

China's Fifth Modernization: the Enduring Hope for Democratic Governance

The Diplomat's Handbook case study on China was undertaken with great respect for Chinese history and accomplishments. China is important as a partner for all members of the Community of Democracies, and, of course, plays a central role in world affairs. The activities of diplomats and other citizens of Community of Democracies members to support civil society in China are not pursued with the ambition of exporting to China a political system from outside. But they do reflect a solidarity with the Chinese people who agree that human rights are universal and who wish political rights of assembly and expression to be respected in their country.

INTRODUCTION

“Economic development and political development are like the two legs of a person: if one moves forward and the other one doesn't follow, then the person might lose balance and fall.”

– Cao Siyuan, prominent Chinese economist

China's recent period of rapid economic development dates from its “Reform and Opening” initiated by Deng Xiaoping in 1979. This development has been described as an “economic miracle,” but political development has not followed.

China remains a one-party authoritarian state. The government continues to exercise strict controls on the media and freedom of expression and association. The judiciary remains politically directed, and is often required to impose sentences dictated by the Communist Party of China.

It is on these – and other – challenges that the international democratic community focuses when lamenting what it perceives to be the slow pace of political reform in China. However, every challenge presents opportunity, and China's wealth of challenges also provide the opportunities to work with its government and civil society in a spirit of cooperation and mutual benefit.

Taking a long-term view, there can be no doubt that progress has been made in the realm of political development in China. Such progress cannot, however, be described as political reform. It has been less linear, and - in an environment sometimes described as “two steps forward, one step back” – the backward steps often gain greater attention than the incremental steps forward.

In 1978, China emerged from the Cultural Revolution in tatters, especially as it had come on the heels of the Great Leap Forward, when millions died of famine: many of China's intellectual, political and cultural elite had died during, or immediately following, these years of turmoil. Countless survivors had been stripped of position and possessions, and suffered from failing health. It was from this standing start that China commenced its remarkable economic transformation.

CHINA TODAY

Now, more than 30 years after the end of the Cultural Revolution, China has not only reopened to the rest of the world, but it has again become the major economic and political power it was 200 years ago. At the end of 2009, its foreign currency reserves were estimated at over USD \$2.2 trillion. China is the world's second largest economy (based on Purchasing Power Parity GDP), having achieved unprecedented rates of growth in the last few decades. China is becoming the principal trading partner of

every region. China's large – and growing – development and infrastructure aid to Africa and Central Asia are seen as both a boon and a challenge to the international status quo.

China today is essential to virtually any important international concert, on economics, trade, and transnational issues of peace and security. However, as a permanent member of the United Nations Security Council, China has, since its admission to the United Nations in 1971, consistently abstained on resolutions perceived by Beijing as interfering in a country's domestic affairs. But as China's economic and political clout grows, it is under increasing international pressure to cease playing the 'sovereignty card,' move away from its traditional non-interventionist stance, and accept its international responsibilities. While its support for the 2007 UN Resolution 1769 on Darfur and the 2010 Resolution on Iran sanctions are a break from its traditional approach, it remains to be seen whether these signal a decisive shift toward a more activist foreign policy – and if so, what that break portends.

Indeed, concerns that China is taking a less than active role with the constructs of the existing system are matched in some quarters by a growing concern that it is steadily working to develop a different paradigm that rejects the current system - which China sees as being based on traditional Western values - in favor of one based on the primacy of state sovereignty, non-interference, and state-driven development. This is borne out in its increasing involvement and influence in Central Asia (and its cooperation with these countries and Russia in the Shanghai Cooperation Organization) and Africa, where its stake in trade and natural resource development has risen sharply throughout the continent and is now dominant in many quarters.

Despite China's great – and increasing – clout on the world stage, it remains itself a developing country. While it has succeeded in bringing over 200 million people out of abject poverty, the great majority of its people still live in very basic conditions. Though China has made giant strides toward universal primary education, many children still do not have access to schools. Access to affordable medical care is similarly difficult; a serious injury or illness can bankrupt an entire extended family.

