Blog-“Shame on Baidu”,<http://chinadigitaltimes.net/2011/03/han-han-shame-on-baidu/>, Translated by Hanhan Digest, a blog which aggregates translations Hanhan’s work. accessible on 5/18/2014

It is worth noting that worthwhile that none of the previous lawsuit cases brought against Baidu were won. Baidu has plenty of resources and access to control of media outlets for the courts. However, Han Han and other famous bloggers' public advocacies on line put the Baidu website under huge pressure from the public criticism. Baidu finally apologized to the writers and issued an announcement that it would delete "contents that may have been pirated"³⁵⁵ within three days. Han Han commented on the differences between digital copyright lawsuits in the Google case and the Baidu case:

“Google at the time had scanned the works of Chinese authors, paying out USD \$10 for each book, after which they displayed the table of contents and excerpts online. If a user wanted to read the entire content, paid download was available, and revenue was split between Google and the author. Meanwhile, everyone ignored that all this time Baidu Library had been offering free downloads of full content. Subsequently, Baidu mounted a multilateral attack on Google who was actually respecting copyright. The main thrust of this attack was that before scanning, Google must first obtain the author's permission. Remembering this episode now, we should all be ashamed. There is a difference between Google and Baidu indeed: Google has a sense of shame, so everyone went out there shaming them. Baidu has no shame, so when people saw there was no shame to be done, they just shrugged and went back to minding their own business.”³⁵⁶

The casual disregard of piracy allows Baidu users to upload and download copyrighted protected books without the authors' prior approval. The criticism of Chinese authors' and public advocacy for copyright protection pushed Baidu to address these concerns and review its library to take pirated books off the site.

When China's consumer market and economic power were relatively small and vulnerable, given its culture, official attitudes and the state of economy did not value intellectual property protection. It might be understandable that China's national goal puts priority on technology advancement. But it is a short-term view and an unsustainable way, the nation's long-term development strategy has to be to find the right balance between technology development and IPR protection. The current legal framework of Chinese copyright law contains a lot ambiguity, due to the broad statutory rights for copyright holders and low threshold of liability for

³⁵⁵ Wee,W (2011)“Baidu Delete 1.9 million File from Wenku,Writers still Unhappy”, Accessed on Apr.25 th 2011 <https://www.techinasia.com/baidu-deleted-1-9-million-files-from-wenku-writers-still-unhappy>

³⁵⁶ *Id*

technology providers. Thus the online copyright-dispute adjudications of Google, Baidu and Apple are not isolated problems in China. In order to provide an optimal legal scheme for online copyright-dispute adjudication, Zhang Yimang suggests a technology-friendly legal environment should be created, in which “Chinese copyright law needs to provide a safe harbor to well-defined online services and technologies and, more important, adopt a secondary-liability theory that requires a higher-than-negligence standard of culpability.”³⁵⁷ Properly defining the scope of secondary-liability theory and raising the threshold of liability may help to not only provide better protection for copyright holders, but also be a critical way to avoid posing a threat to the legitimate interests and the development of the technology industry. Under such a proposed scheme, “no intentional wrongdoer will escape liability.”³⁵⁸

The Internet is playing a generally positive role in Chinese people’s lives and their economy. It is also becoming an increasingly important way to facilitate public advocacy. It helps online advocacy of defending copy-rights by widely arousing public awareness of IPR protection. However, the challenges are also brought by the advanced development of digital technology. The copyright holders as content providers are constantly facing the shadows of contentious changes of the Information Age. A key question is: how is possible maintain the internal unity of IPR protection in China without exacerbating conflict between content providers and the Internet service providers? China’s civil society organizations and their public advocacy will play an important role maintaining this balance. NGOs have banded together to form local anti-piracy alliances, report signs of infringing activities to the related copyright holders and appropriate authorities. These organizations work with the Chinese government to educate officials and citizens about the value of protecting copyrights in China. He notes that in some instances these alliances pay the salaries of the government copyright officials, helps confirm the existence of the collaborative model. Though the oppositional model of public advocacy did not make much

³⁵⁷ Yimang, Zhang, “Establishing Secondary Liability with a Higher Degree of Culpability: Redefining Chinese Internet Copyright Law to Encourage Technology Development”, Pacific Rim Law & Policy Journal Association , (2007)

³⁵⁸ *Id*

progress due to the limitation of the jurisdiction involved, it still serves well to reveal the public awareness of IPRs and the adoption of the IPRs protection system. To better achieve the policy balance among a plurality of individual concerns and group identities, Munger acknowledges that public interest advocacy organizations “play a major role in representing otherwise neglected constituencies. They are often able to overcome the free-rider problems inherent in the provision of collective goods by offering selective incentives for individuals to contribute to their organizations, by using informal pressures distributed through decentralized social networks, by attracting generous patrons, and by latching on to new areas of government involvement.”³⁵⁹ In order to better implement this principle, while improving its legal system, enforcing the laws earnestly, and striking relentless blows at infringement and other unlawful practices, China has spared no efforts in publicizing and providing education about the intellectual property protection legal system and in accelerating the training of professional personnel in this field.

As the public will and the value of copyrighted material in China increases, the state has taken a broader view of IP protection. It initiated some late term adjustments from an amendment in the Constitution since 2004 to a comprehensive property law in 2007, and Beijing stepped up law enforcement and judicial protection in 2017 (China Copyright and Media 2017). There is to be a profound change in the roles of government, civil society and industry playing in intellectual property rights (IPRs) protection during the information age. Civil society is begging to be able to protect fundamental rights. Mertha’s observation of different “enforcement scenarios” shows that the foreign and Chinese Non Governmental Organizations (NGOs) would have played an important role for a sustainable model to curb the copyright piracy problem in China.³⁶⁰ According to Michael Munger (2007), public interest advocacy “is performed by organizations that exist primarily to promote a common good that extends beyond the narrow economic or sectarian goals of their members or supporters. Organizations in this domain typically address

³⁵⁹ imbd

³⁶⁰ Mertha, Andrew (2005) *The Politics of Piracy: Intellectual Property in Contemporary China*, Ithaca, NY: Cornell University Press,

such issues as consumer protection, free markets, the environment, taxation, peace, fiscal responsibility, campaign finance reform, civil rights, and social welfare.”³⁶¹ This case study will use the oppositional and collaborative model of the public interest advocacy to demonstrate the role and influence that of civil society groups and association play in the current copyright issues in China.

The Oppositional model of Public advocacy

The ‘Oppositional Model’ of public interest advocacy/litigation originates in the United States, and now has been emulated throughout the world including recently in the PRC. Hershkoff has pointed out that this model is focused on *Litigation* in which the Court is supposed to play the main role in conflict resolution, not mere negotiation and mediation for the achievement of a final settlement.³⁶² Thus, a liberal democratic system with an independent judiciary is the ideal requirement for this model. It often acts directly in opposition to the interests or policies of the government for a certain civil society purpose, and seeks to achieve fundamental changes or perspectives in the law and its enforcement or public policy by judicial decree most of the time. The current state of copyright protection in China is exactly as Hershkoff’s views, that “public law litigation as a meditative institution that facilitates political action and aids in regulatory enforcement where administrative mechanisms are weak or regulation requires ongoing elaboration.”³⁶³ According to Friedman, public interest advocacy “illustrates the dangers of reform that is perceived to be imposed by an outside force, whether that force is a judiciary, a distinct geographical area of the same country, the developed world or even former colonial powers.”³⁶⁴ The imposed nature of the Oppositional Model and its reliance on the Court to change the policy of the government prospectively makes its application meet Sumi Cho’s description of “massive resistance” or “absolute defiance.”³⁶⁵ It seems not to be a viable option

³⁶¹ Munger, Michael (2007), “Public Interest Advocacy,” *International Encyclopedia of the Social Science*, 2nd Edition, P.614

³⁶² Hershkoff, Helen (2009), “Public Law Litigation: Lessons and Questions” 10(2) *Human Rights Review*, p. 157

³⁶³ Hershkoff, *supra* note 1, at 3.

³⁶⁴ Friedman, Andrew (2017) *Chinese (Taiwan) Yearbook of International Law and Affairs*, Vol 27 p 101

³⁶⁵ Cho, Sumi (2005) “From Massive Resistance, to Passive Resistance, to Righteous Resistance:

for the success of its aims to pursue litigation and prospective relief. The absolute requirement of a fully independent judiciary usually fails its potential in an autocratic or semi-autocratic political system, for example as in the copyright cases in China.

1). Lawsuit against Google

Google digitalized the Shanghai-based novelist Mian Mian (棉棉)'s book "Acid House" and uploaded it into the online library without her prior approval. Mian Mian has attracted a large following of young readers with her realistic descriptions of life in modern China in her novels and online critiques. According to copyright protection laws both in China and globally, Mian Mian filed the complaint about Google's violation of her Network Information Transmission Rights in October 2009. She requested RMB61,000 (8,800 US dollars) in compensation and a public apology from Google rather than accept the settlement. After a two-hour hearing on December 29th of 2009, the judge from Beijing's Haidian court ordered both sides to hold settlement talks but did not set a deadline for reporting back. Obviously, the lack of a fully independent judiciary and the ambiguity of the legal frame work of IPRs protection in China did not bias the proceeding in the direction of a favorable result.

In Google's ambitious plan to create an online library, the company has scanned more than 10million books from US libraries since 2004 which has been in conflict a widely-accepted international copyright rule. Not only China but France, Germany and the US have also objected to the Google book plan. In France, a court ordered the world largest search engine to pay French company *La Martiniere* 300,000 euros (\$430,000) for compensation on copyright infringement for scanning books without prior approval. Google also agreed to a \$125m settlement with the US Authors Guild and the Association of American Publishers in October of 2008. This settlement might create a tentative agreement a "Book Rights Registry" where authors and publishers can resolve copyright claims in exchange for a cut of Google's revenues. Mary Minow estimates that

Understanding the Culture Wars from Brown to Gutter", <https://scholarship.law.upenn.edu/jcl/vol7/iss3/8>, accessed on 04/28/18,

around 50 per cent of the works or publications already scanned by Google are not in English, she contends at least three million of foreign works covered by the settlement will be treated as “orphan works.”³⁶⁶ This pact would give Google a legal license to scan, sell and even post advertisement without these books as a kind of monopoly in the digital book market. It will potentially or already affect the so-called "orphan works," because the majority of foreign copyright owners fail to register with the Registry. Thus Google Books deemed these copyrights are controlled by non-active holders who can't be identified or located. This was used by Google Books as a reason to avoid the allegation of its violation on International Copyright rule in China and other countries.

With the outburst of Mian Mian’s public advocacy, other active authors and some leading NGOs joined and launched public campaign for copy protection, and most Chinese authors and publishers started to become aware the Google Books plan. Most of them were deemed by Google as non-active holders of their copyrights in the sense of the international digital market. Under the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), Chinese authors and publishers as international copyright holders needn't register with the US in order to maintain their rights. However, the Google settlement's claiming mechanism runs counter to TRIPS which has impacted international authors. Chinese authors and publishers have assumed that their copyrights are well protected by the International copyright rules and the reproduction rights organizations as agencies would manage their royalties in the US. Few of them have been updated about Google Book’s unlicensed scanning operation and the need to explicitly register with Google in order to protect their copyrights and profits.

³⁶⁶ Mary Minow, “Google Book Settlement, orphan works, and foreign works”, LibraryLaw Blog, (April 21, 2009) <http://blog.librarylaw.com/librarylaw/2009/04/google-book-settlement-orphan-works-and-foreign-works.html>

2). Lawsuit against Apple

Another individual case involves Apple's iTunes treatment of books. In August 2011, Chinese author Zhu Jintai filed a lawsuit against Apple's denial of its infringement of intellectual property rights. He became the first Chinese individual resorting to the litigation suing Apple, due to its refusal to release any information about Apple's developers, who uploaded Zhu's book without permission. Though Apple eventually removed the novel, its statement contradicted the violation of intellectual property rights by saying that its developers may not violate, misappropriate or infringe copyright, according to the terms of their agreement with Apple. So far, the lawsuit is still pending. Stuart Hamilton, director of policy and advocacy at the International Federation of Library Associations and Institutions (IFLA), also said that the "public interest had been shunted to the side" in legislative initiatives, like the Stop Online Piracy Act (SOPA), or ACTA, Protect IP Act (PIPA), the Trans-Pacific Partnership agreement (TPP), and Anti-Counterfeiting Trade Agreement (ACTA), which all have encountered public resistance and protest after being negotiated.³⁶⁷ He further comments that "I think the solution – though I cannot tell where we need to go to – is that we must have the voice of the users in every single copyright consultation being louder and louder." More public participation and advocacy in the debate will help to counter the influence of industry on governments.

The Collaborative model of Public advocacy

The Collaborative Model of public interest advocacy is a novel approach usually aims at legal reform. Friedman emphasized that "Litigation, in this model, was a central piece of the advocacy; it was not *the* central piece."³⁶⁸ Not only *litigation* but the *legislative* and *administrative* measures as elements of the overall strategy become the focus of this model. Friedman further pointed out that "in the case of the PRC, the CCP, are all major points of interest and effort."³⁶⁹

³⁶⁷ Monika.Ermart, "EuroDIG: Will Governments Let Civil Society Rescue Net Governance?"

<http://www.ip-watch.org/2012/06/18/eurodig-will-governments-let-civil-society-rescue-net-governance/>

³⁶⁸ Andrew.Friedman, Chinese (Taiwan) Yearbook of International Law and Affairs, Vol 27 p 101

³⁶⁹ *ibid*

Howard French discussed the Chinese government's relative responsiveness to the demands of citizen participatory governance concerning its development prospects, and concluded that this model "can succeed in systems that are autocratic or semi-autocratic if the administration is willing to reform policies in order to better serve its citizens, even while keeping a tight grip on its own power."³⁷⁰

The overriding potential reasons for the presumed success of the Collaborative Model include the heterogeneous CCP leadership and the perception of the gradual democratization from rights groups, such as like-minded leaders working within government institutions. Li Cheng proposed that "there is even recent evidence that one or more senior officials within the Party are willing to take into account concerns of social groups due to the tremendous growth of coverage of social unrest and protest within the state-run media, a marked change from history."³⁷¹ Friedman optimistically presumed the heterogeneity of the "fifth generation" of leaders and the changing political landscape leading to the legal reform.³⁷²

Considering the example of recent successful litigation of the China Writers' Association (CWA) and the China Written Works Copyright Society (CWWCS), the progresses were achieved as positive steps in China's copyright protection. Due to the registration rule of NGOs in China's state controlled civil society, both the CWA and CWWCS are NGOs and have to register and affiliate with a governmental institute. Thus they are listed as an 'Affiliated Social Organization' by the Ministry of Commerce. For example, the introduction of CWWCS is "the only collective management organization for literature copyrights in China, and was initiated by 500 Chinese writers, Chinese Writers Association and other 11 units, and finally set up in October, 2008. The

³⁷⁰ Howard French, "Letter from China: A 'Harmonious Society' Hearing Different Notes", *N.Y. Times*, Jan. 4, 2008, <http://www.nytimes.com/2008/01/04/world/asia/04iht-letter.1.9022176.html>

³⁷¹ Cheng Li, "The Chinese Communist Party: Recruiting and Controlling the New Elites", 38 *J. Current Chinese Aff.* 13, 14-15 (2009).*supra* note 2, at 28.

³⁷² Friedman, John. "Pragmatism Over Idealism: Public Interest Advocacy in the People's Republic of China and the Importance of Collaboration", *Chinese (Taiwan) Yearbook of International Law and Affairs*, Vol. 27, p. 97, 2011

society also manages the right to network dissemination of information, compilation, be paid by legal permit, broadcast, and reproduction.”³⁷³ Both of them are Chinese state-led civil society organizations. It is the adoption of the Collaborative Model that the Chinese government and the CWWCS and CWA moved towards a middle ground with balance for IPRs protection system. Though the current IPRs protection system has been much more successful in litigations, Helen Hershkoff pointed out there is still a long way to go, particularly because China's first Non-governmental organization (NGO) legal aid center just emerged in 1992.³⁷⁴ The identification of the influence of public interest advocacy in the policy decision making also shows a remarkable evolution of the responsiveness of Chinese government toward the popular demands for participative governance.

Maureen Fan also observes the efforts of public interest advocacy for freedom of speech and against censorship, and social movements and peaceful protest towards the right to meet China’s former President Hu Jintao’s policy of “Harmonious Society” which “emphasizes the need for overall development over the assertion of individual rights.”³⁷⁵ The current political climate, diverse nature of the new ruling bloc and legal situations within the PRC resonate government support for public interest work and the level of success the Collaborative Model achieved. However, it is not merely a successful model but an important weapon for advocates and legal reformers to promote copyright protection.

1). Lawsuit against Google

The two Chinese writers’ non-governmental organizations (NGOs), the China Writers’ Association and the China Written Works Copyright Society represent more than 9000 Chinese

³⁷³“CWWCS will gradually establish a national service network” , China Intellectual Property Rights Protection Website (IPR in China) is sponsored by Ministry of Commerce (MOFCOM) , <http://www.chinaipr.gov.cn/AboutUs.shtml>.

³⁷⁴ Helen Hershkoff, “Public Interest Litigation: Selected Issues and Examples”, at 20, 2005, <http://siteresources.worldbank.org/INTLAWJUSTINST/Resources/PublicInterestLitigation%5B1%5D.pdf> (last visited Feb. 1, 2011).

³⁷⁵ Maureen Fan, (2006) “China’s Party Leadership Declares New Priority: ‘Harmonious Society’”, *Wash. Post*, Oct. 12, 2006, <http://www.washingtonpost.com/wp-dyn/content/article/2006/10/11/AR2006101101610.html>.

authors together claiming lawsuit against the controversial project of Google Books, which violated the widely-accepted international copyright standards by scanning and uploading Chinese books for its online electronic database without authorization. These NGO organizations are urging the authors to defend their rights.

Google digital library service has been introduced into China since 2007. Though Google insisted it has fully complied with copyright protections, its ambition of the digitization of books, without first seeking permission from publishers or authors in most cases, has already escalated into contentious disputes for more than four years. According to a critical report aired by the Chinese state broadcaster CCTV, Google has uploaded and published more than 570 Chinese writers' copyright protected works. The China Written Works Copyright Society showed its data at least 17,922³⁷⁶ books of Chinese authors which were digitalized and included in Google Books. This is a world-wide controversial project which offers public access to books without obtaining the writers' authorized permission.

The majority of Chinese authors were not familiar with Google's digital library service, until Mian mian's Lawsuit case against Google's violation on the International Copyright standard. Since then, more and more of them have discovered that Google had also scanned their works into its database without asking permission. For example, the other writer Wang Xiaofeng known as the blogger "Wears Three Watches" just discovered two of his books had also been scanned and included in Google Books without any request for permission. He wrote publicly on his blog, "Do no evil, but fine to be worse than beasts in an evil moment"³⁷⁷ in a reference to Google's motto.

³⁷⁶ "Google Books Project Draws Fire In China" , China Digital Times

<http://chinadigitaltimes.net/2009/10/google-books-project-draws-fire-in-china/> accessible on may 27th,2014

³⁷⁷ Juliet Ye, Google Books Settlement: The Chinese Chapter, Wall Street Journal

<http://blogs.wsj.com/chinarealtime/2009/10/20/google-books-settlement-the-chinese-chapter/> accessible on may 27th,2014

The China Writers' Association (CWA) has also posted information about Google Books' copyright violation and the breakdown of settlement negotiation on its own Web site. Many Chinese writers were not only annoyed by Google's Books' piracy but also offended by the proposed amount for settlement. They think the proposed settlement is extremely unfair. Writer Chen Cun expressed his refusal of the settlement that "Go scan Harry Potter and then pay J.K. Rowling \$60, see whether she'll take it!"³⁷⁸

In 2010, following the Shanghai-based novelist Mian mian's landmark lawsuit against Google's copyright violation scan of her book, Google finally has offered a formal apology to Chinese authors and the China Writers' Association (CWA), that "We definitely agree that we haven't done a sufficient job in communicating with Chinese writers," In a letter sent to an association of 8,000 Chinese writers, Erik Hartmann who runs the Asia-Pacific division of Google Book apologized in a letter to the China Writers' Association .