The standard of living for the great majority of Chinese people has increased since 1979, and even more significantly in the past ten years. However, the gap between rich and poor is more pronounced now than it has ever been in China's history. A spate of suicides in an electronics factory, and the May 2010 strike in Honda's car manufacturing plants have brought to the fore the low wages and poor working conditions in many of China's manufacturing sectors. China has one of the highest suicide rates in the world. Doubts have been expressed about the sustainability of China's economic progress. In the words of Yang Lixiong of Beijing's Renmin University, "Our country is in a race to the bottom because our only advantage is cheap labor, and therefore our development is built on a mountain of sweatshops." China's economic model is extremely energy intense, and at the moment energy inefficient. Addressing how to continue economic development while dealing with its huge environmental problems and energy needs will be one of the greatest problems in the coming decade.

LOOKING AT THE PAST TO UNDERSTAND THE PRESENT

Diplomats wishing to fully seize the many opportunities that exist to work with Chinese government and society to support democratic development must first recognize that peaceful political change in China will be in the context of its historical experience. It will follow its own path, and will take its own form, just as is the case in other countries. Most importantly, it will be driven from within, and not as a result of external factors.

Rather than presume to summarize China's rich and complex history, this case study will instead look at key elements of China's recent history through the lens of two overweening preoccupations of China's

leadership: fear of chaos, and fear of weakness. Much of China's domestic and foreign policy can find its roots in the counterparts to these two fears: the need to preserve stability, and the need to insulate itself from dependence upon, unequal obligations to, or influence from foreign nations.

Weakness, Foreign Influence, and Unequal Treaties

At the end of the 18th Century, China was a trading hub, with the international balance of trade in its favor. However, by the end of the Opium War, not 50 years later, it had suffered what is still seen as both a humiliating defeat at the hands of foreigners, and the first of many unequal international treaties that would steadily weaken the country over the next century.

The 1842 treaty ending the Opium War granted concessions to foreigners residing in China, forced China to cede control of its key ports to foreign powers, and required the payment of crippling reparations. A similar result following the first Sino-Japanese War (1894 – 95) left China further weakened at the hands of external actors.

Just a few years later, in 1900, an international force of British, French, Russian, American, German, and Japanese troops crushed the Boxer Uprising. These nations – all of whom already had concessions in China – agreed not to further partition the country. The cost of this loss, though, was still very high – payment of a huge indemnity, amendment of commercial treaties to the advantage of the foreign powers, and consent to stationing of foreign troops in Beijing. China found itself at the receiving end of 'gunboat diplomacy,' as foreign gunboats patrolled the Yangtze and made their presence known in China's many ports in order to preserve significant foreign interests.

Following Germany's defeat in the First World War, the Chinese were exuberant, anticipating the return of Germany's concessions in return for China's contribution to the war effort. Hopes were dashed, however, when their delegation to the Versailles post-war treaty negotiations learned of the 1917 secret treaty of Great Britain, France and Italy with Japan ensuring support of Japan's claims in China in return for Japan's naval support during the war. News of this triggered mass protests in China. Commencing on May 4, 1919, the protests lasted for over a month. The extension of the protests to Paris prevented the Chinese delegation from signing the Versailles treaty.

What became known as the "May 4th Movement" had more popular support than events leading to the formation of the Republic, eight years earlier. This is also believed to be the point at which many of China's political activists and intellectuals turned from the study of Western science, democracy, and schools of thought to Marxism as the most effective road to ensure China's strength and independence.

Chaos and Dissent as Threats to Stability

Concerns of China's leadership regarding any form of organized religion, as well as the tendency to immediately quell any form of domestic unrest may well find their roots in the turbulent 19th Century. Four separate uprisings were quashed in this period. All of them started with charismatic religious leaders able to gain huge followings in relatively short periods of time drawn from rootless and disaffected groups intent on the overthrow of the current regime. The best known – and most successful – of these leaders was Hong Xiuquan, leader of the Taiping Rebellion. Claiming spiritual powers, and advocating the creation of a Christian community, he was able to muster an army of 20,000 that, in 1853, took Nanjing (the Southern Capital). He ruled from there for 11 years.

Sun Yat-sen's Revolutionary Alliance advocated the use of armed force for the overthrow of China's Qing leaders. His revolutionary ideas had a deep influence on the officers and soldiers of the New Army,

established in 1900 as part of Qing modernization efforts. The combination of a bomb-making accident and resulting coup by revolutionaries within the New Army resulted in declaration of the Republic of China in 1912 – less than three months following the unplanned coup.

The years of 1912 to 1928 were characterized by political tension, instability, and warlordism. In these years alone, Beijing saw 43 separate cabinets. In 1921, the Communist Party was founded. But it was soon outlawed by Nationalist leader and the successor to Sun, who died in 1925, Chiang Kai-shek.

In 1928, Chiang Kai Shek unified China through military means. The resulting one-party rule led to corruption and economic mismanagement, plummeting China into both civil and international (largely against the Japanese) war, which continued for over 20 years.

China has been an authoritarian state under the control of the Communist Party since 1949. The communists in effect consolidated the authoritarian practice that had prevailed in China for centuries. Despite periods of experimentation with Western models of government in the early 20th Century, none ever took root.

With the founding of the People's Republic of China, the country entered a new era of serial revolution and chaos which at least rivaled that which had come before. These revolutions, however, differed from earlier ones in one critical respect: they were instigated by the Party, or caused by rifts within the Party.

Campaigns in the first few years aimed at rural landlords, foreigners, Chinese citizens suspected of supporting the Nationalists, private business, corruption within the Party, and the urban bourgeoisie resulted in purges, and thousands of executions. The use of group pressure tactics developed in these campaigns continued, and became institutionalized. Some vestiges of them can still be seen today.

The Party's continuing uneasy relationship with intellectuals dates back even further than the start of Communist Party rule, and has remained constant since 1949. A recognition that intellectuals, scientists and engineers would be necessary to move China forward led – in the early days of the first Five Year Plan from 1953 - to encouragement of intellectuals to express their views. However, it quickly became evident that such expression must stop short of criticizing the Party.

Writings by a literary critic Hu Feng incurred the ire of senior Party officials, and led to a brutal campaign to root out “Hu Fengism.” Hu Feng was imprisoned for counter-revolutionary activities from 1956 to 1979. His victimization further alienated China's intellectual population. It also led to divisions within the Party between those advocating cooperation with intellectuals and those maintaining that the Party was paramount and could not be criticized – a rift that exists even today.

This pattern repeated itself in 1957 with the short-lived and ill-fated Hundred Flowers Movement. Again encouraged to speak out against abuses, the intellectual community responded with an outpouring of criticism against the Party, and the first Democracy Wall spontaneously came into existence at Peking University.

As had been the case in the past, the new policy of openness was quickly reversed. This time, the price for five weeks of intellectual freedom was paid by over 300,000 individuals who were labeled “rightists” and sent to jail, labor camps, or to the countryside. It would not be until the end of the Cultural Revolution in 1978 that China's intellectual community would again – briefly - come into the open.

Rifts within the Party further contributed to domestic instability, and began to surface in the early days of communist rule. With several purges already behind them, the genesis of the 1966 Cultural Revolution

was also to be found in the intra-Party struggle for power, and can best be understood as an attempt by Mao Zedong to accrue almost absolute control in his own hands and to attack the very Party that he had been so instrumental in bringing to power. The impact on the people of China was almost unimaginable – particularly coming, as it did, on the heels of the disastrous Great Leap Forward which had led to the deaths of an estimated 20 – 35 million people.

Although Mao officially declared an end to the Cultural Revolution in 1968, the radicalism that had been launched continued until his death in 1976, and the subsequent trial of the “Gang of Four,” his wife and other close officials who were ultimately held responsible for the excesses of the Cultural Revolution.

1977 brought the Beijing Spring – a brief period of political liberalization during which the public was permitted to criticize the government. While, at least in the beginning, most of the criticism focused on actions of the government during the Cultural Revolution, it also led to calls for political change, and the spontaneous establishment of the Democracy Wall in 1978. Wei Jingsheng’s poster calling for a ‘fifth modernization’¹ of freedom was the first post for individual freedoms, and eventually – together with other similar actions – earned him almost two decades in prison before being exiled to the United States in 1979.