2). Lawsuit against Baidu

On the World Consumer Rights Day, around 50 Chinese writers have accused Baidu Wenku Library service (an online literature data base of China's most popular search engine, Baidu.com) that it has begun to scan and upload unauthorized copyright-protected books since November 2009. Baidu is viewed by the authors as the Chinese Internet's pirate king. The Beijing-based Baidu Wenku Library used having 2.9 million free literature works on the website. These digitalized literature documents are suspected of being uploaded by the Internet users without prior authorization from the authors and allowing the public to read, share or download freely. For example copies of Hao Qun's novel "Leave Me Alone, Chengdu" were also unlicensed uploaded on Baidu Wenku. The advocacy network of Chinese authors has criticized Baidu facilitating copyright infringement. The China Written Works Copyright Society, as a NGO has initiated the copyright protection movement to call on the public's criticism on the piracy of intellectual property and better solution to protect the authors' interests. Baidu apologized and

³⁷⁸ *Id*

promised to authors and publishers to fast-track its evaluation of potentially infringing material. It sped up assessing the digitalized literature documents on the website of Baidu Wenku and deleting the unauthorized works after receiving requests from writers to remove their copyrighted works. The involved NGOs and independent publishers who represent the authors requested Baidu to admit its copyright violations. A negotiation between Baidu and the writers' representatives broke down in discord due to Baidu's rejection of the writers' demands, including a compensation request (the estimated 10% of the average price of a printed book, about 38 U.S. Cents of every download of an unlicensed book copy in compensation) and the suspension of Baidu Wenku. In 2011, Baidu deleted nearly 2.8 million unlicensed documents from its online library in response to complaints from more than 40 authors. Finally, Baidu announced that it will put efforts in launching the anti-piracy program to remove pirated content through the adoption of a new copyright-recognition technology.

3). Lawsuit against Apple

According to a report from Caixin online, nine Chinese authors have sued tech giant Apple in Beijing's No. 2 Intermediate People's Court for digital copyright infringement of 37 works with the request of 11.91 million yuan in compensation. Most of these authors are on bestseller lists throughout China, their copyright protected works and publications were uploaded and sold by Apple's App Store without prior authorization from the writers. It is exactly the digital copyright issue leading the lawsuit complaint from the group of Chinese authors in conjunction with other authors belonging to the China Written Works Copyright Society, who had successful public advocacy over copyright infringement against Baidu and Google. The selling of pirated works of Chinese authors and downloading their books via the Apple app store has caused a huge loss to the authors. The Chinese writer, Nanpai said "According to our analysis of the statistics released by Apple, all my books have been downloaded several million times, losing me more than 20 million yuan in book sales."³⁷⁹ China Daily reported that the judge ruled that Apple the

³⁷⁹ "Chinese writers to sue Apple for piracy", (March 16th, 2012)
http://www.china.org.cn/video/2012-03/16/content_24910843.htm

tech giant must immediately stop selling the writers' books and compensate a total of 412,000 yuan (\$66,000) to Chinese authors who claim their books were illegally sold in Apple's App Store. This favorable ruling was issued as China committed to started the third round amendment on the intellectual property law.

Chapter 6

Community-based Advocacy for “Dao” (倡道)

A just cause attracts much support,
while an unjust cause finds little support.
-Mencius

Maria Heimer suggests that “growing rights consciousness in the Chinese countryside may contribute to significant political changes.”³⁸⁰ The current state-led civil society³⁸¹ constrains the development of self-governance and the ability of society to respond to the interest requests from diversified social interest groups. It has escalated the widespread social conflicts and environmental issues to the mass protests instead of addressing the problem. There are numerous demonstrations against illegal land acquisition every year in every corner of China. For instance, almost 127,000 protests took place across the country in 2007. Tom Miller quoted Tsinghua University Sun Liping’s estimate about a staggering 180,000 protests in 2010 alone, which estimated that 60% of these “mass incidents” were a result of land requisitions.³⁸² With the number of mass protests rising sharply over the last several years, a credibility crisis for local level governments increasingly inhibits effective governance especially in the rural areas. Migrant workers have lost jobs in the cities since the falling demand for Chinese exports. Moreover, there is not much land at hometown still available for them to till due to the large scale of land commercialization.³⁸³

Locke’s view about the causes of justifiable rebellion if government violates the “social contract”³⁸⁴ does not fully explain the Chinese community based advocacies in these case

³⁸⁰ Heimer, Maria and Stig Thogersen. (2006). Eds., *Doing Fieldwork in China*. Honolulu: University of Hawai’i Press.

³⁸¹ Timothy James Brook and B. Michael Frolic.(1997). *Civil Society in China*. Armonk, NY: M. E. Sharpe,

³⁸²Tom Miller, (2012) “China’s Urban Billion”,

Alan Taylor, "Rising Protests in China," *The Atlantic*, February 17, 2012, accessed March 17, 2017, <https://www.theatlantic.com/photo/2012/02/rising-protests-in-china/100247/>.

³⁸³Shiwei, Pan (2012) “On Social Integration during China’s Transformation: A Proposal for the Crisis-Warning System”, Shanghai East Normal University

³⁸⁴ Locke, John. 1960. *Two Treatises of Government*. New York: Cambridge University Press.

studies. Following social networking media's empowerment by the advanced ICTs, it shows in case studies that the technology has significantly increased the effectiveness of CSOs. China's public interest advocacy needs to be examined and discussed within the political situation due to the tension between law and politics. The civil society organizations advocate for the moderation with mediative practices, and deploy the Oppositional Model and the Collaborative Model of public interest advocacy as the remonstrance for "Dao" (谏诤倡道) with guidance (倡导) would fit the current social demand. Because in the current Leninist style parliament, "elections do not provide an effective check on the misbehavior of state authorities, protests can help to serve that function – thereby undergirding rather than undermining the political system."³⁸⁵ Granting permission for public interest advocacy should be institutionalized to further promote social pluralism and diversity, particularly during this current social transformation with the aim of building a harmonious society for social stability. It would be a "Chinese Dream" if an independent legal system, responsive government and robust civil society could coexist.

Case III. The Wukan Community-based Advocacy

"Our state of non-philosophy -- Never has the crisis been so radical --"³⁸⁶

-Maurice Merleau-Ponty, working notes to *The Visible and the Invisible*.

In the case of the Wukan Community-based Advocacy, the village protesters had started at demonstration against confiscating collectively used land at a low compensation rate since the September of 2011. On February 1, 2012, Wukan Village held a general election for the village election committee. The "direct election without nominated candidate" method was adopted, and the sitting committee was selected by the principle of one person and one vote. Like many other local mass incidents, the conflict triggered the Wukan mass protest related to a socioeconomic justice issue. The local authority of Wukan Village, (located in Lufeng county of Guangdong Province) confiscated the communal land for commercial purposes. According to reports from newspapers, this piece of communal land is worth more than RMB 700 million. Without

³⁸⁵ Perry, E. J. (2008) "Chinese Conceptions of 'Rights': From Mencius to Mao – and Now", *Perspectives on Politics*, p. 64

³⁸⁶ Merleau-Ponty, (1968) Maurice 'Working Notes,' *The Visible and the Invisible*, (Evanston: Northwestern University Press p.165.

achieving an agreement from villagers (the communal land owners), the villagers' land had been sold to a commercial developer, Chan Man Ching. Regarding this issue, the villagers issued more than a dozen petitions to the NPCPA within a two year periods, and all ended going nowhere. It was a drawn-out struggle that had been brewing for years. It was prompted to take action against corrupt officials, especially the "Village Emperor"-Xue Chang who had assumed the Party Secretary position for more than 42 years in the sitting Village Committee. The villagers lost their trust in the Party secretary of the village who had stayed in power through many rigged elections.

The social discontent was generated and fueled with the increasing severity of inequality of welfare distribution, a huge income gap and a stalled political reform process. The Wukan villagers advocated rejecting the corrupt officials' vested interests in the local economy. This was a case of power abuse of the system at the county level and village leadership. It illustrated the lack of channels for due legal process and the suppression of local critical voices. The conflict escalated when a group of gangsters coercively entered the village and beat up the protesters on September 22nd, 2011. Two months later, numerous Wu Kang villagers grouped together surrounding the Lufeng county government buildings and appealed to punish the corrupt village officials in the village re-election on November 21st. The villagers received the official promise that village representatives will be re-elected within 15 days. When villagers were expecting that the inquiry of village representative re-elections being fulfilled, the local government started arresting the protest organizers beginning on December 3rd. Approximately 10,000 angry villagers organized the siege of the village Communist Party Committee office on December 5th. After receiving the information that the police would make widespread arrests, they had also erected barricades to block the entry to the village, and occupied the small public square since December 10th. This village level state-society tension peaked on December 11th. 2011, when news of protest organizer Xue Jinbo's death came to frame further the development of this incident. The Wukan community-based advocacy achieved a satisfactory result when the protest leader Lin Zhulian was elected as the new legitimate Chairman of Wukan's village representatives committee in 2011. Until he made a televised confession to the charge of

corruption and was sentenced to three years in jail on 2016, the new village committee still had not been able to progress on the land issue.³⁸⁷ Lin's trial had triggered another village protest rally and 13 people involved in inciting unapproved protests were arrested.³⁸⁸ Chinese netizens posted or shared content about the Wukan situation on popular social media networks, but discovered they were deleted swiftly as well.

Figure 6.1 Advocates with the posters support for the Wukan villagers



(Source: dw news)

The Media Campaign Advocacy via Micro-blog and Mass Media

The Wukan protesters and its organizing committee operating as a civil society network adopted the media campaign advocacy strategy, using the micro-blogging to involve many more people and attract broad attention. In April 2009, a self-named QQ (online communication app like Facebook) user "Patriot No. 1" circulated a flyer which advocated with a title that: "A Letter to the Dear Villagers of Wukan: We are not the Slaves of a Dead Village."³⁸⁹ The flyer called the villagers for action to request that village officials answer their grievances: "Might we ask is this the kind of government that ordinary people can trust and depend on? Will the real Party please

³⁸⁷ Lie, "Rethinking Rural Resistance,"

³⁸⁸ Austin Ramzy, "Protests Return to Wukan, Chinese Village That Once Expelled Its Officials," *The New York Times* (New York), June 20, 2016, accessed March 23, 2017, <https://www.nytimes.com/2016/06/21/world/asia/china-wukan-protest.html>.

³⁸⁹ Anne Christine Lie, "Rethinking Rural Resistance in China: A Case Study of the 2011 Wukan Incident in Guangdong Province" (master's thesis, University of Oslo, 2014), 19, accessed March 25, 2017, <https://www.duo.uio.no/bitstream/handle/10852/40779/Lie.pdf?sequence=1>

pay us a bit more attention.”³⁹⁰ The villagers had added the anonymous Patriot No. 1 on QQ and created a group called the ‘Wukan Hot-blooded Youth Group.’³⁹¹ The number of Wukan villager members of this online group grew to nearly 1,000. This online discussion network provided a digital public sphere to reflect, vent, and plan strategies of resistance.³⁹² One post in this online network vented angry expression such as, “The cadres from the two village committees who have been in office for forty years in a row seek personal gain from public resources, illegally seize land....then gobble up vast sums of money.”³⁹³ Additionally, the ICTs allowed for the dissemination of information to villagers with ties to the Wukan who are migrant workers: “Through the internet, this grief and indignation [over illegal land requisition] was gradually spread to people from the Wukan who were struggling to make a living away from the village.”³⁹⁴ The online network ‘Wukan Hot-blooded Youth Group’ facilitated a shared, widespread grievance over the village’s governance and land system. The Internet provided the digital public sphere for villagers to advocate for collective action after years of fruitless appeals.

This media campaign advocacy strategy helped villagers to entice foreign reporters to broadcast their message. Hess writes, “[Wukan] may represent a watershed in terms of the tactics applied by popular claimants. Unlike most of China’s 180,000-plus mass incidents each year, the organizers at Wukan made a concerted effort to voice their local claims not only to sympathetic high-ranking officials within China but also to a global audience.”³⁹⁵ The interpretation of the Wukan incident from local media’s discourse downplayed the Wukan incident since the Party Secretary of Shanwei City, Zheng Yanxiong, claimed the mass incident was a result of a foreign conspiracy spreading Western democracy ideology. The state obviously feels vulnerable to have lost absolute control to all politically sensitive information and worries the discontent and social conflict been magnified through the global communication networks. Francois Godement

³⁹⁰ Ibid.

³⁹¹ Ibid.

³⁹² Lie, "Rethinking Rural Resistance,"

³⁹³ Zhimin, "Wukan: The Whole Story,"

³⁹⁴ Ibid.

³⁹⁵ Hess, "Foreign Media,"

mentioned in his article “China at the Crossroads”, that “the villagers were vindicated in full view of the international media after several months of protest”.³⁹⁶ The advocates successfully utilized the international press “by broadcasting their message internationally and drawing attention to their plight, protest leaders were able to put pressure on the provincial and, most likely, national leadership, prompting an intervention from above.”³⁹⁷ The advocacy network applied the embedded advocacy strategy which put pressure on actors within the political system through the digital public sphere. For instance, one peasant protested via Sina Weibo to call the mass media’s attention that:

“The Lufeng government has cut our Internet connections and our food supply... What have we done to deserve this? The village government has taken RMB 4.8 billion from the Wukan villagers and the provincial government just sits there and watches ten thousand people starve to death? Those who have left home for work cannot return home? What kind of society is this? The media only listens to the Shanwei government's press releases. Please come to Wukan to check on your own. Southern Metropolis Daily, Guangzhou Daily, Yangcheng Evening News, please do not cheat people with fake news.”

This information went viral within seconds in the micro-blogging sphere which also drew a lot of attention from abroad. The officials finally set up censorship to delete and block some sensitive information about the Wukan protest. The villagers' micro-blogs were deleted by censorship, and Internet searches for the Wukan appeared with a message that: "According to relevant law, regulations and policies, search results for Wukan cannot be displayed." The Web users responded by using alternative terms to refer to the Wukan protest.³⁹⁸ The report from Twitter user @milpitas95035 preaveled officials’ strong concerns over internal security that,

“more than a thousand armed police officers tried to enter the village and arrest villagers. Upon receiving the news, villagers alerted each other, and more than 5,000 of them then took their rods and confronted police. In the process, police fired more than 50 canisters of tear gas. The villagers were forced to retreat at around 7 am, following which the police also left. People heard that there were demonstrations in other surrounding towns”.

³⁹⁶ https://www.ecfr.eu/page/-/ECFR53_CHINA_ESSAY_AW.pdf

³⁹⁷ Hess, "Foreign Media,"

³⁹⁸ “China protest in Guangdong's Wukan 'vanishes from web”

<http://www.bbc.co.uk/news/world-asia-china-16192541>

Hong Kong and other foreign media coverage elevated the issue to global attention. This strategy helps to win a better chance of achieving a successful outcome. The Wukan community based advocacy had drawn worldwide attention to a fishing village and warranted a worthwhile investigation. The media savvy youth used their new media skills uploading photos, and self-produced videos "Ukan! Wukan!" for netizens to download and distribute information, with the aim advocating their appeals to the outside world and seeking support. They posted daily messages about gatherings and elections on micro-blog (mainly on Sina Weibo), which successfully disseminated their views of conflicts to mobilizing people for their cause.

Advocacy Network Effectiveness: Political Space

There are contentious arguments about the significance of what really happened in Wukan, including various postulations about its implications for reducing state society tensions and enhancing an emerging rights-seeking civil society. Online activism has been an agent of immense social change, allowing common citizens to disseminate content and openly challenge the authority of political and economic elites.

According to the observer Ou Ming, the chief editor of the literary bimonthly Chutzpah Magazine as an active blogger thinks the Wukan was a turning point since it showed that

“the Guangdong government moved beyond its habitual fixation with ‘maintaining stability’ to recognize that the appeals of the Wukan villagers arose out of concern for their livelihoods, rather than out of some animus against the Party or China’s political system.”³⁹⁹

About the underlying origins and causes of most social unrest, village elections, political grievances and social protests, Lin Zhe, professor at the Party School of the Party Central Committee, criticized local officials for having a "poor sense of law and long-term neglect of the public's rights and interests," and said that the escalation of the dispute into violence would not have occurred if local authorities had "properly studied the complaints at the initial stages."⁴⁰⁰

³⁹⁹Ou Ming, “What Wukan Means”, <http://ouning.diandian.com/?tag=英文文稿>,
<<http://www.alternativearchive.com/ouning/article.asp?id=864>>

⁴⁰⁰ Huang Jingjin (23 December 2011) “Investigaton in Wukan”, *Global Times* on 23 December 2011

Long-time unsolved social tension and discontents channeled the increasing momentum into social protests. It is not only a worrying phenomenon for the Party-state but a real fear with respect to the threat for the social stability.⁴⁰¹ The Wukan community-based advocacy sought to resolve the contradiction with rationality and compromise by using the process of direct election to form an institutional framework, and satisfy the dual needs of the people to advocate for their rights and interests, and the government to resolve conflicts and maintain social stability.

Compared with previous experiences of oppressing mass protests, the Chinese state has obviously changed its tactic in dealing with a Wukan type mass protest. The high-level participation of senior provincial leaders such as the Governor and Party Secretary of Guangdong Province, Wang Yang, and his deputy, Zhu Mingguo, and their participation in the negotiation with the Wukan villagers indicated this change. It shows a remarkable evolution of the responsiveness of the Chinese government toward the popular demands for participative governance.

Fulda (2012) points out that “unregistered CSOs can expand their scope of activities quite considerably when they receive support from leaders in the Party-state bureaucracy.”⁴⁰² The informal organizations and non-registered associational groups are becoming agents of change and constitute an important part of the emergent civil society in China. The “Village Temporary Representative Council”, and the “Wukan Village Women’s Representative Coalition” were banned as illegal organizations, and five representatives were arrested during the Wukan mass protest. Their incessant efforts in the Wukan community based advocacy finally succeeded in ousting the corrupt village leaders and holding democratic village re-elections. Qu Yuanxu (2012) registered the words of the former protest leader Lin Zhulian, who became the newly elected

⁴⁰¹ Reuters’ article reported “China Domestic Security Spending Rises to \$111 Billion” and revealed the government has spent even more taxpayer money on internal security than on the People’s Liberation Army (PLA).

⁴⁰² Fulda, A., Li.Y. and Q. Song (2012), “New Strategies of Civil Society in China: A Case Study of the Network Governance Approach”, *Journal of Contemporary China*, Vol. 21, No. 76, July, pp. 675-693.

leader of Wukan's new legitimate village committee, that "As a Party Secretary, I understand our country's policies for rural areas and at the same time support the work of village committee. Self-government can be realized when the village committee plays its own role and the Party branch provides policy support".⁴⁰³ Lagerkvist points to the current dilemma of the unregistered NGOs that "have one foot in the open and formal arena of political society of political structures and officialdom, whereas the other foot is firmly placed in the shadows."⁴⁰⁴

The Wukan stalemate ended when the protest leader Lin zhulian became the newly elected Chairman of Wukan's village representatives committee. It sent out the Party-state's confirmation of the political space of the people's advocacy for "Dao" and permission to exercise their election vote rights. The main function of this public interest advocacy was to correct local government's misconduct through public initiatives and participation. In Wukan's case, public interest advocacy is solely an efficient method of conflict resolution. Both Nathan (2003) and Pei (2006) have pointed out that "the regime-enhancing effect" has outweighed "the regime-eroding effect" of generational and ideational change during the decade of the open-door economic reform.⁴⁰⁵ They label China with "authoritarian resilience" and "trapped transition" to remind us of the fact that China's civil society is still in its early stage.⁴⁰⁶ The Wukan issue projects a microcosm of the basic logic of Chinese politics. Social protest scholar Cai Yongshun (2010) agrees that "a big disturbance leads to a big solution". The Wukan community-based advocacy aroused wide attention for the state-society tensions through a way of victim-oriented mass protest, which demonstrates the public interest advocacy for more accountability and democracy in Chinese politics. It is just one single social protest which may not reflect all of the multitude and complexities in China, but the advocacy network has been an important force in domestic governance. The Wukan Mass protest is the miniature of what David Zweig describes as China's

⁴⁰³ "An Insider's Account of Wukan Protest", Caixin, <http://china-wire.org/?p=19414>

⁴⁰⁴ *Id*

⁴⁰⁵ Nathan, A.J. (2003), "China's Changing of the Guard. Authoritarian Resilience", *Journal of Democracy*, Vol. 14, No. 1, January, pp. 6-17.

--Pei, M. (2006), *China's Trapped Transition: The Limits of Developmental Autocracy*, Cambridge: Harvard University Press.