Almost 30 years following the establishment of the People’s Republic of China, its people had experienced countless political campaigns and purges, collectivization, and starvation. Under Communist rule, they had not only failed to develop, but had suffered extreme hardship. If the Party was to survive, it would need to regain the confidence of the people, and ensure that the chaos and instability of the past would not be given a foothold in the future.

China’s ‘New’ Political Activists in the Age of Reform and Opening

Designed to make China an economic power by the early 21st Century, the Four Modernizations stressed economic self-reliance. China opened up its markets, purchased more modern machinery, encouraged foreign investment, and improved technologies. Thirty years on, the success of the Four Modernizations – popularly known as **Reform and Opening** – is clear. Despite its myriad problems, China is one of the world’s greatest economic powers.

But what of Wei Jingsheng’s Fifth Modernization, and its call for democratic freedoms?

There was a time when it was believed that China’s economic transformation would inevitably bring political reform in its wake. While there has certainly been political change, it would be difficult to argue that any meaningful political reform has taken place in the more than thirty years since Reform and Opening.

Implementation of economic reforms has resulted in a huge amount of new legislation since 1979. China’s accession to the World Trade Organization required it to strengthen legal institutions, particularly its system of commercial law. Efforts to combat corruption have led to even more regulations and laws. Despite – or perhaps in part because of this – China has become a country that many claim to be one of rule-by-law, rather than rule-of-law.

¹ First introduced in 1963, Deng Xiaoping’s proposal to modernize agriculture, national defence, industry, and science and technology did not become official policy until late 1978 – officially marking the commencement of economic reform in China.

China was made a permanent member of the United Nations Security Council during the Cultural Revolution and has become increasingly involved on the world stage. It has signed, ratified, or acceded to a number of important international human rights instruments, including the Convention Against Torture, the International Covenant of Civil and Political Rights (signed only), the International Covenant on Economic, Social and Cultural Rights, Convention for the Elimination of Racial Discrimination, the Convention on the Rights of the Child, and the Convention on the Elimination of Discrimination Against Women. However, implementation of these international human rights treaties within China is imperfect, just as its implementation of its own domestic laws is imperfect.

Perhaps the most high profile call for full implementation of China's supreme law – its Constitution – came in the form of Charter '08. This call for China to become a liberal democracy in every respect was drafted by prominent activist Liu Xiaobo, together with a number of other academics and activists. Liu's call for change earned him a Nobel Peace Prize nomination. However, from the Chinese system, it earned him 11 years in prison. Following Liu's sentencing, hundreds of the original Charter signatories publicized an open letter stating, in effect, that "if Liu is guilty, then we are too." Initially signed by 303 individuals, the Charter boasts over 8,000 signatures of Chinese citizens as of July, 2010.

Liu is far from alone. He is carrying on a long tradition of activism in China; one that is gaining increased momentum largely thanks to modern technologies, including cell phones, Twitter, and the Internet. Such activism, however, remains underground as government efforts to quash dissent continue and even increase. New technologies are spawning a far more nuanced and complex activism.

As happened in the time of the Hundred Flowers Movement and the Beijing Spring, the mid-to-late 1980s, under the leadership of Chinese Communist Party (CCP) Secretary Hu Yaobang, saw some loosening of restrictions, and optimism about the possibility of political reform. In December 1986, students in Shanghai took to the streets with demands for science and democracy – the same demands as the May 4th Movement almost 70 years earlier. The protests – sometimes involving as many as 200,000 people at one time, spread to Peking University and Nanjing University before reaching Tiananmen Square on New Year's Eve of that year. As with similar movements in the past, these protests were quashed, eventually leading to the forced resignation of Hu Yaobang, who was believed to have been sympathetic to the cause. He was replaced by Zhao Ziyang, but in fact Deng Xiaoping still remained in ultimate control. However, these protests were different in at least one significant respect: they were not born of a policy within the Party, but were spontaneous events with broad popular support – precisely the sort of demonstration that history had proved to be most dangerous.