⁴⁰⁶ *Id*

“current political and social dilemma” to “the confrontation between an emerging ‘rights conscious peasantry’ and rapacious or entrepreneurial bureaucrats.”⁴⁰⁷ In the Wukan case, its advocacy network shares many of the characteristics of social movements, and becomes an effective driver of social and political change. The escalated conflict reflected a severe governance crisis of the Party-state. Heimer and Stig (2006) also warns that “growing rights consciousness in the Chinese countryside may contribute to significant political changes.”⁴⁰⁸

Unlike local governments and the real estate firms, the Wukan advocacy networks have very limited access to traditional sources of power, but it adopted community-based advocacy and media campaign advocacy strategies. The digital public sphere helped to facilitate the wide spread of information which in fact jeopardized the censorship’s aim to block or delete information about the Wukan Protest. The local government authorities, as Castelle defined the “network programmers and switchers”, are the power holders in Wukan village’s network society. But they were contested by the “reprogramming work of mass self-communication”,⁴⁰⁹ facilitated by the digital public sphere. It validates Habermas’ argument about the importance of media that the public sphere requires “specific means for transmitting information and influencing those who receive it”.⁴¹⁰

The civil participation and activism involved in the phenomena of Wukan Mass Incident also show the role of clan networks which are playing a big role at the local administrative level. Their influences in society have increased markedly.⁴¹¹ The Wukan village has seven distinct

⁴⁰⁷ Zweig, David. 2003. “To the Courts or to the Barricades: Can New Political Institutions Manage Rural Conflict?” In Perry and Selden. P.123

⁴⁰⁸ Heimer, Maria and Stig Thogersen. (2006). Eds., *Doing Fieldwork in China*. Honolulu: University of Hawai’i Press.

⁴⁰⁹ Castells defines “mass communication” can potentially reach a global audience and he refers “self-communication” to posting a video on You Tube, issuing a blog with RSS links and sending a message to a massive e-mail list, because “the production of the message is self-generated (by more or less professional individual users), it is self-directed (particular addresses) and self-selected (in using Internet sources)”. Quote in Jan A.G.M. van Dijk (2009), *Review of Manuel Castells, Communication Power*. Oxford, New York: Oxford University Press. (571 p.) ISBN 978-0-19-956-701-1

⁴¹⁰ Habermas, Jürgen. The Public Sphere: An Encyclopedia Article. In *Critical theory and Society. A Reader*, ed. Stephen E. Bronner and Douglas Kellner, 136-142., New York: Routledge, (1989),p. 136

⁴¹¹ Su, F., T. Ran, X. Sun and M.X. Liu (2011), “Clans, Electoral Procedures and Voter

family clans which helped to reach cohesion among the advocacy network. The younger generations of villagers were mobilized by the clan networks, demonstrating their power and implications for state-society relations. The clan system was deemed by Maoism as part of the feudal system before the open-door reform. According to Guo (2002), the clan system has been rebuilt to a considerable extent.⁴¹² Nowadays, ancestral temples have been repaired or built anew. The rites of family are popular again. The Confucian societies in East Asia and Southeast Asia are often based upon the unique values of families and clans, which also have been considered by Wiarda Howard as “Kinship/clan corporatism”⁴¹³, one type of corporatism. Wikipedia defines the concept of corporatism as that which,

“refers to political, or social organization that involves association of the people of society into corporate groups, such as agricultural, business, ethnic, labour, military, patronage, or scientific affiliations, on the basis of common interests—Corporatism is theoretically based upon the interpretation of a community as an organic body”.

Bao-Er (2006) also concludes that “China has strong elements of clan corporatism in its society involving legal norms concerning family relations”⁴¹⁴(Bao-Er,2006,p.19). Unger and Chan (1994) further propose a “Chinese corporatism” in their essay “*China, Corporatism, and the East Asian Model*” that

"...at the national level the state recognizes one and only one organization (say, a national labour union, a business association, a farmers' association) as the sole representative of the sectoral interests of the individuals, enterprises or institutions that comprise that organization's assigned constituency. The state determines which organizations will be recognized as legitimate and forms an unequal partnership of sorts with such organizations. The associations sometimes even get channelled into the policy-making processes and often help implement state policy on the government's behalf”(Unger and Chan, 1994,p.95)

Turnout: Evidence from Villagers' Committee Elections in Transitional China”,
Political Studies, Vol. 59, Issue 2, pp. 432-457

⁴¹² Guo Z. (2008), “The Study of the Structure of Clan Leadership in Chinese Rural Areas”, Open Times, No. 2. <http://docs.china-europa-forum.net/doc_558.pdf>

⁴¹³ Wiarda, Howard J. (1997) *Corporatism and comparative politics*. Armonk, NY: M.E. Sharpe,

⁴¹⁴ Bao-Er. (2006) *China's Neo-traditional Rights of the Child*. Blaxland, Australia: Lulu.com, 2006. Pp. 19.

The models of corporatism could be borrowed to explain part of the phenomenon about the state-led civil society and the dual registration system control of civic associations in China. The quote from Lagerkvist (2012) projects the grand scene behind the Wukan community-based advocacy that,

“how rural society in China is becoming increasingly active in a realm of shadows outside the purview of the state. Against this trend in society are the Party-state strategies invoking historical, economical and political arguments for social stability”.⁴¹⁵

Some reports are inclined to portray the Wukan incident in line with the prevalent view of popular uprising against corrupt autocracy as a China type of “Arab Spring”. Reuter depicted the villagers as anti-state “rebels” and the ad hoc leadership as a “rebelliously self-governing body”.⁴¹⁶ The message conveyed by the protest actually is to advocate for socio-economic justice, for example, the slogan of the protesters: "give us back our farmland" and "let us continue farming." The rural villagers advocated rectifying communal land rights, punishing corrupt village officials and improving the rural welfare and health care system. In a New York Times series report on the Wukan protests called the “Wukan Journal,” reporter Edward Wong described a villagers’ sign asking that the reporters shall not call this community-based advocacy in Wukan as an “uprising,” and expressing clearly, “We are not a revolt...We support the Communist Party. We love our country.”⁴¹⁷

⁴¹⁵ Johan Lagerkvist, “The Wukan Uprising and Chinese State-Society Relations: Toward “Shadow Civil Society”?” *International Journal of China studies* Vol. 3, No. 3, December 2012, pp. 345-361

⁴¹⁶ Reuter’s report of “Some Chinese Aggrieved Find Inspiration in Rebel Village” <https://ca.reuters.com/article/topNews/idCATRE80M07N20120123>

⁴¹⁷ Wong, “Canny Villagers Grasp Keys to Loosen China’s Muzzle.”

Figure 6.2 Village building with the advocacy against the Corrupt officials



(Source: Baidu news)

Figure 6.3 Advocate with the poster claims for the land rights



(Source: dw news)

This public interest advocacy is exactly a way to remonstrate for “Dao” (倡道) - a better order to maintain socioeconomic justice. The growing social divisions and a stalled political reform process are the reasons for mass protests including the Wukan protest. The rhetoric of recent protests was framed in a language of the collaborative model rather than the oppositional model with Mao’s resonance “It is right to rebel!”; “All Power to the Peasants.... ”.⁴¹⁸ The “Rights” (Quan, 权)⁴¹⁹ in the Chinese context refer to mutual and collective responsibilities on the part of rulers and ruled alike. These reasons mentioned above better reveal the incentives for the socioeconomic justice and traditional motivation triggering the mass protests. The mass protesters were carrying in a community-based advocacy their aspiration for a “Dao”.

⁴¹⁸ Ching Kwan. Lee. (2003). “Pathways of Labour Insurgency.” In Perry and Selden.

⁴¹⁹ Liu Shippei quoted the neo-Confucianist Wang Yangming’s theory to credit Mencius with his own understanding of “Rights”. See “The Essentials of the Chinese Social Contract” and “Textbook on Ethics;” quoted in Angle 2002, 172-175.

Case Study IV. Anti-PX Community-based Advocacies

“The political problem would be rather that of conceiving the institutions where this dynamic would find a place. What institutions would permit the repetitive dynamic between the pre-individual and the individuated?”⁴²⁰

-Paolo Virno, Interview

Shambaugh (2008) questions the sufficiency of “the twin pillars of economic growth and nationalism”⁴²¹ in achieving the CCP’s popular legitimacy goals. According to the resources from China’s Ministry of Environmental Protection (MEP), the number of environmental protests in 2012 has grown steadily at a rate of 29% per year since 1996.⁴²² The series of large-scale environmental protests may not reflect all of the multitude and complexities in China, but they are examples of the state-society tensions, and demonstrate the influence of public interest advocacy for participatory governance and transparent management. Environmental protests against large industrial developments are a relatively new phenomenon in China. Many protests over environmental issues have happened, such as the protest against a proposed sewage discharge pipeline project in Qidong in Jiangsu province, and the demonstration against a molybdenum-copper alloy refinery in Shifang in Sichuan province, etc. These events show citizens’ increasing dissatisfaction over the deteriorating environment in recent years. Facing the challenges in improving law enforcement and its need to implement a mechanism for accountable governance, management transparency and public participation in decision-making, Zhou Shengxian, the minister of China’s Ministry of Environmental Protection (MEP) acknowledged that it is “a sensitive period for China’s environmental issues.”⁴²³

For example, the Chongqing gas well explosion killed 234 people in 2003, and 18,000 families were affected by the explosion, including 13,000 families which were classified as "seriously

⁴²⁰ Paolo Virno, ‘On Multitude and Beyond: An Interview with Paolo Virno,’ *Cultural Politics*, Vol. 10, No. 2, 2014, 222.

⁴²¹ David Shambaugh, China’s Communist Party: Atrophy and Adaptation » *China Perspectives*, 2008/4 | 2008,

⁴²² Peng Tian, (2013) “China’s next leader looks to soothe environmental angst”, Accessed on 4 January 2013, <http://www.rsc.org/chemistryworld/2013/01/china-president-xi-jinping-environment-protests-pollution>

⁴²³ *Id*

affected.”⁴²⁴ The Jilin chemical leakage poisoned drinking water in 2005 and the Qingdao pipeline explosion killed 62 people in November of 2013.⁴²⁵ Thus, the poor safety record of the state-dominated oil and petrochemical sector easily allowed the doubts and fears of residents to escalate into skepticism and anger. Ma Jun, the head of the Institute of Public & Environmental Affairs, an independent environmental group, concludes that “the reason why the industry has lost credibility is not that it hasn't carried out public relations or education work properly, but because of repeated accidents.”⁴²⁶ The public has become increasingly worried about the potential risks of huge industrial projects which might negatively affect the environment and health. The lack of democratic decision-making on the basis of consultation, leads to public opposition and to distrust. A public interest advocacy mechanism could help to solve these conflicts.

Cao Xianghong, a former senior vice president at Sinopec, says “the serious pollution cases and accidents that the industry had naturally scared people,”⁴²⁷ and confirms the reasons behind the public concerns regarding the “paraxylene petrochemicals” (PX) project. Yu Wei, senior engineer and executive director of the Zhejiang Public Participation Local-level Partnership Projects under the EU-China Environmental Governance Program, adds that “accidents such as explosions have occurred several times across PX factories. Actually, these factories have passed the environmental impact assessment with law-abiding operations; yet uncertainties cannot be avoided in the production process, including in operations,”⁴²⁸ The Xiamen municipal government had to respond to this public interest advocacy by halting the project, and finally conceded by relocating the PX project to the Gulei Peninsula in Zhangzhou after a half-year’s public debate and mediation. The Fujian provincial government finally bowed to public opinion,

⁴²⁴ “China: Gas Well Explosion in Chongqin”, International Federation of Red Cross and Red Crescent Societies, 0049E/13.03.03, <http://www.ifrc.org/docs/appeals/rpts03/cnex0103.pdf>

⁴²⁵ “Death toll rises to 62 in Qingdao pipeline blast”, Xinhua News Agency, 2013-12-03, http://www.chinadaily.com.cn/china/2013-12/03/content_17147140.htm

⁴²⁶ Chen Aizhu, “As opposition grows, China defends plans for petrochemical plants”, Reuters <http://www.reuters.com/article/2014/04/18/us-china-petrochemicals-campaign-idUSBREA3H07020140418>

⁴²⁷ *Id*

⁴²⁸ Jiao Meng, “Trust crisis behind PX fears”, http://www.china.org.cn/wap/2014-04/21/content_32160290_2.html

and opted to relocate the Xiamen project to Gulei peninsular, Zhangzhou city in 2008 after Xiamen residents' community-based advocacy. There was no mention of 'PX' and the government referred to it as the 'Gulei Major Chemical Project'. The Xiamen advocates gained a successful victory, however, there were vehement protests in this new location, since the accidents of Zhangzhou PX plant had caused emergency evacuations in 2013 and then again massive blast occurred in 2015.⁴²⁹

The adoption of an environmental evaluation system through a third party's evaluation and analysis came to independent conclusions. The report of the third party's environmental evaluation also should be open to the public. It would allow the public and experts to have opportunities to participate in the debate over the pros and cons, including the possible risks. However the evaluation system is completely operated and overseen by a government department. Hence, the public can't be easily persuaded that such an evaluation process is independent, fair and objective. Chen An, a professor of risk management at the Institute of Policy and Management at the Chinese Academy of Sciences (CAS) says "The accidental selection of PX [as a target] by the public reflects an inevitable resistance to toxic products."⁴³⁰ A series of environmental degradation, health scares, and accidents is actually deepening public doubts about the safety of petrochemical manufactures.

The production of PX carries an element of danger, but the enormous economic benefits are also looming behind the PX projects. PX is a raw material in the production of plastics, polyester fibers, etc. As the world's largest producer and consumer of PX, China still relies heavily on importing over 9 million metric tons of PX, at a cost of about \$18 billion for the country's textile industry. According to the Economics and Technology Research Institute under the China Petroleum and Chemical (Sinopec) Corp., the state-owned oil refining giant, the current domestic

⁴²⁹29,096 people were evacuated due to chemical plant fire, many unreported protests by local inhabitants during planning, construction and operation periods, "Opposition to PX plant in Zhangzhou and explosion accidents, Fujian, China" <https://ejatlas.org/conflict/explosions-at-paraxylene-px-petchem-plant-and-the-related-protests-zhangzhou-fujian>

⁴³⁰ He pengjia, "Para-xylene plants face uphill struggle for acceptance in China", <http://www.rsc.org/chemistryworld/2014/04/para-xylene-px-plants-face-continued-opposition-china>

output of the PX industry met 8.3 million tons. This fell short of 53 percent of China's demand for the PX in 2013, and the shortage might run up to 9.5 million tons worth about \$18 billion in 2014.⁴³¹ China relies heavily on importing the PX from Singapore, South Korea and Japan. It shows an Achilles' heel in China's export oriented economy - the delicate interdependence between the PX industry, textile industry and the employment issue. Customs data for 2013 show that, the textile industry "generated \$290 billion of overseas sales, or 13 percent of China's total exports last year."⁴³² It is noteworthy that the textile industry employment reached over two million, of which 80% are migrant workers. As a downstream industry, the textile industry has been hit the hardest by the surging price of PX, partly because of the continued environment protests against the PX and its strong domestic demand since 2007.

In the eyes of CSOs, and environmentalists, local governments are supposed to act as mediators. However the local level of administration was also eager to attract investment to promote economic growth for career advancement. As for other stakeholders, the PX project investors and local government are direct profit beneficiaries. It is very difficult for the local government as a direct profit beneficiary, enjoying revenue, tax and political credit, to mediate such a dispute. The local government cannot endorse the principle of fairness and justice of society without any preference. And, interventions from the state on social issues only politicize the social contradictions and escalate social risks. As the world's largest producer and consumer of PX, these anti-PX community based advocacies were seen by local governments and the textile and plastics manufacturers as disrupting social stability.

Currently, the majority of PX manufacturing takes place in the "state-owned enterprise" monopoly. Though the state-owned enterprises have enjoyed the privileges of the initiation of the open door reform, they are facing the challenges which might disrupt their expansion plans partly

⁴³¹ Jiao Meng, "Trust crisis behind PX fears", China.org.cn, April 21, 2014
http://www.china.org.cn/wap/2014-04/21/content_32160290.htm

⁴³² Chen Aizhu, "As opposition grows, China defends plans for petrochemical plants", Reuters, <http://www.reuters.com/article/2014/04/18/us-china-petrochemicals-campaign-idUSBREA3H07020140418>

due to the public interest advocacy. The local authorities believed the public would change its attitude, after they were informed by thousands of brochures of the economic benefits the PX project would bring. However, the poor safety record of the state-dominated oil and petrochemical sector made the doubts and fears of residents escalate into skepticism and anger.

Advocacy for “Dao”-“Chang Dao” (倡道), Advocacy with Remonstrance

The ecological crisis is becoming the central concern of society, where environmental risks have become “the predominant product, not just an unpleasant, manageable side-effect, of industrial society.”⁴³³ The first large-scale anti-PX community based advocacy broke out in Xiamen, Fujian Province. During the two sessions of the National People's Congress (NPC) and the Chinese People's Political Consultative Conference (CPPCC) in March 2007, Zhao Yufen (the leading chemical scientist) gave a speech expressing concern over the health hazards posed by the plant. She advocated that such PX plants should be at least 10 km away from urban areas, and urged the project be relocated. That was followed by a joint petition letter signed by 105 CPPCC members (including presidents of universities and top academicians), that particularly advocated against a proposed 10.8 billion RMB investment plant, with emphases on Xiamen city's environmental safety and potential pollution hazards. This PX plant plans to reach its annual industrial output value of 80 billion yuan (RMB), adding huge economic benefits for the local job market and economic growth.

The anti-PX advocacy network successfully adopted the embedded advocacy strategy to convince a deputy provincial Party Secretary to sign the petition. As the renowned professor of Xiamen University, Zhao had first hand information to evaluate the PX issue with the authorities, and she used her social capital networking with other 104 members who jointly submitted this proposal for the relocation of the Xiamen Haicang PX project. The construction process of the

⁴³³ Ulrich Beck (1992). *Risk Society, Towards a New Modernity*. London: Sage Publications. p. 260. (Translated from the German *Risikogesellschaft*) 1986.

PX project gained wide official reporting from the national news media and the CPPCC official conference after its publication. Zhao and a group of scientists researched cautiously and insisted, it's their way and social responsibility to advocate for "Dao" of society, that "there are more than 100,000 residents within 5 km of the PX project center where it is still under construction in Xiamen Haicang. The project is highly endangered unpredictable consequences due to the possible natural disasters and even war and terrorist threats."⁴³⁴

Zhao Yufen and other scientists did not limit their responsibility to advocating in public that "we don't object to the PX project, but think it should be relocated to a suitable place." Without much response from the local government, the advocacy messages went viral in micro-blogs and the mainstream media. A "walking Event" joined by Zhao and dozens of academicians was reported taking to the streets to voice their opposition on June 1st, 2007. Yellow ribbons were prepared by the advocacy networks, handed out to hundreds of people gathered at the People's Great Hall. The crowd cheered for the a slogans of "Oppose the PX, Protect Xiamen ", "for the sake of Xiamen's children and grandchildren " which was cited from the infamous SMS message, and repeated through Internet posts. The advocates chanted "Protect Xiamen, Everyone has a Responsibility "and moved across the city.⁴³⁵

⁴³⁴厦门PX项目事件始末：化学科学家推动PX迁址, accessed on Apr.30,2015
http://tech.ifeng.com/discovery/special/px/detail_2012_10/29/18636761_0.shtml

⁴³⁵ "SMS Texts Energizing a Chinese Protest",accessed on June.1st,2007
, <https://www.asiasentinel.com/politics/sms-texts-energize-a-chinese-protest/>

Figure 6.4 Xiamen Anti-PX community based advocacy



(Source: asiaessential.com)

Figure 6.5 Maoming protester holds banner anti-PX



(Source:shutterstock.com)

The derailing of the PX plant in Xiamen has made PX a highly visible target for public interest advocacies in China. Xiamen's anti-PX advocacy provided a template and the PX plants in other Chinese cities have been targeted by environment protection advocates. There has been a demonstrable effect of the Xiamen community based advocacy with the emergence of other anti-PX demonstrations. Since 2007, seven Chinese cities have had large scale protests against plans for a PX plant targeted by environment advocates. The series of community based anti-PX advocacy include Chengdu in 2008, Dalian in 2011, Jiujiang and Ningbo in 2012, Kunming in 2013, Maomin in 2014, and Shanghai in 2015. These advocacies were aroused by public concerns about the safety of the PX plants, which entail potential risks to the environment and public health.⁴³⁶

⁴³⁶ It is dangerous to produce, highly flammable, and likely to cause explosion, in the extracted process from petroleum. Also the manufacture process releases PM2.5 a particle to add air pollution which contributes to a high rate of death

The incentive for the socio-economic justice and traditional motivation triggered mass protests. Most of the Anti-PX advocates came together on the basis of the views of their environmental rights, not their class position or their place in the political system. Thus, rights consciousness has played an important role in PX protests as in many other public interest advocacy events. The series of large-scale PX public interest advocacy demonstrations were carried out by students, scholars, local residents and environmental rights seeking groups, also including netizens, by using multiple strategies and tactics, particularly relying on the facilitation of open models of digital public sphere.

The Media Campaign Advocacy via Micro-blog and Mass Media

Michael Munger describes the tactics of public interest advocacy groups used to influence public policy as including “lobbying, testifying at congressional hearings, submitting regulatory comments, mobilizing grassroots constituents with public rallies and letter-writing campaigns, buying media advertising, filing amicus curiae briefs with appellate courts, and sponsoring class action or other lawsuits.”⁴³⁷ The Xiamen government tried to censor media coverage, but the community-based advocacy drew international attention due to the advocacy of Zhao and participation of other elites.⁴³⁸ Lian Yue, a columnist of *Southern Weekend* reported the petition extensively to bring the public attention to the PX issue. Lian kept on writing on micro-blogs after the Xiamen government closed the topic to the local press. From Lian Yue’s suggestions, netizens posted about concerns of cataclysmic effects of any accident and started new websites such as antipx.com.

The large-scale media campaign advocacy was possible due to the skilful use of smart phone and online social media. Its advocates included academics, workers, the elderly and housewives, who expressed their opposition via written petition letters, text-message campaigns, online protests, demonstrations at public hearings, to wearing yellow ribbons while marching through the streets. There were millions of warning text messages about the PX plant’s potential hazards that were sent to local citizens asking them to take action during Xiamen community based anti-PX advocacy:

“Xianglu Group has started construction project (BB) in Haishu District. Once this highly toxic chemical is produced, it means that an atomic bomb will be released. The life of Xiamen people will be challenged in the risks of leukemia and deformed children. We want to live, we want to be healthy! International organizations stipulate that such projects should be developed 100 kilometers away

⁴³⁷ Michael Munger, (2007), Public Interest Advocacy, International Encyclopedia of the Social Science, 2nd Edition, ,P.614

⁴³⁸ Tu Chaohua, Xiamen PX shijian (The Xiamen PX incident), Beijing, Zhongguo qingnian bao (China Youth Daily), accessed in 28 December 2007.

from the city. We are only 16 kilometers away from this project in Xiamen! For our children and grandchildren, please sent the SMS group to all friends in Xiamen.”⁴³⁹

Wu Xian, one of the initiators of the QQ (one of the popular online messenger apps) messaged the group: “Give me back the blue sky and green water of Xiamen”. He found the large expansion of this QQ group network and the topic of discussion was gradually transferred from the potential environmental and health hazards of the PX project to how to use actual actions to oppose the PX project and defend Xiamen. On May 27th and 28th, 2007, Wu advocated in the group to mobilize members taking actions that:

“For our children and grandchildren, act now! Participate in the 10,000-person parade, starting from 8:00 am on June 1st, from the location to the city government! Hand tied yellow ribbon! See the SMS group sent to all friends in Xiamen!”

On May 31, the *Xiamen Daily* published an editorial comment that both the government and concerned citizens had Xiamen’s best interest at heart, but that one individual, the SMS writer named *XiamenWave22*, was “misleading the public and provoking hostility between the government and the masses “. The poor safety record of the state-dominated oil and petrochemical sector⁴⁴⁰ made netizens continue voicing their skepticism and anger.

The anti-PX protest in Maoming was also accompanied by a media campaign advocacy. In the anti-PX community advocacy in Xiamen, traditional media played an important role in the information dissemination and mobilizing process.⁴⁴¹ Maoming’s anti-PX advocates also contacted national-affiliated mass media such as *Southern Weekend* (Nanfang zhoumo 南方周末), *Southern Metropolis Daily* (Nanfang dushibao 南方都市报), and *Southern Daily* (Nanfang ribao 南方日报), also the live call-ins to the popular TV programs “Today’s Focus”(今日关注) and “DV Live” to publicize the anti-PX advocacy of the Maoming.⁴⁴² The media usually

⁴³⁹张娟娟, 厦门PX危机中的新媒体力量 <https://www.douban.com/group/topic/94068279/>, accessed on Sep.2016

⁴⁴⁰ <https://ejatlas.org/conflict/explosions-at-paraxylene-px-petchem-plant-and-the-related-protests-zhangzhou-fujian>

⁴⁴¹ Yu Huang and Zeng Fanxu, “Cong yilinweihe dao zhengce changdao: Zhongguo meiti yu shehui kangzheng de huji moshi” (From “not in my back yard” to policy advocacy: The co-empowerment model between media and protests in China), *Xinwenxue yanjiu* (Mass Communication Studies), Vol. 109, 2011, pp. 167-200.

⁴⁴² Kingsyhon Lee and Ming-sho Ho, (2014), “The Maoming Anti-PX Protest of 2014 An environmental movement in contemporary China”, Centre d’ étude français sur la Chine contemporaine,

imposes its influence on advocacy by “validating and enlarging the scope of its frame.”⁴⁴³ Advocates thought it would attract broader media attention after the demonstration of local unity during the 30 March rally. They were disappointed by the neglect of the mainstream media.

The traditional mass media followed the self-reporting by the Xiamen community based advocacy. Maoming authorities censored reports relating to the “Maoming” and photos of police brutality on Weibo, WeChat and QQ (the Chinese version of micro-blogs and twitter). To circumvent official censorship, the advocates played the dual role of protesting and news-making and shared the videos and pictures through the new social media. Depending on the instant message dissemination effect in the digital public sphere, advocates’ self-made reports were later quoted by the foreign media or reposted on online bulletin boards. As an alternative, the new social media facilitated the protest mobilization process hoping to help the advocates force local officials to revise the PX policy.

The public outcry over the \$574 million PX plant project escalated into the mass protests in Maoming, Guangdong province.⁴⁴⁴ In the Maoming PX protest, the local residents and environmentalists repeatedly revised the definition of PX to “high toxic” on Baidu Baike, the Chinese version of Wikipedia. The definition of PX also was corrected to “low toxic” by some Tsinghua University students majoring in chemical engineering. According to Baidu Baike's records, the definition of PX had been changed more than 30 times since March 30, 2013 before the day of the protest broke out. The Baidu Baike site administrator had to block further changes to the definition of PX. Millions of netizens online were still posting supportive micro-blogs and tweets for the collective action in Maoming on April.2, 2014.

⁴⁴³ William A. Gamson and Gadi Wolfsfeld, “Movements and Media as Interacting Systems,” *The Annals of the American Academy of Political and Social Science*

⁴⁴⁴ This PX project was proposed by China's biggest refiner, one of the state energy giants and the top producer of PX by company- Sinopec, and also by the local government. The official unveiling of this PX project suddenly triggered public protests, which peaked on 30 March, 2014.

Advocacy for “Dao”-“Chang Dao” (倡导), Advocacy with guidance

The lack of relevant information for the public is also an immediate cause of public panic. Information disclosure and the public opinions adoption survey should be done before the project construction begins. The Maoming protest was actually triggered by the controversies of the PX plants relating to the safety issue. The petrochemical workers, their family members and public school students became the network members to advocate against the PX project. The concerns of the public were not just about the science or the safety of the chemical itself, but rather safety-related issues about the construction and management of the PX plants. The local government and state-owned media were largely unaware of the risks posed by the PX, such as the handling of the waste and the safety of construction, which need to bear closer examination. For example, Xin Hua news reported in July 30, 2013 that a PX plant explosion in Fujian Province injured several residents in the nearby Xingzai village. According to Huang Yaozhi, board chairman of Tenglong Aromatic Hydrocarbon (Zhangzhou) Co. Ltd, this factory produces the PX, a chemical to make fabrics and plastic bottles. The accident did not cause chemical leaks or pollution, mostly because it was still in its trial production phase and full operations were not started yet. The poor safety management and potential hazards of the PX plant caused the major concerns of the public.

Although the consequences of possible accidents during PX production and its transportation might appear to be the major concern, the anti-PX community-based advocacies do not simply reflect public concerns about the safety of the PX upstream and downstream process. It was also triggered by the social trust crisis. People opposed to the PX project act not only from a sense of safety concerns, but also under the influence of special interests. Their interests include not only the possible environmental pollution of the region, but also the issue of compensation for the demolition and land acquisition and other unexpected losses. In environmental protection issues, the local people are public stakeholders, but it is difficult for

them to have channels to obtain accurate information in order to analyze the impact of the PX project. The local residents' interests as a whole require better channels of information, expression and communication.

Giddens suggests that there "can be no question of merely taking a negative attitude towards risk. Risk needs to be disciplined, but active risk-taking is a core element of a dynamic economy and an innovative society."⁴⁴⁵ It is necessary to develop a coherent strategy and comprehensive approach for conflict resolution toward public interest advocacy, in order to minimize the risk of social conflict to channel public opinion. The facade of public interest advocacy, such as the PX demonstrations would add to the social cost when the conflicts escalate into social protests or riots. It also could be used to conceal underlying economic interests as an incentive and private political agenda. The ambiguity in the classification of "public interest" makes it very difficult to tell the difference between what actually constitute the public interest and an individual group's special interests. There are always many different interests and issues involved in the PX protests, which are critically related to China's unfinished land reform.

The PX protests might have caused a lose-lose situation, and the demand of 'not in my backyard'- NIMBYism oversimplifies a wide range of different interests and issues which involve political sensitivity, land requisition, public decision process, cost of relocation and the impact on real estate prices, etc. These conflicts of different interests between local residents, local government, state corporate and working communities often result in lose-lose situation. Social discontent may also be generated and fueled by the increasing severity of the inequality of welfare distribution, the huge income gap and a stalled political reform process. In such situation, the local groups employ social activism to object to officials' vested interests in the local economy growth and personal careers. Cao Xianghong, from the Chinese Academy of Sciences, has warned that:

"Some people doubt everything -- information released by the government and reports from the mainstream media. On the contrary, they are convinced of unproven messages spread online and

⁴⁴⁵ Giddens, Anthony (1999), *Runaway World: How Globalization is Reshaping Our Lives*. London, p.29

micro blogs which usually are aimed against the government and state-owned enterprises. What's the worse, some locals don't even trust those experts or technicians who speak for the local government. This is a serious trust crisis." ⁴⁴⁶

Public opinion seems to have weighed in one after another victory among the series of PX protests. In fact, there are no winners among local government, enterprises and society. PX protests in reality might lead to instances of ineffective administration and personal and corporate loss. In such situation, public interest advocacy highlights the public opinion, and may push the government to give more attention to environmental issues. But usual the response of government is limited to commentary, persuasion, warning, written instructions, and seminars, etc. Local government as decision maker would rather take scientific reasons to rationalize the process of negotiation with the public rather than further explore a democratic decision-making process. In this regard, the local government usually overemphasizes the science and legitimacy aspects of the project at issue and neglects the rights of local residents. Hence, it is very difficult to obtaining the trust of the people and this has been proven throughout the series of PX protests. Public decision-making itself is also a political act, which not only depends on scientific explanation, environmental evaluation, approval procedures, information bulletin and so on; it also needs to be scientific, democratic and legitimate while allowing public participation in the decision making process, which as a process helps to realize a balance between economic prosperity, sustainable ecology and social equity.

Overall however the top leaders of the Party-state have shown the government's deep concern for people's livelihood and its commitment to socio-economic justice. Both Xi and Hu emphasized the need to pay attention to environmental protection in their speeches to the People's National Congress. Even in that context, however it still remains a big question as how the government could change the development model of the past, and to put the responsibility for its outcome squarely on the shoulders of industry. The government attempts to improve its governance capacity while dealing with the major problem of the declining appeal of its ideology.

⁴⁴⁶ *Id*

The Party tries to advocate for the public with its disciplinary power for articulating interests in order to fulfill the growing moral vacuum in society. The official propaganda apparatus is channeling public opinion with “Chang Dao” (倡导), as Party’s responsive strategy- advocacy with guidance.

Chinese leaders have started to employ more responsive approach with different strategies familiar to the Oppositional and Collaborative Models of public interest advocacy. For example, the former president, Hu Jintao delivered a report at the 18th National Congress of the Communist Party (NCCP), in which he admitted that “China faces increasing resource constraints, severe environmental pollution and a deteriorating ecosystem”. Hu further concluded that the Party should be “putting prevention first and placing emphasis on serious environmental problems that pose health hazards to the people”. Also in his first official address to the Chinese people in November of 2012, Xi Jinping, the general secretary of the Communist Party Central Committee acknowledged “The people's expectation of a better life” for “a more beautiful environment”⁴⁴⁷ and promised that the Party would strive for it. His recognition of the necessity to improve the environment marks the subtle change of the political attitude and evolution of the leadership’s thinking and responding tactics. It might also cast some light on the responsive tactics government adopted overall toward environmental public advocacy.

Meanwhile, local government and industrial experts have tried to convince the public by citing the scientific analysis, and offering access for public participation in decision making. Zhu Zilu, deputy secretary general of the Xiamen Municipal Government, repeatedly stressed in a 2007 interview that “The report of the 17th National Congress of the Communist Party of China stipulated building an ecological civilization, building a harmonious society, and attaching

⁴⁴⁷ Xi’s Speech on Meeting with the Standing Committee of Political Bureau (习近平在政治局常委见面会上的演讲)
www.news.youth.cn/gn/201211/t20121115_2617441.htm

importance to the people's livelihood, which directly guides the municipal CCP committee and the municipal government to properly solve the PX project.”⁴⁴⁸

Facing the huge pressure of online public opinion, local government and the traditional mass media launched media campaigns in a bid to assure the public opinion about the safety of PX. For example, the state television, CCTV, had already aired six short feature stories with the headline “Telling you the truth on PX.” It tried to reassure the public by displaying about the petrochemical facilities in the United States, Japan, South Korea and Singapore producing PX. It pointed out that countries such as the United States did not treat PX as a cancer-inducing toxic chemical. The state propaganda department and authorities worked hard to shape public opinion in an attempt to treat this hot-button topic. For example, the local government in Maoming launched a large public education campaign on chemical and PX safety a month before the protest began.

Conventional theories of state versus civil society envisage its development as inherently having a progressive mission of promoting democratization. Compared with previous experiences of oppressing mass protests, the Chinese state obviously has changed its tactics in dealing with PX mass protests. Both Nathan (2003) and Pei (2006) point out in their works that “the regime-enhancing effect” has outweighed “the regime-eroding effect” of generational and ideational change during the decade of the open-door economic reform⁴⁴⁹. They characterize China with “authoritarian resilience” and “trapped transition” to remind us of the fact that China’s civil society is still in its early stage.⁴⁵⁰

⁴⁴⁸“背景资料：保卫厦门发起者讲述厦门PX事件始末”，accessed on Dec.22,2007
<https://china.huanqiu.com/article/9CaKrnJJCI7>

⁴⁴⁹ Nathan, A.J. (2003), “China’s Changing of the Guard. Authoritarian Resilience”,
Journal of Democracy, Vol. 14, No. 1, January, pp. 6-17.

—Pei, M. (2006), *China’s Trapped Transition: The Limits of Developmental Autocracy*, Cambridge: Harvard University Press.

⁴⁵⁰ *Id*

Advocacy Network Effectiveness: Policy Change, Rights Consciousness, Political Space

Most network actors of community based anti-PX advocacy may not seek systemic change and pose an existential threat to the Party rule due to the lack of Wright (2010) has termed "connective tissue".⁴⁵¹ Anti- PX community-based advocacies arise from the environmental issues, which are characterized as mostly apolitical, and only involve the local level of the city administration. The demand of environmental protection can be used as a politically safe request for citizens to adopt public interest advocacy, in order to achieve their sense of environmental rights to be coupled with other human rights. Local governments then have to deal with the social and economic cost of quelling protests by disaffected residents. To local authorities, maintaining stability, rather than protecting local residents' environmental rights is their most important task. So far without much exception, most local officials have had to bow to public opinions for environmental protection and end the protests by halting the PX projects. The advocacy networks aim to change certain policies and practices of the state and social elites regardless of how contentious a particular advocacy tactic or action might be perceived to be. Munger (2007) has argued that public interest advocacy networks:

“Play a major role in representing otherwise neglected constituencies. They are often able to overcome the free-rider problems inherent in the provision of collective goods by offering selective incentives for individuals to contribute to their organizations, by using informal pressures distributed through decentralized social networks, by attracting generous patrons, and by latching on to new areas of government involvement.”⁴⁵²

A growing social divide, and stalled political reform processes are the primary reasons for the Anti-PX community-based advocacies. Advocates organized the demonstrations of the “Walk Event” which were carried out with the aim of achieving policy change. It aimed to publicly advocate their aspiration for a more just economic order, seeking an alternative approach to transcend the passive reform and tumultuous revolution. Perry’s observation pointed out that:

⁴⁵¹ Wright, Teresa. (2010) *Accepting Authoritarianism: State-Society Relations in China's Reform Era*. (Stanford, CA: Stanford University Press, 2010)

⁴⁵² Munger, Michael (2007), “Public Interest Advocacy,” *International Encyclopedia of the Social Science*, 2nd Edition, P.614

“China’s pervasive moral economy protests, framed in a language of ‘rights,’ have often demanded (sometimes successfully) the removal of unpopular lower-level officials. Rarely, however, have they questioned the ruling authority of either the Communist Party or its ideology.”⁴⁵³

The rhetoric of recent community-based advocacy was framed in a language of a collaborative model, rather than the oppositional model with an effort to gain resonance to Mao’s statement that “It is right to rebel!”⁴⁵⁴ (zaofan youli 造反有理) and “All Power to the Peasants.”⁴⁵⁵ The employment of the embedded advocacy of Xiamen Anti-PX events brought about policy change, but it depended on the willingness or support from the national government to enforce the remedy of the judiciary. Qin Chuan confirmed that “the government support played a vital role in the success of the organization’s law suit.”⁴⁵⁶ According to reports of China Daily, the Supreme People’s Court considered setting up such an environment and resources tribunal. Wang Mingyuan, an environmental law professor at Tsinghua University, said, “The most important tasks for this tribunal should be researching and drafting relevant legal explanations, releasing typical case studies and providing instructions to lower-level tribunals on complicated cases.”⁴⁵⁷ The construction of a green tribunal in the top court would ensure the legality be applied fairly, by providing guidelines to the local tribunals and hearing individual environmental cases. It may also lead to the promotion of the judges’ role over local government in the area of environmental disputes. As a government body, a tribunal specializing in such cases can’t guarantee that cases are resolved fairly.

⁴⁵³ Elizabeth J. Perry, “Chinese Conceptions of “Rights”: From Mencius to Mao – and Now”, *Perspectives on Politics* (2008)

⁴⁵⁴ At the beginning of Cultural Revolution, Mao Zedong deployed the phrase “It is right to rebel” to unleash Red Guards to attack “capitalist roaders.” This classical phrase so metimes was translated as “to rebel is justified”, see MacFarquhar and Schoenhals (March 15, 2008). *Mao’s Last Revolution*, Belknap Press

⁴⁵⁵ See Ching Kwan Lee.(2003). “Pathways of Labour Insurgency.” in Perry and Selden, eds., *Chinese Society: Change, Conflict, and Resistance*; Ouyang Wei.(1991). “Peasants in Yintao Township, Shuyang County, Jiangsu Province Rise Up Against Tax Collections,” in Bai Xing , translated in Foreign Broadcast Information Service (October 28); Shih Men. (1993). “Reference News,” in Zheng Ming (no. 191), translated in Foreign Broadcast Information Service (September 10,1993).

⁴⁵⁶ Qin Chuan, “Government Turns up NGO Volume”, *China Daily*, (Apr. 26,2005)

http://www.chinadaily.com.cn/english/doc/2005-04/26/content_437388.htm (reporting that the ACEF enjoys unprecedented support).

⁴⁵⁷ Wu Wenlong, “Top court considers launch of green tribunal”,2014

http://www.chinadaily.com.cn/china/2014-06/28/content_17621164.htm.

The Xiamen Municipal Government held a press conference to announce the halt of construction for the PX project, and launched a public participation process to open up text messages, telephone calls, faxes, e-mails, letters and other channels to fully solicit public opinions. Also in early April 2014, the state promised that the PX project would not get started until “a consensus among citizens is reached,” although environmental tribunals and environmental rights commissions would help to solve increasingly severe pollution problems by hearing complex environmental disputes and mediating the conflict interests. Environmental dispute cases usually are very difficult in terms of deciding on how to assess damages to those affected. Both the damage of the environmental loss and the caused health problems to local residents might be identified after an extended long period.

The Xiamen municipal government had incorporated the PX project into the environmental impact assessment of the Xiamen City Master Plan and conducted revaluations subsequently. In total 21 experts from the Chinese Academy of Environmental Sciences were commissioned by the Xiamen Municipal Government to undertake this task. The adoption of an environmental evaluation system theoretically through a third party’s evaluation, is to assure an independent conclusion. The report of a third party’s environmental evaluation had opened it to public scrutiny by allowing the opportunity for both the public and experts to participate in the debate on its advantages and disadvantages, including a wide array of possible risks. However, the evaluation system was completely funded and operated an integral part of the relevant government department. Given the inherent interests involved, the public can not be easily persuaded that such an evaluation process is completely independent, fair and objective.