On April 16, 1989, the day following Hu Yaobang's death, several hundred students laid a wreath for Hu at the Monument for Peoples' Heroes in Tiananmen Square: a spontaneous repeat of the response to Zhou Enlai's death almost exactly 13 years earlier.

The following day, thousands of students gathered, staging a vigil through the night. Groups of workers also began to gather. On April 18, the students staged a sit-in, petitioning the National Peoples' Congress (NPC). They called for a reversal of the verdict against Hu Yaobang, elimination of corruption and nepotism, and an end to the campaigns against "spiritual pollution" and "bourgeois liberalization." Their demands also included free press and freedom of speech, and increased democratic participation in decision-making. After initially being rebuffed by the students, workers also began to gather outside the Square. The numbers of protesting students and workers continued to grow steadily, though under different leadership, and with different messages, the workers being more concerned with the effects of economic mismanagement.

The novelty of events on Tiananmen Square dominated the world's news cycles for a few days, but attention soon turned to other world events. In China, however, protests spread outside Beijing, even as people began pouring into Beijing from all over the country. By May 17, the demonstration of workers and students had swollen to over a million people. Zhao Ziyang, the second Party General Secretary in a row to indicate sympathy with the students and for political reform, was dismissed by the Party's 'Elders,' who then imposed martial law.

Efforts by the military to enter central Beijing on May 21 were blocked by over a million protestors. However, on June 3, they successfully occupied Tiananmen Square prior to clearing it in the early morning hours of June 4 in the bloody attack known to all Chinese as '*Liù-Sì*' (six-four), and to the rest of the world as the Tiananmen Massacre. Over 500 people were imprisoned in the aftermath of June 4, and it remains unknown how many hundreds or thousands were killed.

With the dismissal of Zhao Ziyang, leadership of the Party went to Jiang Zemin, who was then the Party Secretary in Shanghai. Concerns about the impact of reform led to a period of economic retrenchment until Deng's famous 1992 Southern Tour. Deng called for intensification of reform, urging more focus on economic development, and less on ideological correctness. The tour succeeded in getting the economic changes going again. From then, they advanced at a breakneck pace, the 'iron rice bowl'² was broken, unemployment increased, and the gap between rich and poor in China increased dramatically.

While the standard of living for the majority of Chinese people improved significantly as a result of these reforms, the closure of thousands of state-owned enterprises left millions unemployed, homeless, and without any social safety net. Protests and social unrest in northeast China's 'rust belt' have led to concerted efforts to rejuvenate the area. Contrary to expectations, they have not yet led to the development of an independent organized labor movement.

Political Activism and the New Media

Today, advances in communications, an exponential rise in Chinese Internet users to almost 400 million people by 2010, an increasing space for public intellectuals, and an increasingly professional media are all contributing to faster, more, and better information being available to the Chinese people.

China's media is becoming increasingly activist, with more and more investigative reporters, and an increasing number of editors that are willing to push boundaries in pursuit of increased readership. Some of China's academics are increasing their calls for "democratic reforms," though most call for such reforms within the context of the one-party system. NGOs working in the area of political reform tend to operate in a far more unstable – and sometimes dangerous – environment than those focused on environment or health related issues. However, despite a continuing difficult – sometimes increasingly so – operating environment, the number and professionalism of grassroots civil society is increasing.

Virtually every Chinese person has a mobile phone, and a growing number of citizens use them to record and communicate violations of human rights. Blogs and tweets are flying in the millions. Efforts to restrict the Internet through the use of "the Great Firewall" cannot keep up with the volume and ingenuity of China's next generation of technology-savvy citizens. Individuals calling for political change and reform are sharing their experiences, and discovering that they are not alone. This is giving them

² The provision by the state of subsidized housing, medical care, and other benefits was referred to as "the iron rice bowl." While its beneficiaries had steadily reduced with the dismantling of state owned enterprises, it was finally 'broken' as a result of economic changes arising from China's accession to the World Trade Organization in 2001.

increasing confidence, and some profess growing optimism at the prospect of bringing about democratic change.