A central problem remains the lack of a comprehensive rule of law and its strong enforcement, coupled with the absence of public oversight and participation in the decision making process. It is not feasible for PX issues to be fully resolved through legal channels under the current legal system. Because the law does not always fully reflect public opinion, the legitimacy of the decision is always open to question by the public. Also, the government puts too

much emphasis on regional and national interests and by doing so ignores people's direct interests. Therefore, absent democratic participation in the decision-making process, the legitimacy and scientific explanation of the final decision is not persuasive to the local people. China's relevant environmental laws are not up to date yet and the local governments often fail to obey the existing rules, which certainly add to the phenomenon of a low public acceptance for such public decisions.

The rising environmental rights consciousness reflected in the PX protests is pushing government and the PX industry to improve the safety and quality of PX production. The Anti-PX advocacies to a certain extent have helped to avoid the issues of overcapacity and oversupplies of PX, curbing the irrational expansion of low end industrial outputs, and pushing for the upgrading of the industry. This public interest advocacy is well received by the general public. It pushes forward democratization in the process of public policy-making policy making, although, the particular political sensitivity of the issues does add to the advocacy networks' difficulties of successfully achieving their aims. In the series of PX protests, the public interest advocacy action carried out by the actors has functioned as a useful instance of conflict resolution.

In these events the representatives of marginalized groups, individual citizens and civil society networks were acting together to bring attention to the overall needs of assuring environment protection. These events shows that the political spaces for civil society and mass environmental consciousness are visibly on the rise in China, allowing the PX issue to emerge as a subject of remonstrance for “Dao”- a better order to maintain socioeconomic justice. Even as the political system remains authoritarian, the growing use of public interest advocacy helps to ameliorate the many problems stemming from China’s rapid growth. It reflects the current state of Chinese civil society becoming increasingly pluralistic and informed. The series of community-based advocacies deserve to be further examined, in order to demonstrate the influence of public interest advocacy and its capacity to serve as a mechanism to resolve conflict among local governments, market and society. Overall public interest advocacy helps to avoid more extensive

social upheaval, and facilitates the negotiation and mediation between the local government, business groups and the local residents. It creates conditions for the involved parties to make compromises and reach consensus. Public interest advocacy could be deployed as a part of the democratic decision-making mechanism to defend the public interest to the greatest extent.

CHAPTER 7

Conclusion

The risk climate of modernity is thus unsettling for everyone: no one escapes.

- Giddens, Anthony (1991)⁴⁵⁸,

Retrospectives

In this chapter, it envisions four different scenarios of futures of the civil society that thrives in the digital age, and concludes this dissertation with a summary of the key findings from the case studies. It also highlights that public interest advocacy has influenced the development of civil society's engagement in China's public policy decision making to a degree that a state-civil society-market relationship with Chinese characters, albeit nascent, is evident and has been somewhat effective in the transition toward an active society. Although, this relationship is under stress, given that China continues to face obstacles as a result of its stagnant political reform, entrenched culture of corruption and limited respect for the law. In recent years, online public opinion advocated by institutions and netizens has formed networks of rights-seeking groups to influence public policy decisions. CSOs and right-seeking groups have gained the improved advocacy capabilities to assert varieties of public pressure, moderate resistance and social protest in the digital public sphere, especially in the use of the private and social media. Linking network analysis with civil society and social movements, Keck and Sikkink (1998) describe the engagement of transnational advocacy networks in "production, exchange, and strategic use of information".⁴⁵⁹ They depict a historical network campaign against foot-binding in China, which was led by both western missionaries and Chinese reformers. This mode of advocacy network campaign used to adopting the media-campaign advocacy strategy in order to reframe debates, introduce new ideas and norms, contribute recognition on identities, and enhance political resources available to social actors. It cast a vivid contrast with the state and other actors'

⁴⁵⁸ Giddens, Anthony (1991), *Modernity and self-identity. Self and society in the late modern age.* Cambridge (Polity Press)

⁴⁵⁹ Keck M and Sikkink K (1998) *Activists beyond Borders.* Ithaca, NY: Cornell University Press.

information-suppressing habits. Rucker (2008) depicted China as “a country that bans independent non-governmental organizations and has no organized philanthropy.”⁴⁶⁰

Looking closely at the basic fact, the government has promoted the development of the non-state sector, in recognition that its top task has gradually evolved from the ‘get-rich-quick’ ethos and priority of GDP growth, to revisiting concerns with social and political reforms. With the facilitation of the digital public sphere, the advocates brought the politics of human agency back to the centerpiece that the change of identity, agency and power can only be attributed to the outcome of interactions and negotiations within a network of actors with an “active political orientation” (Ougaard and Higgott 2002:147). Kaldor (2003) agrees the development of civil society is a “political project”⁴⁶¹(Kaldor 2003, p.11), that the liberals assuming civil society that should be right-based, and which upholds individual freedom as ultimate value. Although alternative values such as fulfillment may stand in place of individual autonomy, this might be looked upon as a “post-modern argument,” because “communitarian traditional associations...can be very oppressive” (Kaldor, 2003, p.10). This dissertation has contested such an inquiry, arguing that the form of Chinese civil society or public sphere that would diverge from the Western prototype.

Madsen (2002) holding the family as a point of departure creates an alternative model for primary association. These observations resonate with the work of scholars such as Tilly and Tarrow (2006), who have already admitted that “we have neglected Asia” (Tilly and Tarrow, 2006 p.173). Looking closely at Confucian-influenced settings, the practices of laws and regulations not only has its indigenous roots in shaping civil society over the 5,000 years of China's history, its cultural and structural specifics vary accordingly. Weller's (2008, 1999) research on China's communal, kinship and religious also describes an “apolitical society” of “alternate civilities” which have contributed to civil society (Weller 2008, p.27; 1999, p.2-5). Chinese citizen participations have been able to play a complex role through the varied

⁴⁶⁰ Rucker P (2008) “In US, A Multitude of Forces Drains the Spirit of Giving,” Washington Post, 23 May, A1.

⁴⁶¹ Kaldor M (2003) *Global Civil Society: An Answer to War*. Cambridge: Polity Press.

associations in which they adopt mostly and wish embody the embedded advocacy strategy, of which personal networks remain as a central component. Individuals and groups have “guanxi networks” (关系网) that carry forward the embedded advocacy strategy successfully by being well-connected and able to influence the related officials. Mayfair Yang (1994) for example, quotes a Chinese artist: “Guanxi networks are like casting a fishnet into the sea; when the fish have been caught, the people (holding the net) disperse. When the net is recast, not all the same people are in the new network”. Throughout society one finds an emphasis on the reciprocity of “guanxi networks”, which are “dyadic relationships that are based implicitly on mutual interest and benefit” (Yang, 1994, p.1).⁴⁶²

Lehmann (2011) writes that technology has changed the operating realities of networks as well as state and private actors. The strengthening of civil society and its ability to sustain public advocacy, are also due in part to the role of the internet for expression of public opinion. The ICT technologies help expand the efficiency and effectiveness of public advocacy to increase public participation and influence policy decision-making. An “Inter-network society” originates from the vast increased interaction between social organizations as it operates to effect social change. Recounting the history of the Internet also emphasizes the necessity to examine how society and technology work to shape each other. Currently social media still functions as an effective communications tool for organizing and mobilizing social movements. In this regard, Lehmann (2011) found direct personal networks play an important role, but also admitted that may be changing in an age of Internet-based relationships. The Chinese Communist Party (CCP) with the assistance of leading ICT companies is making headway in searching for new economic engines for GDP growth, in part by pursuing cyber governance and global leadership projection through 5G and other digital technologies. Rawnsley (2008) found there were clear links between the Internet and network formation,⁴⁶³ however, this should not be equated with democratic political

⁴⁶² Mayfair Yang (1994), *Gifts, Favors and Banquets: The Art of Social Relationships in China*. Ithaca: Cornell University Press

⁴⁶³ Rawnsley G (2008) “Media, Internet and governance,” in Zheng Yongnian and Fewsmith J, eds. *China’s Opening Society; The non-state sector and governance*. London: Routledge, 118-35.

potential. The corporatist (Ru and Ortolano 2008; Liu 2012) perspectives and critical works based on Gramscian views (Berman 1997; Riley 2005), empirically point out civil society's historical failings to establish a positive connection with democracy.

Under the model of state-led advocacy with guidance of “Dao” (倡导), the traditional public sphere produces “weak publics” that form opinions and facilitate public interest advocacy for “Dao” (倡道) with consensus about the common good, but cannot participate in decision making. Such interest groups are competing to invest and fragment on public, even under the conditions of liberal democracy that Habermas considers. Ma (2006) also adds the point that an “absence of networks” is held to be a “serious problem” in Chinese civil society, which causes actors to be “loosely arranged and fragmented, with no self-conscious participation in a larger project or sphere” (Howell and Pearce, 2001, p.140).

The nature and the design of civil society networks play a key role in shaping the various advocacy groups to which a government must respond. Such networks are based on interpersonal relationships within and outside government, and self-organizing or coagulating from loose personal networks and rely on high levels of trust among members. Marsh and Rhodes (1992) described “policy networks”⁴⁶⁴ as comprised of individual actors. Schiffer and Waale (2008) view “governance networks”⁴⁶⁵ as multi-stakeholder groups involving actors inside and outside the state. Nooteboom (2006) defines “adaptive networks”⁴⁶⁶ as people from multiple sectors who cooperate to “try to connect thinking and acting in different parts of society”, whose effectiveness depends on the influence of finding solutions to social problems. In contrast with “power

⁴⁶⁴ “policy networks”, distinguishes between networks as interest intermediation and networks as governance, also there are “incomplete networks” and “network underperformance”. See Marsh, D. and Rhodes, R.A.W. (eds.) (1992a) Policy Networks in British Government. Oxford: Clarendon.

⁴⁶⁵ Eva Schiffer and Douglas Waale, (2008) Tracing Power and Influence in Networks: Net-Map as a Tool for Research and Strategic Network Planning, IFPRI Discussion Paper 00772

⁴⁶⁶ Nooteboom S (2006) Adaptive Networks: The Governance for Sustainable Development. PhD thesis, Erasmus Universiteit Rotterdam, Netherlands. Delft: Eburon Academic Publishers.

networks” which are wholly within the state, “adaptive networks” have no formal power or resources subject to the public agenda (Noteboom, 2006, p.21).

Advocacy and adaptive networks share many common features with civil society networks. Advocacy networks depend on individual “policy entrepreneurs” who use resources and take personal risks to seek an idea, and even join with other specialists to form a “policy community” (Najam 1999; Kingdon,2003,p.117-222). Asian single-Party regimes do not protect civil and political rights well, in Potter and Taylor’s (1996) view, so advocacy is easier in democratic settings, such as the existence of a diversity of power centers within and outside the state, accountable governments, and high levels of popular participation. In practice, civil society networks do not imply a requirement for democratic forms of government. A central question is to what extent impinging on the limitation on existing power structures, dominant political forces is willing to develop such a shared structure without perceiving themselves as becoming vulnerable to citizen control through civil society organizations. Based on common models of interest group politics, the only requirement is that there be a complex set of relationships, interactions and interests between the social actors of networks and the state authorities, which in turn tolerate advocacy and information sharing as a means of engaging the state. Accepting the difficulties of achieving and then increasing collective action’s cohesion and sustainability increase, there are certain manifestations of civil society may actually strengthen authoritarian rule. Jiang Ru and Leonard Ortolano’s (2008) analysis of corporatism in China’s nonprofit sector argues that environmental NGOs in China work more to serve the interests of the Party-state rather than the public interest. The environmental GONGOs and activist networks have achieved their political objectives through a “de-politicized politics”, that “has gained an increasing political leverage by avoiding any connotation with being a movement, by all means trying to appear small, low-key and localized, and acting as the state’s partner rather than its adversary”(Ho 2008, p.21). These civil society networks organized to avoid unnecessary confrontation with major political interests of the Party-state.

There still is a significant knowledge gap and lack of research focus on the Internet with connection to the broader theoretical literature of civil society. The network-based theory of civil society seems better able to suit the contexts of China. In that context, civil society forms an inter-network society of collective social interactions separate from the state and the market wherein networks of organizations, informal groups and individual activists assemble and collaborate to promote a public purpose. In pursuit of a shared agenda for social change, civil society networks engage in advocacy with the employment of embedded, media campaign and community strategies which often span traditional social and political boundaries between state and non-state actors. According to Castells (2002a, p.12), “the logic of the network is more powerful than the powers of the network.” There are also oppositional views about the civil society networks. Howell and Pearce (2001) viewed the networks as “loosely arranged and fragmented, with no self-conscious participation in a larger project or sphere.”⁴⁶⁷

The using of insights from network-based theory and Castell’s work (2009) “communication power” is in dialogue with this rich and well-developed literature about the Internet, and is better able to traverse the contexts of China’s authoritarianism. In practice, the Ministry of Civil Affairs (MCA) give its approval that online platforms could be used for charities to fundraise with its own platforms, such as the first batch of internet fundraising platforms, including those of Tencent, Taobao, Xinhua, and Baidu (CDB, April 20, 2017). It seems clear that an independent and autonomous civil society and increasing self-organized “Inter-network Society” is emerging. The “space of flow” as an information network is emerging in a digital public sphere of civil society in China. The language of public spheres is resonant of spatial metaphors for civil society, which Habermas (1991) defines as “a domain of our social life in which such a thing as public opinion can be formed...open in principle to all citizens” (Habermas 1991, p.398). Since the Internet has become the new ‘social space / public sphere’, insurgent political and social movements are able to intervene more decisively in the new communication space. For an

⁴⁶⁷ Howell, Jude and Jenny Pearce, (2001), *Civil Society and Development: A Critical Exploration*, London: Lynne Rienner Publishers.

analysis including these peripheral zones, also supported by Manuel's work of "network society"⁴⁶⁸ and illustrations in preceding chapters, a major hypothesis is put forward as an arena for communication and action that a new form of civil society is emerging characterized as an "Inter-network society" through the development of the interactive, horizontal networks of communication over the Internet and other digital models.

This approach is applied to the online Inter-network society, which has learned to avoid direct confrontation using instead indirect methods of critique. Bandy and Smith (2005, p.3) assume "the transformation from network to movement is not always intended or attained". The Inter-network society's role in mass self-communication to develop a public consciousness is obvious when it inherently conflicts with major interests of the state. But, as a neutral source of power, the network chooses to consolidate or attack democratic ideals that depend on its shared network agenda. Nosco has suggested that this outcome requires a more balanced Confucian perspective, which views civil society that is neither wholly public nor private, "where civil society has often been associated with the public sphere, we are more interested here in the development of a private sphere of the sort that enables individuals to associate in ways potentially destabilizing to the organic society envisioned in Confucian societies" (Nosco 2002, p. 335). Elshain (1993, p.8) agrees that "civil society is a realm that is neither individualist nor collectivist. It partakes of both the 'I' and the 'we'."

Civil society is conceived of as broader than mere associations or a public sphere of discussion wherein:

"The most productive use of the term [civil society] is to describe the social relations and structures that lie between the state and the market. Civil society delineates a sphere that is formally distinct from the body politic and state authority on one hand, and from the immediate pursuit of self-interest and the imperatives of the market on the other." (Ehrenberg 1999, p.235)

The three spheres of market, state, and civil society interact through advocacies to each other and develop relationship (Guanxi, 关系) with less ideal distinctions among each other. The empirical

⁴⁶⁸ Manuel. Castells (2000b). *The rise of the network society (2nd ed.)*. U.S.: Blackwell Publishing.

inseparability of civil society and other spheres of human interaction are also emphasized by Baynes' (2002, p.125) research when he places within a "fourfold classification: family, civil society, economy, and state". The inseparable relationship of human interaction, like public interest advocacy, operates among these spheres as a perspective of "associative democracy," which

"points to the idea of a civil society, as more or less spontaneous source of public opinion, that necessarily maintains a degree of independence from the state, even if it is not completely immune from state action and regulation" (Baynes 2002, p.131).

Because civil society is certainly not static as a set of institutions, it is more about a set of human interactions that is self-organized and driven by shared interests of the participating networks, according to the character of its constituent persons and the political, social, and economic environments with which it interacts. In practice, these loose networks do not always function smoothly. For example, the networks and coalitions in the environmental sector "typically build and dissolve around particular issues, prevailing sentiments and even personalities" (Hirsch and Warren, 1998, p.11).

Baynes (2002) has identified the public sphere as "a domain within civil society,"⁴⁶⁹ and recognizes the important role civil society plays in creating a space for public discussion and advocacies that consolidate democratic values. It generates democratic power within social systems which "enjoy some continuity over time and space presumes regularized relations of autonomy and dependences between actors or collectivities in contexts of social interaction" (Giddens, 1984, p.16). The civil society is proved as "the space of un-coerced human association and also the set of relational networks—formed for the sake of family, faith, interest and ideology—that fill this space" (Michael Walzer, 1998, p.153). In recognition of the civil society as a "space of un-coerced human association", Walzer (1998) views civil society relations as the widest range of human interaction apart from the market and the state, which also can be

⁴⁶⁹Baynes, Kenneth. (2002) "A Critical Theory Perspective on Civil Society and the State." In *Civil Society and Government*, edited by Nancy L. Rosenblum and Robert C. Post, 123–45. Princeton, NJ: Princeton University Press, p.129

prioritized over other relations.⁴⁷⁰ This capability crucially allows the accurate universal conception of civil society as sufficiently flexible to present the sphere of its interaction with the state and market in a non-traditional arena. Such a broad arena could be generalized as an existence of the free, though limited, Inter-network society within a corporatist authoritarian state, an construction that will be disaggregated in this thesis toward the future study of how the force of civil society networks affect politics and the latest development of the network society in the Internet era.

Spartacus in China's Wonderland

The emergence of public interest advocacy empowered by the digital public sphere indicates that “the most important assets at the disposal of advocacy networks are information and communication” (Blasiger, 2007, p.12). Furthermore, as advocates share information in public sphere that has important effects on state and societal responses. Information dissemination is a critical component of media campaign advocacy. The achievement of advanced ICTs enables the digital public sphere to facilitate public interest advocacy. Social mass media such as the micro-blogs that are breaking through various forms of censorship, increasingly enable the counter power of advocates and networks who not only check the implementation of policies but also challenge the arbitration of Party-state power.

Currently, the Internet provides a social space for public communication and socializing adding the virtual digital public sphere as a new part of the existing public sphere. The digital public sphere is empowered by both the social function of integrating communities and the political function of forming public opinions. Examples of this dimension are Herold and Marolt's works on the online carnival,⁴⁷¹ Liu's publication on the Internet experience among

⁴⁷⁰ Other than the civil society relations, some relation are either coerced, or are formed for the purposes of the market or the state. See Walzer, Michael (1998) “The Idea of Civil Society”, *Dissent*, Spring, 1991 P.291

⁴⁷¹ Herold, Davis Kurt and Marlot, Peter (2011). *Online Society in China: Creating, Celebrating, and Instrumentalising the Online Carnival*. London: Routledge.

urban youth who are eager for self-expression and individuality “letting out bad moods and experimenting with identity”,⁴⁷² Qiu and Chan’s research on new media events,⁴⁷³ Voci’s study of online “smaller-screen realities” that effectively challenge “cultural hierarchies, social classifications and political polarizations”,⁴⁷⁴ and Shen and Breslin’s analysis on cyber-nationalists,⁴⁷⁵ all present prism-alike images of Chinese Internet culture.

The biggest uncontrollable risks faced by Chinese society today are mostly caused by the insufficient political reform to push forward the social development and upgrade the political modality. Facing the problems of corruption, cronyism, nepotism, and the growing moral vacuum in society, the state has offered a populist agenda in its advocacy with Party’s guidance that attempts to create better channels for the articulation of interests with the aim of improving the declining appeal of the dominant socialist ideology and strengthen its governance capacity. Meanwhile, civil society networks and activists advocate for “Dao”, act like a modern “Spartacus”⁴⁷⁶ to generate counter-power checking the Party-state’s unbound power, but have also got stuck in the wonderland of the state-society web. Years after the pro-democracy Umbrella Movement of 2014, a natural extension of protests against Hong Kong’s 2019 Extradition Bill seems to become highly decentralized. It has been described as an upgrade of peaceful tactics of occupation. But where the future of Hong Kong pro-democratic protesters is headed and what it can accomplish is increasingly unclear and is still in question. The series of weekend marches utilize both strategies of community-based advocacy and media campaign advocacy. It spontaneously relies on online social media platforms rather than the elite’s leadership, to stay on message and coordinate activities. The absence of recognized figureheads to issue instructions has had a liberating effect on protests which are impeccably organized to turn a million people into political dissidents. Under the new norm of the digital age, the online

⁴⁷² Liu, Fengshu. (2011) *Urban Youth in China: Modernity, the Internet and the Self*. London: Routledge.

⁴⁷³ Qiu, Linchuan and Joseph Chan (2011) *Xin meiti shijian yanjiu (Studies of New Media Events)*. Beijing: Renmin University Press.

⁴⁷⁴ Voci, Paola, (2010) *China on Video: Smaller-Screen Realities*. London: Routledge.

⁴⁷⁵ Shen, Simon and Shaun Breslin .(2010) *Online Chinese Nationalism and China’s Bilateral Relations*. Lanham: Lexington

⁴⁷⁶ Barry.Strauss (2009) “The Spartacus War”, Simon & Schuster

advocacy leaders might not be as prominent as in the past. This phenomenon still fits Eric Hobsbawm's conclusion (1949) that "the world at the end of the Short Twentieth Century [1914-1991] is in a state of social breakdown rather than revolutionary crisis . . ." ⁴⁷⁷ (Hobsbawm, 1949, p.459)

It serves to keep in mind that, many conventional theories of "state versus civil society" still envisage the development of a civil society as pursuing an inherently progressive mission of democratization. In this vision the protesters are akin to a "Spartacus" kind of fighters who come out to express their ideas, use encrypted messaging with various posts on numerous local online forums to demand that the crowd act on them swiftly. During China's pivotal 18th National Party Congress, the phrase "This is Sparta", with numerous talks and images of Sparta from Hollywood movies, were all over China's Internet. It took a while for web censors to realize that creative netizen were using "Si Ba Da"(斯巴达), the Chinese translation of "Sparta" as "Shi Ba Da" (十八大) the acronym term for the 18th Congress due to the similarity in pronunciation. This joke became code for "Spartacus" for angry wangmins (网民, Netizens) who tried to avoid the internet intervention of speech freedom from the online censors in aims to circumvent the great firewall.

Millions of people discussed rampantly about the CCP's leadership transitions online in such an indirect way, evading the restrictions along with their own political points. The code and jokes helped build a digital culture and unique identity for this Internet-using population. Their opinions have been amplified by social networks, and they have acquired an increased influence in China's decision-making process. As a result, wangmins are an engaged cohort that has embraced a freedom of speech on the Internet that has featured numerous mentions and images of the Hollywood movie in sharp contrast to the restricted political discourse in China's mainstream media.

⁴⁷⁷Hobsbawm, Eric (1949) *The Age of Extremes. A History of the World, 1914-1991* , New York: Pantheon, p. 459.

In China, there is an increasing number of netizens who are very active on some websites with extremely polarized opinions, such as the “Wu You zhi Xiang” (乌有之乡 Utopian) website. This dangerous trend was already obvious in the 2012 anti-Japan demonstrations. The netizens used QQs, Renrens, and Weibos (China’s most popular social networks) to mobilize tens of thousands of people to take to the streets during waves of anti-Japan protests in more than 80 major cities. Most protests were led by neo-Maoists and leftists who gained support from the masses as a result of existing fragile social values and the growing factions in China. The nationalists are trying to increase their influence by spreading a "victim narrative" to manipulate public ideas and press the government to take an assertive position in territorial disputes. This dangerous trend was very visible in the recent anti-Japan demonstrations.

In recent years, especially since the intensification of the Diaoyu Islands dispute, the on line debate and discussion of the “Glorious Era” of Mao Zedong were stirred to a climax by neo-Maoist Wangmins.⁴⁷⁸ They try to rewrite history by asserting that if Mao were still alive, the Japanese would not dare to be so assertive. Angry protesters were mobilized to attack restaurants and cars with Japanese logos, episodes that even escalated into violence. Hindman (2008) reminds us that highly politicized and critical speech does not always promote “greater openness, tolerance and civic-mindedness”, and “liberalization and greater expression.”⁴⁷⁹ And Morozov (2011) has further pointed out that it does not necessarily lead to “greater political participation and democratization.”⁴⁸⁰ Many Chinese Wangmins tolerate political violence which was employed by neo-Maoists. One radical nationalist, Professor Han Deqiang, accused an 80-year-old anti-Maoist protester of being a traitor and slapped him twice, even though the old man was an anti-Japanese protester. Supporters of Han believe that such attacks are a patriotic duty. The blogger Zhang Hongliang called on readers to “Support Han Deqiang’s righteous action in cracking down on the traitor without hesitation. Every country has the right to defend its religion. The American film that

⁴⁷⁸ Deng’s portraits or the slogan “Xiaoping ni hao,” the most popular sign since the open-door economic reforms, are rarely spotted nowadays. Protesters with Chairman Mao’s portraits stood out in large-scale anti-Japanese protests.

⁴⁷⁹ Hindman, Matthew. (2008), *The Myth of Digital Democracy*. Princeton, N.J. Princeton, University Press. p.1-19

⁴⁸⁰ Morozov, Evgeny. (2011) *The Net Delusion: The Dark Side of Internet Freedom*. New York: Public Affairs. P. xvii

insulted Islamic belief resulted in waves of anti-US protests. Why can't we have the freedom to believe in Chairman Mao? How can we allow the law to give liberty to those people who insult Chairman Mao?" The neo-Maoists and left-wing extremists insist that their behavior of bullying and violence is justified by patriotism. In the online medium, these uncontrollable nationalist netizens demand an even stronger government reaction. For example, hard-line nationalists on QQs and Weibos demand: "Let's fight! We don't have to be so rational in dealing with Japan. We should learn from the US. Beat them up until they surrender. We are now a strong country, we don't need to sit back. If we can't solve the problem through negotiation, start the war. Sometimes war is the best way to maintain peace."⁴⁸¹ The new medium becomes virtual space for citizens to publicly criticizing government's performance and "providing input for government decision making" on a scale that was unprecedented (Yang, 2009, p.170).

Leibold (2011) has emphasized that the inherent political and potentially subversive nature in various forms of the Internet speech shall not be "completely dismissed", particular "in a society where both the education system and the mainstream media remain highly controlled."⁴⁸² The Neo-Maoists advocate for others to prove their dedication to the motherland and prompt the passionate Wangmins⁴⁸³ to embrace Maoism. After the observation about Weibo's virtual public sphere, Zhao (2012) concluded that some netizens were acting like the Red Guards in the Chinese Cultural Revolution.⁴⁸⁴ This nationalistic hysteria and its accompanying violence could be the leading edge of a new Boxer Rebellion or the next generation of Red Guards. Castells (1999) concludes that: "A society made up of the juxtaposition of flows and tribes ceases to be a society. The structural logic of the information age bears the seeds of a new, fundamental

⁴⁸¹ "律师欲发动民众签名抗议日接管钓鱼岛" (Lawyers proposed to mobilize the mass to sign and protest against Japan's control of Diaoyu Island)

<https://news.boxun.com/news/gb/china/2005/02/200502221104.shtml>, accessed on 2/18/2019

⁴⁸² James.Leibold, (2011) "Blogging Alone: China, the Internet, and the Democratic Illusion?" The Journal of Asian Studies Vol. 70, No. 4 p.

⁴⁸³ Especially the younger generation who have no knowledge of the horrors of the Cultural Revolution.

⁴⁸⁴ See the translation of the speech delivered by Chicago University Sociology Professor Zhao Dingxin, (2012) entitled "Weibo, Political Space and China Development" at East China Normal University. Access on May 4th,2015 <http://globalvoicesonline.org/2012/05/10/china-political-space-of-the-weibo-blogging-platform/>

barbarianism”⁴⁸⁵(Castells 1999, P.60). Neo-Maoists encourage netizens to consider themselves the heroic “Spartacuses”, fighting and sacrificing for the country. It has implications for social mobility, Deane Neubauer, Ka Mok and Sachi Edwards (2019) have analyzed the extent to which resurgent nationalisms affect the growth and direction of massification and its sustainability within higher education.⁴⁸⁶ The education’s essential role is to help an educated citizenry in exploring a rational and civil dialogue, understanding issues and engaging in constructively about conflict resolutions, democratic principles and values.

The worst scenario could occur if the marginalized “Spartacus” people acting as if they are genuine “patriotic thugs,” mobilize netizens to cheer for war. After observing the havoc of “digital Maoism”, Jaron Lanier (2006) warns that in the propensity for online collectivism “history has shown us again and again that a hive mind is a cruel idiot when it runs on autopilot.”⁴⁸⁷ It might lead to create alternatives to challenge mainstream opinion, and fragment society further. Leibold (2011) suggests that: “Given the numerous divisions that already permeate Chinese society, these cyber-ghettos have the potential to undermine social stability and national integration in the PRC, and thus need to be considered alongside more progressive forms of digital activism.”⁴⁸⁸ It reveals that the underlying threat of netizens could be easily manipulated by the coercive advocacy in the name of public interest.⁴⁸⁹ The big leap of science and technology in the internet has created a mass of people in the digital world, who are eager about liberal democracy.

⁴⁸⁵ Castells, Manuel.(1999). “Flows, Networks, and Identities.” In *Critical Education in the New Information Age*, edited by Manuel Castells, Ramón Flecha, Paulo Freire, Henry Giroux, Donaldo Macedo, and Paul Willis, p.37–64. Lanham: Rowman & Littlefield Publishers.

⁴⁸⁶ Neubauer Deane, Mok Ka and Sachi Edwards (2019), *Contesting Globalization and Internationalization of Higher Education, Discourse and Responses in the Asia Pacific Region*, by series International and Development Education. Springer International Publishing

⁴⁸⁷ Lanier, Jaron. (2006).“Digital Maoism: The Hazards of the New Online Collectivism.”

<http://edge.org/conversation/digital-maoism-the-hazards-of-the-new-online-collectivism>; accessed on May 18th, 2015

⁴⁸⁸Leibold, James (2011)“Blogging Alone: China, the Internet, and the Democratic Illusion?” *The Journal of Asian Studies* Vol. 70, No. 4

⁴⁸⁹ Most of the netizens themselves who may lack of awareness about the online communication itself actually could be highly manipulated. The masses who is accustomed to taking direct action, even seek violence without rational thinking.

Particularly, the advancement of ICT allows them influence the general public. Today's revolts of the masses especially those of the netizens, in the eyes of Ortega, seem as a "vertical invasion of the barbarians" (Gasset 1932, p.57). He defends the elite politics from the perspectives that democracy of the masses has become a tyranny of the majority over minorities with the rights of minorities at stake.⁴⁹⁰ The advocates tapped into a variety of online resources, including sources of funding, well experienced personnel and ICTs which all could easily function to amplify their opinions and arouse attention in society. Netizen have been employed to express the interest group's voice and leading the public opinion. Netizens loathe political interest groups but lack the opportunity to make change. As one blogger argued "I won't say yes (to the war), but second generations of rich people and officials should stand in the front line (if war is unavoidable), followed by the corrupt officials, civil servants, etc. Common people should stay behind and those unemployed, displaced, retired, rural migrant workers should be the last. If the richest lost their lives during the war, their wealth should be distributed to the poor. Then the war can solve most of the internal conflicts within China."⁴⁹¹ Such views partly explain the positive reception they give to the neo-Maoist call to extinguish certain classes and why it is accepted as a remedy for contemporary Chinese society.

Concerned by this populist tendency, netizens have been tagged by the Beijing government as "radicals" in pursuit of freedom, justice, and democracy. But it still is not clear if the government seeks to reduce verbal violence or to silence those protesting social injustice and corruption. The government's determination to apply real-name Internet registration may protect the status quo, but it has triggered the fierce objections that advocate for free expression online. The push for

⁴⁹⁰ See Ortega. But it is still not the picture in China yet. Though, there are increasing number of netizens, actually, Weibo is still very far away from the daily life of majority people in China, their voices hardly could be heard by the institutions and government. Such as the large population of migrant workers, who could not read a simple manual, could not read the road sign, utter the name of the workshop directly, do not know any of the letters of the alphabet on the machine they operated. Most of them were limited by the low income, the shortage of culture understanding and lack of language study. They have the limited channels to express their opinions in public. Obviously, the migrant worker groups have relatively quite low income and receive less education. These cost the opportunity to expand their collective voice. The unawareness about the social space provided on line as virtual public sphere, in the contrast, the people who have the accesses to the internet and well-trained online skills for communication also have sufficient time and money to spend.

⁴⁹¹ This blog on Sina Weibo, lately was deleted by the censorship

real-name Internet registration not only shows the government's intent to tighten its control over the Internet, it also reflects Beijing's fear that netizens could lead to a revolution in China. This is the subtext of Vice Premier Wang Qishan's recommendation to officials to read de Tocqueville's *The Old Regime and the French Revolution*, which warns about the social disorder that revolutions can create.⁴⁹² China's netizens were acting as the Eastern “Spartacus”, who had petitioned to the “We People” web site of the White House.⁴⁹³

The government is fully aware of the impact of online public opinion. So the popular bulletin board “Qiangguo luntan” (强国论坛, Strengthening the Nation Forum) is the first forum on politics built by the state’s mouthpiece, the People’s Daily. It becomes Chinese most known forum, because the officials also interacted with netizens through “Qiangguo luntan”. Hu Jintao expressed his endorsement that

"Although I am too busy to browse the Internet every day, I try to spend some time on the web. I would particularly like to say that Qiangguo Forum of People.cn is one of the websites I choose to visit."⁴⁹⁴

This shows government’s changing attitude of exhibiting more flexibility with respect to some politically sensitive issues. For instance, one can compare this approach with the newspaper and other traditional media and their extensive coverage and analysis of sensitive issues such as demonstrations against Hong Kong Basic Law Article 23 that was reported within the forum. Also when former Chinese CCP leader Zhao Ziyang who has been purged since he sided with the student movement passed away after years of house detainment, the forum was flooded with messages expressing condolence on that day, January 17, 2005. The censorship was not imposed on such a highly sensitive political topic, which in one way indicates the high consistency with Eric Harwit and Duncan Clark’s instructive conclusion (2001) on political control of the Internet

⁴⁹² Ironically, the real source of concern is the social demand for political reform from Maoists on the left, rather than democrats on the right.

⁴⁹³ It is much more like an extension of domestic civil society. See “Chinese netizens are taking over the White House...petition site: 'Hello! Comrade Obama'”, accessed on 05/13/15, <http://offbeatchina.com/chinese-netizens-are-taking-over-the-whitle-housepetition-site-hello-comrade-obama>

⁴⁹⁴ See the introduction about People.cn, “a large-scale information interaction platform constructed” by People’s Daily which is founded on Jan. 1, 1997 <http://en.people.cn/102840/7560415.html>

in China.⁴⁹⁵ Both government and the masses are well aware of the impact of online public opinion. The cultural/informational repository of both ideas and projects of advocacy for “Dao” (道/导) feed public debate, and allows . It becomes ideology struggle over self-configuring networks on power of forming public opinion: which can be “programmed and reprogrammed” (Castrells, 2009, p.20).

The 2019 community-based advocacy in Hong Kong presents leaderless, anarchic, and also chaotic. The nonviolent tactics of the Extradition protestors’ advocacy, such as “do not split” (不割席) and “peaceful, rational and nonviolent,”⁴⁹⁶ were acting as a bridge between the peaceful and the more radical protesters before the most recent violent escalation. This initial code of conduct allowed participants behave with mutual respect and restraint to self-regulate. When the advocacy stopped constantly reinvents itself rationally and tactically, its divisions over what it would be the best advocacy strategy and shared goals, revealed the lack of a consistent position from which to negotiate with the state. The outright violence of smashing the glass doors of Legco, and spraying paint on walls are a sign of increased radicalization. A 20-year-old protester, Kris Yeh said: “we need to let out our long-repressed emotions and to let the rest of the world know about this news”.⁴⁹⁷ In a certain way, the chaotic phenomena echo the historian Strauss’ (2009) critique in his book “The Spartacus War”:

"We do not know if Spartacus wanted to abolish slavery, but if so, he aimed low. He and his men freed only gladiators, farmers, and shepherds. They avoided urban slaves, a softer and more elite group than rural workers. They rallied slaves to the cry not only of freedom but also to the themes of nationalism, religion, revenge, and riches. Another paradox: they might have been liberators but the rebels brought ruin. They devastated southern Italy in search of food and trouble." (p. 7)

⁴⁹⁵ Eric Harwit and Duncan Clark, (2001), ‘Shaping the Internet in China: evolution of political control over network infrastructure and content’, *Asian Survey* XLI (3), p. 408.

⁴⁹⁶ The principle insists that no condemn or obstruct the actions of fellow protesters they disagree with. See “Hong Kong’s Protesters Are Resisting China with Anarchy and Principle”, by The New York Times

⁴⁹⁷ See the young protester’s quote from “Hong Kong Protesters Storm Legislature, Dividing the Movement”, by New York Times, accessed on 08/01/19, <https://cn.nytimes.com/china/20190702/china-hong-kong-protest/dual/>

It is also necessary to study the lessons of the Tiananmen tragedy. Larry Diamond reminds this that “Zhao Ziyang going to the square and pleading with the students to leave, as they had basically made their point to change China, they had won an important moral victory, and he warned there was a great tragedy coming if they didn’t leave.”⁴⁹⁸ In 2019, five years after the Umbrella Movement in Hong Kong, the public interest advocacy for freedom, justice and democracy is well conveyed through the media campaign and community- based advocacy at an initial stage, as the leaderless and decentralized demonstrations are useful in generating citizens’ passionate involvement. The 25-year-old founding chairman of Demosisto and former legislator Nathan Law, has claimed that the protests are autonomous and leaderless and that “people are receiving information through social platforms, telegram channels, online forums, and they decide by themselves [what to do], people are voting on the internet.”⁴⁹⁹ But it is questionable whether change without leadership, organization and strategy will be successful in achieving the goals of public interest advocacy. The CEO of (CIVICUS)⁵⁰⁰ as one of practitioners, start to que that “(n)ew social movements may undermine the need for and importance of organized civil society. As people connect and mobilize spontaneously, key actors (citizens, policy-makers, business) may question why we need institutionalized NGOs” (WEF, 2013, p. 17)

Meanwhile, the Chinese legal system is nontransparent, which caused the lack of confidence toward the state in the broader context of increasingly authoritarian practices. In addition, during the anti-extradition bill protests, sophisticated malware and spyware cyber attacks were directed toward the encrypted messaging service Telegram, which has been widely used to maintain private communications.⁵⁰¹ The problem in addressing the contentions over the value of public

⁴⁹⁸ See “Hong Kong Protest Tactics: The Risks of Radicalism”, by New York Times, accessed on 07/28/19, <https://cn.nytimes.com/china/20190724/hongkong-larry-diamond/dual/>

⁴⁹⁹ Law insisted Demosisto is one of the participant groups, and the protests are leaderless, autonomous. See “A new kind of Hong Kong activism emerges as protesters mobilize without any leaders”, by Los Angeles Times, accessed on 06/14/19, <https://www.latimes.com/world/asia/la-fg-hong-kong-youth-activism-decentralized-protests-20190614-story.html>

⁵⁰⁰ a global alliance of civil society organisations and activists dedicated to strengthening citizen action and civil society

⁵⁰¹ Base the on IP address geo-location, Pavel Durov, Telegram founder, concluded that the source of the network attacks were the result of large-scale attacks that originated from a state actor in China. Mozur, Paul; Stevenson, Alexandra. "Chinese Cyberattack Hits Telegram, App Used by Hong Kong Protesters". *The New York Times*. Retrieved 26/07/2019.

interest advocacy is a lack of knowledge of attitudes in China. Even under the circumstances of controlled censorship, the increasing series of protests through the digital public sphere signify the possible creation of a future equilibrium for a state-society relationship. Baum (2008) revealed that official control over advocacy messages was virtually impossible in the case of the SARS epidemic: “the Great Firewall has numerous leaks, and many netizens have become adept at navigating around it” ((Baum, 2008 p.173).

Protests and acts of resistance happen frequently in today’s China even under a condition of strict state control. Most of them advocate reforms for socioeconomic justice. Public advocacy in the digital public sphere is intended to channel the needs and demands between society and the state. The literature review and case studies indicate that the Internet has facilitated civil society groups and organizations’ public interest advocacy, and empowered them to further advocate for power and participation in the public policy decision making process. Generally speaking, the growing number of Internet users, diverse forms of online ICT applications, and increasing levels of interactivity confirms the positive utilization of the Internet. It has opened up new channels for public interest advocacy, particularly through social media, the cell phone, Micro-blog, QQ and we-chat as new platforms to facilitate the dissemination of citizen’s awareness about rights and responsibility by many for many. Online activism as the new driving force behind the development of civil society, is still contested as a double-edged weapon which deployed differently by different social actors. Online activism in China represents a new form of challenge and force that brings both a negative and positive influence on the state’s censorship policy to open information channels. Arendt (1958) reminds that “wherever people gather, it is potentially there, but only potentially, not necessarily and not forever.”⁵⁰² Meanwhile, the state’s changing role and attitude also play an important role in such a networked society; its quick adaptation to the changing Internet ecology and adoption of the Internet ICT tools, such as creating the “Qianguo forum” and opening an official micro-blog, which helps the state maintain control of society to its own advantage.

⁵⁰² Hannah Arendt, (1958) *The Human Condition*. Chicago/London, University of Chicago Press, p199

The Possible Futures of Civil Society in China

In the present situation, public advocacy is a way for Chinese citizens to voice various concerns and call for the implementation of reforms which address the current social crises. The rise of public interest advocacy via the Internet weighs in China's policy decision-making. Not only the strengthening of the autonomy of civil society, but also the state's support and guidance to public advocacy can improve society's ability to deal with social conflicts. Hu (2013), a scholar of Tsinghua University insists that the emergence of Chinese people's society (人民社会, ren min she hui)⁵⁰³ led by the Communist Party is inherently superior to the Western model of civil societies. The politically-motivated criticism of Western ideas and values has made it difficult to apply the term civil society (公民社会, gong min she hui), which concept has become known in China since 2011. What are the future prospects of China's civil society? At its core, this research is concerned with the role and participation of the Chinese citizenry in determining the fate of its own country. To be, or not to, that's maybe still a question for China's future civil society and the role of CSOs, perhaps as a new model of civil society with its tradition and culture may come into being in the future.

Experts and common citizens actively debate the future direction of a full spectrum of policy issues: governance, models of economic growth, state-citizen relations, Party-state relations, and the balance of government-dominated and market-based solutions for the delivery of public goods. Attention is directed to different perspectives on civil society and simultaneously examines the potential for change in strategic resource management, appropriate governance and democracy. To unleash the power of a long underestimated civil society will potentially contribute to the accountability of the state's governance. Facing dynamic forces, the opportunities and challenges for drawing the picture of future CSOs in China seem extremely complex and uncertain. Dator's work (2002, 2009) identifies four different future scenarios for forecasting, including "genius

⁵⁰³ Hu, A. (2013). "Renmin Shehui Weihe Youyu Gongmin Shehui?" (Why People's Society Is Superior to Civil Society). Renmin Ribao,

forecasting”, which follows the sequence described in the works of, with inevitable co-currents that will come into being at play.⁵⁰⁴ This line of inquiry encourages us to ask: Will civil society develop into a society with specific Chinese characteristics and bright futures such as a robust “Harmonious Civil Society” or a creative concept of “Brand New Civil Society” or a collapsed “Chaotic Civil Society” or a conservative “Interlocked Civil Society”? Answers to these queries rely on the people, power, structures, the links between micro action and macro change to address fundamental questions. The forecasts of future development of China’s long underestimated civil society try to explore what different futures the undergoing development of civil society might emerge in China.

Chaotic Civil Society

“What we are calling flesh, this interiorly worked-over mass, has no name in any philosophy... We must not think the flesh starting from substances, from body and spirit – for then it would be the union of contradictories – but we must think it, as we said, as an element, as the concrete emblem of a general manner of being.”⁵⁰⁵

-Maurice Merleau-Ponty, *The Visible and the Invisible*.

In one picture of the future, the failure of the proletariat to produce the "true, homogenous and final society",⁵⁰⁶ the Party remains a “democratic dictatorship of the people”.⁵⁰⁷ The fundamental point of the CCP's doctrine is the claim that China is in a transitioning phase to socialism. The Party-state dominates in the political transition along with the growing private sphere. Meanwhile, the urgent demands of the reform for political and social changes push Chinese society into the enthusiastic participation of public advocacy. It has brought the power of civil society to an unprecedented level of climax. In another context, Henningsen (1992) has

⁵⁰⁴ Dator, Jim. (2002) *Advancing Futures: Futures Studies in Higher Education*. London 2009. "Alternative futures at the Manoa School." *Journal of Futures Studies*, 14:1-18.

-- 2009. "Futures and Trial Courts," *Widener Journal of Law*, 18:517- 528

⁵⁰⁵ Merleau-Ponty, Maurice (1968), *The Visible and the Invisible*, Evanston: Northwestern University Press, p. 147.

⁵⁰⁶ Cooper, Barry (1979) *Merleau-Ponty and Marxism: From Terror to Reform*, Toronto: University of Toronto Press p.132.

⁵⁰⁷ Mao Zhedong preached "Ours is a people's democratic dictatorship led by allies, based on the alliance of workers and peasants". Therefore, it is the “dictatorship of the people”.

suggested that “the more violence the state used to suppress the non-recognized social reality of dissent the more authentic and powerful this social force became.”⁵⁰⁸ Yet there is a long way to go before the emergence of a mature civil society in China.

Considering the relationship between state and society, the balance of power is at a tipping point. China still seems to be a state without an active civil society. It is easily imposed a traditional dichotomy between Hegelian’s state and civil society, and concluded Chinese government’s “intense control over and arbitrary interference in society, and its superior standing high above the masses.”⁵⁰⁹ All levels of Chinese government agencies substantially have increased the cooperation and funding opportunities with NGOs. Meanwhile, they also put stronger controls on the advocacy-oriented organizations, particularly those relying on international funding support with a rights-based approach. Obviously, this Chinese state-led mode of civil society aims to command and control the growth and function of NGOs. Sidel (2018) tries to clarify that Chinese government would prefer to “mould” for civil society governance rather than “closing space across the board.” But in practice, the state-regulated model not only limits the amount of involved participants, it also influences the effects of public communication. It is a paradox of the Party-state that the great leap in economic development may have the consequence of creating the conditions for China to embrace an open society.

Excluding the belief of politics as warfare, Chinese Leninists still adhere to Lenin’s 1902 pamphlet, warning that the masses cannot control the spontaneous impulses that may result “in the ideological enslavement of the workers by the bourgeoisie” as important guidance, the Communist Party must “struggle against the spontaneity.”⁵¹⁰ The Communist Party accredits the

⁵⁰⁸ Manfred Henningsen (1992) *Democracy or The Promise of ‘Civil Society’*, edited by Mika Mannerman, Working papers from “Linking Present Decisions to Long-Range Visions”, Budapest, Hungary, 27-31 May, 1990. The XI World Conference of the World Futures Studies Federation (WFSF). P.

⁵⁰⁹ Yinhong Shi, “*The Issue of Civil Society in China & its Complexity*”, Growth & governance. Asia Pacific Center for Security Study, Chapter 18,

⁵¹⁰ Lennin, V.I. (1902) *What is to be Done* in Lennin, *Selected Works*, Vol 2, P.62

See Wittfogel, Karl (1961) “The Operation Ideas of Communist Doctrine” ed. in “Problems of Communism”, United States Information Agency, Document Studies Section, International Information Center, P.36

success to its leadership and strategy of “proceeding from point to surface” as a national policy of the economic reform stemming from the model experiment of the Xiaogang village, which goes back to Mao’s experimental approach, Roderick MacFarquhar (2008) called it “guerrilla-style policy-making.”⁵¹¹ Heilmann (2008) also commented that “the party always reserved, and regularly exercised, the power to annul local experiments or to make them into national model.”⁵¹² The Party employs such a well achieved “guerrilla-style policy-making”⁵¹³ that is a process of “continual improvisation and adjustment,” to accept “pervasive uncertainty” and “would surely have undone less robust or flexible regimes”⁵¹⁴ (Heilman and Perry, 2011, p.2, P.22).

In this overall regards one needs to take into account the state’s heavy control over the media, online speech, religious groups and civil society associations, which has been tightened particularly through censorship, stricter registration regulations and changing of donor policies. Mirsky (2012) postulated that the stability is exactly the Chinese communist regime’s “invariably claim to be preserving no matter what changes they make.”⁵¹⁵ Perry and Heilmann (2012) pointed out that “Mao and his colleagues had come to appreciate the advantages of agility over stability”, in which their attitude changes swiftly from "cover it up," to “actively respond” (P.269).

Still many of the measures that have been adopted by the Party state to protect the status quo, and which have restricted the development of civil society, may further strengthen the enormous

⁵¹¹ This term was initially used by Roderick MacFarquhar in his comments on post-Mao policy experimentation during the July 2008 Harvard conference. Was later taken up by Elizabeth J. Perry and Sebastian Heilmann (2011) *In Mao's Invisible Hand: The Political Foundations of Adaptive Governance in China*, eds. p.1-29. Cambridge, MA: Harvard University Press

⁵¹² Heilmann, Sebastian (2008), “From Local experiments to National Policy: The Origin of China’s Distinctive Policy Process” , *The China Journal*, No.59, p.1-30

⁵¹³ “guerrilla style policy-making” by Roderik MacFarquhar in 2008, Cites in Perry, Elizabeth J., and Sebastian Heilmann, (2011), “Embracing Uncertainty: Guerrilla Policy Style and Adaptive Governance in China”. *In Mao's Invisible Hand: The Political Foundations of Adaptive Governance in China*, eds. Elizabeth J. Perry and Sebastian Heilmann: p.1-29. Cambridge, MA: Harvard University Press

⁵¹⁴ Perry, Elizabeth J., and Heilmann, S. (2011), “Embracing Uncertainty: Guerrilla Policy Style and Adaptive Governance in China”. *In Mao's Invisible Hand: The Political Foundations of Adaptive Governance in China*, eds. Elizabeth J. Perry and Sebastian Heilmann: p.2,p.22. Cambridge, MA: Harvard University Press

⁵¹⁵ Mirsky, Jonathan (2012), “China: Politcs as Warfare”, accessed on June.12th,2012
<http://www.chinafile.com/library/nyrb-china-archive/china-politics-warfare>

tension between society and the state. Journalist Michael Anti (Jing Zhao)⁵¹⁶ confirms this point of view that nowadays the status quo in China is a SICK BRICK country, one of emerging economies which is also one of four countries (including Syria, Iran and North Korea) without access to the Facebook. King-wa Fu (2018) analyzes the “control 3.0 policies”⁵¹⁷ and confirms that a comprehensive set of censorship and control activities could remove a high level of sensitive social movement issues, such as the Me-too campaign and content produced by feminist networks from social media platforms on WeiBo and WeChat. The Party still adopts a guerrilla style policy-making approach to minimize or eliminate the influence of opponents. Meanwhile, online government regulations and censorship have met active resistance to its strict control over the dissemination of information. Nevertheless, the Chinese Internet could be called “one of the most vibrant economic and social cyberspaces in the world” (Yeo & Li 2012, p. 7).

The Party’s propaganda occupies the sphere of the Internet with the endorsement of ICT supported authoritarianism, aiming to control and unify people’s thoughts and actions. Artificial Intelligence (AI) is becoming a new weapon to the Party’s authoritarianism with the undreamed of possibility for mind-control, which has caused growing public dissatisfaction and siphoned off public resources simultaneously. It has also widened the disparity of income and increased the severity of corruption, eventually all of these adding to the large gap between the poor and the rich, and devastating the prestige and credibility of authorities. The great utopia of the “China Dream” brainwashes young people to join the CCP out of personal motives. It has resulted in a vicious cycle of systemic corruption and manipulation of power. In addition, the state policies of official recruitment facilitate the abuse of cadre’s family connections and limit the participation opportunities of the social elites.

⁵¹⁶ Michael Anti is a pen name of Chinese activist Jing Zhao, who also is a journalist and political blogger. He is protesting Facebook's policy of requiring users to register under their real name. His case has become notable when Microsoft deleted his blog at the end of 2005, and contributed to ongoing debates about the role of Western companies in China's censorship system. <https://chinadigitaltimes.net/2011/03/activist-michael-anti-furious-he-lost-facebook-account-while-zuckerbergs-dog-has-own-page/> accessed on Jun.8th,2016

⁵¹⁷ Xi Jinping's media policy, also call as “Control 3.0,” is a map for all-dimensional control (全方位控制)

The CCP pursues a constant advocacy of ‘building a mighty socialist state with Chinese characteristics, plus a cultural Soft Power dimension of the state and leading to the realization of the China Dream of the great rebirth of the Chinese nation’.⁵¹⁸ Rather than being fused together at various junctures, a combination of a revised Maoism, Marxism and neo-Confucianism is put together as an ideological complex to integrate society and the state as a Party entity. The top senior leadership of the state and the Party remain identical. The Party has less willingness to be adaptable and is also incapable to take account its array of conflicting interests.

The conflicts between society and government are increasingly severe. People have stopped believing in the Party’s propaganda, and officials can no longer maintain absolute control over an increasingly powerful civil society. The civil society networks successfully advocate for people to protest against the CCP with requests for political reform, democracy, equality and parity of income. However, the state continues to ignore the necessity of reform and keeps on postulating the rigid laws and regulation in order to unify the control over NGOs in China. Out of concerns about the power and influence of active civil society networks, the Party-state has started again to prohibit all activities outside the government’s political system. Since the mediating function of NGOs between society and state has almost been stopped, activists make remonstrance of their complaints toward the Party directly as advocacy for “Dao”. People who are aware of the public sphere, including social media, were easily monopolized by the government’s propaganda, and support NGOs to advocate on behalf of the people’s interests. The political protest movements were organized by different interest groups of people demanding freedom and democracy. The government has tried to maintain its dominant position and political power out of a fear of social mobilized protests becoming a threat to the survival of the CCP. The Party-state relies on the army to suppress the people and NGOs. This has given rise to a new tide of transition from people’s community based advocacy to large scale political opposition movements with the

⁵¹⁸ See Xi Jinping’s speech, *Secure a Decisive Victory in Building a Moderately Prosperous Society in All Respects and Strive for the Great Success of Socialism with Chinese Characteristics for a New Era*, Delivered at the 19th National Congress of the Communist Party of China, October 18, 2017

support from various networks and grassroots NGOs. The people's struggle derives its power of the united front to protect their own rights. It becomes much more difficult and costly for the CCP and the state to respond to the counter power of these NGOs. The conflict between government and CSOs as one of the main driving forces leads to the alteration of Chinese citizen's behavior patterns, cultural values and norms. Advanced scientific technology achievements, such as the application of block-chain technology, decrease the government's control over information flows, and arouses people's awareness about the agent's rent seeking. The low magnitude of governance, resource management and democracy hinders the development of CSOs. The deteriorating condition of the environment, economy, population, resources, and energy drives people to seek protection for the public interests through their own advocacy networks.

Interlocked Civil Society

Technology is a mirror of society, not a 'neutral' force that can be used for good or evil.

- Lasch, 1987, p. 295.

The state-led civil society constrains the development of self-governance and the ability of society to respond to the interest requests from diversified social interest groups. It has worsened instead of addressing widespread social conflicts and contradictions. Within the context of Chinese authoritarianism, neo-Tocquevillian scholars have diagnosed this phenomenon with an array of competing concepts with different implications for governance and power, including "semi-civil society",⁵¹⁹ "state-led civil society",⁵²⁰ and "state corporatism".⁵²¹ Although, the enormous economic development and the creation of advanced ICTs have changed the nature of the state-society relationship, and opened up a vast new domain for civil society, and the Chinese government has claimed it has been undergoing an "associational revolution".⁵²² However, the

⁵¹⁹ He Baogang, *The Democratic Implication of Civil Society in China* (Basingstoke and London: Macmillan, 1997), pp. 1–9

⁵²⁰ Michael B. Frolic, "State-led Civil Society", in *Civil Society in China*, ed. Timothy Brook (Armonk, NY: M.E. Sharpe, 1997), pp. 46 – 67

⁵²¹ Jonathan Unger and Anita Chan, "China, Corporatism, and the East Asian Model", *The Australian Journal of Chinese Affairs* 33 (1995): 29 –53.

⁵²² Shaoguang, Wang and Jianyu He. (2004) . "Associational Revolution in China: Mapping the Landscapes." *Korea Observer* 35 (3): 485–534. A global associational revolution was written by Lester M. Salamon, "The Rise of the Nonprofit Sector", *Foreign*

lack of autonomy for NGOs still distinguishes state-society relations in China. The government-organized NGOs (GONGOs) have been lumped into civil society as a result of the Party-state's double registration system, in which the two are usually intertwined with and dependent on the state for various resources. To consolidate its dominant role, the CCP authorities have moved to strengthen Party organizations by imposing a special co-existence with NGOs as "half official and half non -official" within all the provinces and cities. These component bureaus of states and individual government officials act in their own capacities, as part of collective efforts to participate in civil society networks. Hannah Arendt's complex position (1973) in amphibious category of "the nation"⁵²³ (both a political and cultural term) in *The Origins of Totalitarianism*, reveals "the operative power of cultural processes of collective memory, narration, and identification within the political"⁵²⁴ (Graham MacPhee, 2011, p.XV). Thus, civil society still potentially arises from within parts of the state. Ding Xueliang (1994) described civil servants or agencies adopt "amphibious" identities in his case study "Institutional Amphibiousness and the Transition from Communism: The Case of China." Despite of their own private interests, the officials and agencies with "amphibious" identities might work collectively together with civil society networks for perceived public benefit, as Arendt's observation (1973) that "when peoples had acquired a consciousness of themselves as cultural and historical entities . . . whose future would depend on the course of a common civilization" (1973, p.229).

Meanwhile, the CCP may increase its political control over independent social organizations, finally creating a state-dominant civil society instead of a "genuine" civil society. Imagining such dim future, the state and society still keep playing the "seesaw" type game of push and pull, especially with respect to concerns about the growth of NGOs. The state tries to regulate the growth of NGOs, avoiding their rapid development and increasing numbers. The stable growth of NGOs poses a shadow over the Party-State. The state creates the strict laws and regulations

Affairs 73, no. 4 (1994): 109; this term lately has also been applied to China, see most recent research by Jessica Teets, "Let Many Civil Societies Bloom: The Rise of Consultative Authoritarianism in China", *The China Quarterly* 213 (March 2013): 21.

⁵²³ Arendt, Hannah. (1973). *The Origins of Totalitarianism*. San Diego: Harcourt Brace

⁵²⁴ MacPhee, Graham (2011) "Introduction : Culture and Political Community" (Special Issues "Arendt, Politics, and Culture), West Chester University, English Faculty Publication, p.XV

forcing the NGOs to register with the Ministry of Civil Affairs and exist under government supervision. The NGOs have developed the strategy of bypassing this strict procedure by registering with the Bureau of Industry and Commerce as enterprises. A large number of grass-roots NGOs without the mandated close link with government have been forced to close down. The growing prestige of the NGOs with populist tendencies was abruptly mitigated by state regulations developed to control their proliferation. For example, international NGOs have to withdraw from their base in China to Singapore, and private media and news sources are totally banned, with only the official media and news allowed to broadcast, develop personal websites, blogs and online social tools can only exist under strong censorship.

It becomes a mega-intra-Internet in China that is impossible for people to access information from outside China through private channels or overseas websites. Also the state prohibits the investment of private capital, and the majority of individual investment companies and personal sponsored organizations were confiscated as public assets. The Chinese central government imposes its legitimacy on civil society and establishes control over the individual activities. These political constraints affect the normal development of NGOs and further influence the function of civil society. There is a growing deterioration of the social conditions to the disadvantaged majority of lower and middle class groups under the prevailing circumstance of ubiquitous corruption, a stagnant economy and heavy suppression of individual participation. The corresponding dissatisfaction with the ruling Party and state is expressed in the deep concerns of grass-roots NGOs. Despite of the strict regulation and heavy control by the CCP and state, most of these grass-roots NGOs have deliberately not registered with the state and developed as unauthorized civil organizations. It is their aim to keep their independence, but also to become important signs of the maintenance of Chinese civil society. Usually, the masses seek support and the legal assistance to protect citizen rights and demands are very difficult to reach the government officials and get help in time. But the grassroots NGOs have responded to these requirements efficiently with full support as people refer to engage with the grassroots NGOs even

when not in the context of numerous demonstrations and protests. In this context, NGOs have continued to develop slowly under the supervision of the State and CCP.

Harmonious and Active Civil Society

When the country is ruled with a light hand, the people are simple.

When the country is ruled with severity, the people are cunning.

- Lao Tsu, Tao Te Ching, ch. Fifty-Eight

In a picture of a feasible future, Chinese society has changed dramatically and grown more sophisticated since the open-door reform. Currently, full participation is limited to certain actors but an active society is coming into being in a transition phase. The Chinese government has employed the “social management innovation” initiative to execute a relative relaxation of controls on the development of civil society in recent years. The Party-state has evolved from service delivery reform which adds to its political accountability. It is still far from putting the brakes on the construction of a “harmonious society” by concealing the huge division between civil society and political society. Claiming the vital position of social cohesion and harmony for sustainable development, authorities demonstrate a growing interest in developing rather than constraining civil society in the recognition of civil society’s undeniable contribution to the creation of public goods. Chinese CSOs have no need to bypass the government’s regulations because the new laws and regulations have fully endorsed the rights attendant to NGOs’ legal status and their legitimate activities. Rather than existing in a condition of fundamental opposition, CSOs deliver social services and conduct advocacy on behalf of public interest groups independently. The interaction between the state and CSOs has increased the accountability of the government and the CCP since the political reform started to change the previous rigid system. The convergence of civil society’s form in the digital world of the Internet and the ubiquity of cell phones and its function as a powerful sphere for public advocacies has given actors of the civil society networks unprecedented ability. These conditions help advocates

to form a public opinion on policy issues, which in turn empowers demands to hold government accountable.

The huge influence of an active Chinese civil society pushes the government and market to compromise with the advocacy networks' increasing rights consciousness and responsibilities. Through continued participation and contributions during the years, CSOs have built a solid base in the society and attracted all kinds of funding. The growing capacities of CSOs enable them to conduct projects efficiently, and even though sometimes the CSOs will work with state sectors closely they still maintain their own identity in an independent manner. Chinese civil society expanded its boundaries through increasing public support and participation, which is not only closely tied to the expansion of public advocacy spaces, but also to the changing role and responding strategy of the government. The state has adopted new NGO registration rules under the influence of public advocacy, and started to promote their lawful administration and public supervision. The government frequently plays a role as mediator which must implement mechanisms to balance the needs for “the maintenance of stability” and “social harmony” for expressing the interests of all social classes. In short, both Chinese civil society and the state have experienced greater diversification. The value of successful public advocacy is that an independent Chinese civil society would be an irreversible trend in social development. Currently, China’s civil society is developing through the emergence of public interest advocacy.

To embrace a broader-minded politics, public interest advocacy aims to draw on pragmatic gradualism. There is clearly a trend toward an emergence of civil society in China in which the state encourages the development of all kinds of CSOs. Also NGOs, including GNGOs, make the effort with all levels of the government to enhance social responsibility within the market economy and act as the model or pioneer for the civil service reform. Starting from the most basic neighborhood service organizations, NGOs participate in the policy reform process and spread the neighborhood organization reforms in rural area. They opt to work with local government to improve the conditions of education, health, the economy and infrastructures. Economic

development and social stability are maintained as priorities by the efforts of the CCP and the NGOs. The CCP has started political reform gradually by revising its laws and to modifying regulations. The corruption and inefficient working attitude of government official began to be addressed through supervision by the CSOs and individual representatives through the direct election without respect to the nominated candidate. The state and the CCP have started to share leadership with other domestic political parties, and to offer CSOs the opportunity for participation in the policy decision process. Hence the position of the CCP's leadership and its partnership with the CSOs has received confirmative feedback from the world. It shows in practice an active civil society shaping government attitudes with an emphasis on governance accountability. Chinese civil society has expanded its boundaries through solicitation of increasing public support and participation, which is not only closely tied to the expansion of public advocacy spaces, but also the changing role and strategy of the government. The state has adopted new NGO registration rules under the influence of public advocacy, and started to promote their lawful administration and public supervision. The government implements mechanisms to balance the needs for "the maintenance of stability" and the "social harmony" for expressing the interests of all social classes.

In order to address crises, mitigate the risks and create preferred futures, the adoption of a comprehensive view and development of integrated processes have helped China reach a concord agreement in which the state and civil society coordinate and act together to reshape the development agenda and seek conflict solutions. In short, both Chinese civil society and the state have experienced greater diversification. The goal of successful public advocacy is an independent Chinese civil society with an irreversible trend toward to positive social development. Nowadays, China's civil society is developing through the emergence of diverse forms the public advocacy of civil society organizations and public-spirited citizens. It projects the necessity to restructure institutions and reconsider the development approaches and policies with a recognition of the potential threats, urgent needs and possible future alternatives.

Brand New Civil Society

“Parliament is the only known institution that guarantees a minimum of opposition and of truth.”⁵²⁵

-Maurice Merleau-Ponty, *Adventures of the Dialectics*

Manuel Castells has claimed that the “network society” is a new society, a view echoed by others as well (Castells, 2000a, p. 371; see Garnham, 1998; Webster, 1997a, b). The economic sphere of the network society is informational capitalism, the political sphere is the network-state, and the cultural sphere is a culture of real virtuality.⁵²⁶ The relationships of production, power, and experience “are increasingly organized around net-works”, that “constitute the new social morphology of our societies.”⁵²⁷ The accelerated development of China’s integration with the global community, plus the positive development in the CSOs sector are changing China and its civil society into this brand new society. The power and counter-power operate as a typical political process, but extend beyond to signify a broader phenomenon, and informationalism as the “material foundation”⁵²⁸ of the network society, which connects power, the political, and the non-political. The “power in the net-work society is communication power,”⁵²⁹ and “communication networks are the fundamental networks of power-making in society.”⁵³⁰ It will further develop from a “minjian shehui” (non-governmental or popular society, 民间社会) and into a brand new “gongmin shehui” (citizen’s society, 公民社会), which the Inter-network society is emerging.

To answer Merleau-Ponty's call for a "new liberalism" in *Adventures of the Dialectic*, “a politics of reform”⁵³¹ or “a sterile liberalism”⁵³² may come into being in the bright future of

⁵²⁵ Merleau-Ponty, Maurice (1973) *Adventures of the Dialectic*, Evanston: Northwestern University Press , p.226

⁵²⁶ Castells, Manuel. (2000a) “Information technology and global capitalism” In A. Giddens & W. Hutton (Eds.), *On the edge. Living in global capitalism*, London: Jonathan Cape. , pp. 366-391

⁵²⁷ Castells, Manuel. (2000b). *The rise of the network society (2nd ed.)*. U.S.: Blackwell Publishing. p. 500

⁵²⁸ Castells, Manuel. (2000a) “Information technology and global capitalism”. In A. Giddens & W. Hutton (Eds.), *On the edge. Living in global capitalism*, London: Jonathan Cape. p. 367

⁵²⁹ *Id* p. 53

⁵³⁰ *Id* p. 426.

⁵³¹ As is contended throughout Cooper, Merleau-Ponty and Marxism.

China's new civil society. It has already reached an unprecedented level of maturity, in which while conducted as an alternative to strong state power, provides necessary mutual support. The state and the CCP are implementing a trans-centric decentralized political reform to transform China into a society with parliamentary politics in a digital model. It is capable of transitioning from moderate reforms⁵³³ to transformation ones. In effect, in this development, parliament would become the great guarantor of truth⁵³⁴ uniting a multiplicity of subjects. It would stand for the development of a multi-functional NGOs culture to transcend the state-led civil society model, which could allow free speech and different ideas, while also allowing the impartial third party organized by all kinds of networks and CSOs.

Thus, civil society networks are able to make independent evaluations and participate in public policy decision making. Chinese society is prepared to develop into a citizen society, and the new institutions can deliver all kinds of social services and welfare to all of the citizens on behalf of the society. In the very modes of "being-in-the-world" or "nonbeing-in-the-world", the actor of networks has options other than that of traditional theories defined as "proletariat" or "capitalist" in possessing the possibilities of "community and communication." Chinese CSOs also may develop into a culture of a global citizen society to exchange interactions and collaborations actively with a global society. Participation in the globalization process helps Chinese CSOs to share the responsibility and leadership with other communities of the world. Such an Inter-network society inaugurates "a transparent society, internally undivided and classless."⁵³⁵ In Merleau-Ponty's words, "it is the sole authentic inter-subjectivity because it

⁵³² As is contended throughout Kruks, *The Political Philosophy of Merleau-Ponty*. Commentators have tended to seize on a problematic appropriation of the Merleau-Ponty's "new liberalism". Moreover, the literal appropriation of his use of "new liberalism" also shows a lack of understanding of the Weberian genealogy of the term

⁵³³ As is contended throughout Cooper, *Merleau-Ponty and Marxism*.

⁵³⁴ It emerges in Kruks, *The Political Philosophy of Merleau-Ponty*, Ch. 7.

Similarly, Schmidt also argued that, in ultimately rejecting his own conception of the proletariat and the "end of history," Merleau-Ponty resigns us to working "within the limits of existing structures", effectively repudiating any conception of transcendence or break. See, James Schmidt, 'Lordship and Bondage in Merleau-Ponty and Sartre,' *Political Theory*, Vol. 7, No. 2, 1979, 221.

⁵³⁵ Maurice Merleau-Ponty, 'Materials for a Theory of History,' In *Praise of Philosophy* (Evanston: Northwestern University Press, 1963), 104

alone lives simultaneously the separation and union of individuals”⁵³⁶ through the facilitation of the 5G empowered digital public sphere.

Conclusion

In China, advocates and their networks act like a “lieur” who hopes to reconcile the contradictions of conflicts and thus to achieve transcendence. They generate and disseminate new or different information about the expression of public interest through the digital public sphere with the aim of changing the underlying logic of a policy issue. The extensive civil society networks can deploy advocacy strategies to ridicule abuses of government power and serve as rights conscious voices simultaneously to hold certain state institutions’ accountable indirectly.

Balsiger (2006) confirms that,

“Such information may revise the evaluation of an existing policy, increase the cost of an undesirable policy option, or change the public view of a key actor. Second, information can draw attention to new issues or reframe existing issues in ways that resonate with a greater audience; this often involves the creative use of symbols, performances, and narratives. Third, advocacy networks use information to enlist the support of allies that individual network members could not leverage on their own”⁵³⁷ (Balsiger 2006, p.12).

To advocate for public interest policies may not necessarily bring more direct political change, but its discursive power contributes to more political space for democratic elements of rule as a repository of counter-hegemonic discourse. The civil society plays a key role in developing a public opinion and rights consciousness to which the Chinese state may be held accountable. The democratic ideas and values are welcomed to advocate for the “Dao,” the socio-economic justice order in the public sphere whereas a “space of civil society” (Baynes 2002, Edwards 2011a), makes it a crucial battleground for the Party-state work on advocacy with guidance for consolidation of their regime legitimacy.

⁵³⁶ Merleau-Ponty, (1947) *Humanism and Terror*, Boston: Beacon Press. 113-117;

----(1973) *Adventures of the Dialectic*, Evanston: Northwestern University Press, 33, 137

⁵³⁷ Balsiger, Jorg (2006) “Advocacy Networks” in Bevir Mark ed. (2006) *Encyclopedia of Governance*, University of California, Berkely, SAGE, p.12

There is a rich literature on global social movements in the information age with increased pace and inter-connectedness. Under the conditions of control and counter-control, social uses of the Internet have been widely adopted for public interest advocacy. The Internet empowers activists of political opposition to mobilize people participating in all kinds of public activities efficiently. Public interest advocacy deploys oppositional action as a remonstrance for socioeconomic justice, which is driven by increased awareness of citizen rights and responsibilities.

Along with the deployment of globally advanced ICT, the limitations caused by censorship may in part be overcome technologically. The successful carrying on demonstrations on the street in the series of PX protests, including the Xiamen PX protest,⁵³⁸ which showed Chinese civil society's breakthrough of government's blockage on line. This series of environmental protection protests ceased to no longer be the usual victim protests any more, when the transformation from local resident protest to citizen protests. The shift distinguished this different degree of rights consciousness and capability to undertake collective action to protect protester's own and the public interest. The rights-seeking groups work intentionally to throw up large-scale community-based advocacy with the employment of new social media campaigns and embedded advocacy strategies to expand the influence and scope of the movement.

Michael S. Chase and James C. Mulvenon's research findings (2002) also show that despite the Chinese government's fierce counteractions, the netizens, protesters and activists both in and outside of China have made extensive use of the Internet in publicly advocating the targeted aims and missions.⁵³⁹ It is worthwhile to note that a value-neutral concept - "third realm" was also proposed as a third conceptual space distinct from the state and the market to substitute for "civil

⁵³⁸ Ching-Ping Tang, "Space, Civic Capacity, and the Rise of NIMBY Environmental Movements in China: The Cases of Xiamen PX and Shanghai Maglev Protests", UC Berkely, Institute of East Asian Study

⁵³⁹ Michale S. Chase and James C. Mulvenon, (2002). "You've Got Dissent! Chinese Dissident Use of the Internet and Beijing's Counter-Strategies", Santa Monica: RAND,

society” and “public sphere”.⁵⁴⁰ The integration of the Internet into the process of social change bears on the understanding of political change because it serves as both a source of public criticism and increased accountability. In Yang Guobin’s landmark study, “the Power of the Internet in China”, he optimistically judged that the Internet “created a world of carnival, community, and contention in and through cyberspace and how in this process they have transformed person-hood, society, and politics.”⁵⁴¹ It is important to explore the complex ways of online public advocacy that alter traditional patterns of socio-political engagement. Xiao (2004) concludes the Internet is “changing the rules of the game between society and the state” and contributing to an unprecedented “power shift in Chinese society.”⁵⁴²

Thus, the Internet has become one of the key impetuses to facilitate a digital public sphere for public interest advocacy competing viewpoints. Yang (2011) concludes that it is creating a sort of “digital civil society.”⁵⁴³ The digital public sphere for consumption and communication not only connects and disconnects the market, civil society and state, meanwhile it also alters and perpetuates long-standing patterns of socio-political engagement. The exploration of these new points of access shows that Chinese citizens have the opportunity to explore their identities and social experiences with more individual autonomy, or even further, to influence or check state action.

Considering the Chinese media’s lack of autonomy from state power, the digital version of the “public sphere” can still hardly be applied to China’s reality in its specific context. A crisis of legitimacy follows, Habermas (1976) warns that citizens might do not recognize themselves in the institution of society, when the channels of communication and interaction with “the key

⁵⁴⁰ Philip C. Huang, (1993) “Public Sphere’ / ‘Civil Society’ in China? The Third Realm between State and Society,” *Modern China* 19 , no.2: 217-240.

⁵⁴¹ Yang, Guo Bin (2011) “Technology and Its Contents: Issues in the Study of the Chinese Internet”, *The Journal of Asian Studies* Vol. 70, No. 4 (2011)

⁵⁴² Xiao Qiang. (2004) “The ‘Blog’ Revolution Sweeps Across China.” *New Scientist* .<http://www.newscientist.com/article/dn6707-the-blog-revolutionsweeps-across-china.html?full=true> .

⁵⁴³ Yang, Guo Bin (2011) “Technology and Its Contents: Issues in the Study of the Chinese Internet”, *The Journal of Asian Studies* Vol. 70, No. 4

components of the process of decision making” are blocked, a crisis of legitimacy follows.⁵⁴⁴ The reception of “Under the Dome” as the sign of overdone censorship jeopardize the Party-state’s legitimacy, it might further add a crisis of authority, and ultimately lead to a change of power relationships embodied in the state-society⁵⁴⁵ (Sassen 2006).

The digital public sphere demonstrates its potential to convince people that it might surpass the functions of traditional media. It provides social networking in the process of advocacy for better management and governance in China. It demonstrated in the series of PX protests that the new information communication technology (ICT) were deployed to help facilitate the public interest advocacy, and widely spread the information about the PX project’s possible harm to environment and health. Meanwhile the state regulated mass media were under tight control with the instruction of deleting all the information concerning the protest. Still the series of PX protests’ advocacy accomplished the mass mobilization mainly through the social usage of the Internet and mobile phone.

Party leaders and the state have so far developed a quite successful approach of tolerance, responsiveness, persuasion, and repression in the state-led advocacy for “Dao” with Party’s guidance (倡导) in response to social demands for political participation. This response also shows the influence and changes brought about by the interaction between state and society through the multiple ways of “tracking” with an influential “bottom-up approach”,⁵⁴⁶ the top down approach and outsider to insider approach (referring specifically to the overseas Chinese community’s interaction), all of which sometimes also include the insider to outsider approach. Chinese scholar, Deng Zhenglai’s argument (2008) might help to explain part of the reasoning here,

“by limiting the boundaries of the state power and setting the principle of the infiltration of society by the political power, the ideas of modern political liberalism and economic liberalism broke the

⁵⁴⁴ see Habermas (1976), the crisis happens when the system of representation and the state fail to fulfill the demands of citizens and civil society. *Communication and the Evolution of Society*, McCarthy T. (1979) trans. Boston: Beacon. [German, 1976ab]

⁵⁴⁵ Sassen (2006) *Territory, Authority, Rights: From Medieval to Global Assemblages*, Princeton University Press

⁵⁴⁶ Lynn III. White, (1998) *Unstately Power* New York: M.E. Sharpe,;

political despotic thought of unlimited state power, and provided theoretic guidance to the political liberation of the society and human being.”⁵⁴⁷

The emergence of unofficial democracy and rise of online activism, as well as of state efforts to accommodate and channel it into “healthy” endeavors are worthwhile to further the research.⁵⁴⁸

Habermas’ conclusion (1997) about the public sphere as the virtual space “where the citizens of a country exchange ideas and discuss issues, in order to reach agreement about matters of general interest,”⁵⁴⁹ helps to explain the online public sphere in China. It has become digital activists’ useful tool for public advocacy rather than a simple information communication tool. And the Party-state’s censorship indicates its incessant attempt to seek political control of the digital public sphere. There is a reform effort to bring China’s *state-led* civil society into a *state-guided* civil society, which allows a public advocacy in the “discursive model” of public sphere, that Gerard Hauser (1998) further describes as “a discursive space in which individuals and groups congregate to discuss matters of mutual interest and, where possible, to reach a common judgment”⁵⁵⁰(P.86). The findings in this research on the embodiment and expression of various strategies of *rights-based advocacy for “Dao”* (倡道) empowered by the digital public sphere, which multiplies the opportunities for dialogues and negotiations with the state, and may even constitute an incipient counter-power in engagement of the *interest-based advocacy with Party’s guidance* (倡导).

It is worthwhile to point out that the current development of China’s civil society has primarily emphasized service provision over advocacy, because of the constraints of CSOs’ own capacity. Furthermore, their advocacy methods also were quite restricted by the limited policy space, without much opportunity for imposing influence on policy making. However the perspective is changed through the channel of public interest advocacy via the digital “public

⁵⁴⁷ Deng Zhenglai.(2008) *State and Civil Society: The Chinese Perspective* [M]. ed. Beijing: Peking university Press, p.1-25, (In Chinese)

⁵⁴⁸ Stanley Rose, “Is the Internet a Positive Force in the Development of Civil Society, a Public Sphere, and Democratization in China?” *International Journal of Communication* 4 (2010),

⁵⁴⁹ Habermas, Jürgen. (1997) *A Berlin Republic: Writings on Germany*, English translation by Steven Rendall. Lincoln: University of Nebraska Press.p.105

⁵⁵⁰ Hauser, Gerard, (1998)“Vernacular Dialogue and the Rhetoricity of Public Opinion”, *Communication Monographs* 65 (3): 83–107, Page. 86

sphere’, particular with respect to the Internet’s facilitation. Rebecca MacKinnon (2009) has proposed that the ultimate impact of interactive media in China that “will depend not only on how people choose to use them but also to what extent the Chinese government succeeds in controlling the use of web-logs for political dissent.”⁵⁵¹ Thus, there is a need to put online activism in a frame work of the state-guided civil society to allow public interest advocacy to bridge the gap between the state and society. The precondition is the state needs to unleash the immense productive power of civil society instead of tightening its control by censorship. Under a conservative state-led civil society, its totalistic governance may end up meeting not only online Spartacus but an internet mob.

Castells (2000b) warns that the “*informational*” shift is the “action of knowledge upon knowledge itself” (Castells 2000b, p.17) which could also lead to the manipulation of information itself. Case studies show both the government and NGOs need to reevaluate the victim protest and social movements as normal models of public advocacy. The Micro Public Advocacy and the Mass Protest Advocacy as social movements need to be institutionalized to further promote social pluralism and diversity, particularly during this current social transformation with the aims of building a harmonious society as well as promoting social stability. The public advocacy groups have sought to adopt the latest development of ICT technology like the Web 2.0, to share public needs and promote change in government and the business community. Social media such as the micro-blogs have played an increasingly important role as a space to push the public to join “micro-public interest” work and become a major platform for public advocacy. And the expansion of public advocacy spaces to the online public sphere such as the Free Lunch program’s online charity campaign, help to achieve extensive social resources and public influence. It drives the mainstream media also to actively report on the public interest sector. Public interest advocacy invites all stakeholders to discuss the issues and participate in decision making processes. In a political sense, it should avoid grand utopian projects of overnight

⁵⁵¹ Mackinnon, Rebecca (2009). “FlatterWorld and ThickerWalls?” Public Choice 134(1–2):31–46.(2008),“China’s Censorship 2.0.” First Monday 14(2): 1–18.

solutions and forego petty antagonistic politics. Mary Kaldor (2003) thinks “civil society” is the “process through which individuals negotiate, argue or agree with each other with centers of political and economic authority.”⁵⁵² In a general perspective, CSOs still need to consolidate the mechanism of public advocacy to formalize the channels of communication between the public, government, and businesses. Foucault (1979) has quoted Walpole’s words: “quieta non movere”⁵⁵³ (“let sleep dogs lie”) in *The Birth of Biopolitics*, if it is recited here again, it is no more clear than saying to leash the power of civil society to attain the sustainability of social development.

⁵⁵² Kaldor., Mary (2003), *Global Civil Society: An Answer to War*. Cambridge, Polity

⁵⁵³ The English Statesman Walpole,” who, with reference to his way of governing, said: “Quieta non movere,” “Let sleeping dogs lie

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