But they are few. In a country of over 1.3 billion people, these few thousand activists are but a tiny – if growing – voice. And despite the wonders of modern technology and communications, they remain vulnerable to arrest and imprisonment – most often for charges of ‘inciting subversion of state power’ – an opaque and nebulous charge that may lead to up to 15 years in prison. The majority of China’s population remains preoccupied with simply eking out a living or – in the case of the rapidly growing middle class – preserving their standard of living in an environment of rising costs and soaring housing prices.

However, this new middle class is discovering a sort of activism through protection of their property rights. While the Party is intent upon keeping this large group content, and therefore quiet, the activist community sees them as a potential source of future activists as they determine that the cost they are paying in personal freedoms is too high for the benefit of preserving the status quo.

The Communist Party of China, the Government of China, and Inner Party Democracy – a Primer

China’s government and Party structures mirror each other. The Communist Party now includes approximately 76 million members, and it is – almost exclusively – from this cohort that leaders are selected.

China is governed by a system of Peoples’ Congresses, with the lowest being village (indeed, so low as to be classified as autonomous, and therefore not officially part of the formal government structure), moving up to township, county, prefecture or municipal, provincial, and national. The representatives in these Congresses are referred to as Deputies. The National Peoples’ Congress (NPC) consists of just under 3,000 Deputies, selected by peoples’ congresses at lower levels, and is sometimes likened to a Parliament. Although it is the body that might most closely resemble Parliament, it is clearly not a democratic body. The vast majority of deputies at all levels are Communist Party members, although there are a few independent Deputies. The NPC meets once per year, for a period of 10 – 14 days, at which time they produce the Report on the Work of the Government (similar to a Throne Speech), ratify work reports, work plans, and pass legislation. Meetings are largely held behind closed doors. Rarely does this body – often referred to as the “rubber stamp” of the Party – provide any surprises, though in recent years it has started to become more vociferous over environmental and legal issues (it was, for instance, one of the most vocal opponents of the Three Gorges Dam project of the 1990s).

The NPC’s counterpart – sometimes referred to as China’s Senate, though not resembling the Senate of a Western democratic model – is the Chinese Peoples’ Political Consultative Congress. Retired ambassadors, members of China’s eight registered minor parties (which do not pose any opposition to the Communist Party), representatives of Macao, Hong Kong, and Taiwan, and others are composed within this body. The Chinese public generally refers to this body as a “flower vase,” in that it is seen as purely decorative, without useful function. Its stated purpose is as a forum for political consultation, democratic supervision, and participating in the administration and discussion of state affairs, but in reality it has no decision-making clout and very little – if any - influence.

Elections - China’s meaningful experience with elections is minimal. Although experimentation has been taking place for decades in the sphere of direct village-level elections (to the tune of almost 1 million elections) as well as several rounds of elections for village chiefs, problems with vote-buying, intimidation, and corruption have been rife. Despite some optimism several years ago that direct elections

might extend to the more significant township level, they have not done so. Experts believe that, despite experimentation in some areas, expansion is unlikely in the near future.

The level directly below elects deputies to the various levels of Peoples' Congresses. While Communist Party members hold the majority of these seats, non-Party members may put themselves forward upon nomination by any ten individuals. The first successful independent candidate was Wu Qing, who became a Deputy in Haidian District (part of Beijing) in 1984. These independent candidates have, in the past, experienced extreme pressure – even arrest – in the lead-up to elections. Despite this, the number of independent candidates is increasing in each election. The next elections will be held in 2011, at which time the number of independent candidates competing in Beijing is expected to more than triple since the last round of elections: from 30,000 to over 100,000.

Every five years since 1982, China has held a **Communist Party Congress**. At the 2002 Congress, Hu Jintao succeeded Jiang Zemin as head of the Communist Party, and at the 2003 annual meeting of the NPC, he succeeded him as China's President. This was considered the **first orderly transition of power** since 1949 – before that, the Party was fraught with frequent purges and internecine conflict. While the internal conflict hasn't ended, it is now being handled mostly out of view, and the stakes are no longer so deadly. Hints of these struggles can be found in departures by some leaders from their usual well-choreographed and closely scripted appearances, but these are rare, and do not result in the purges of the past.

Hu's mandate was renewed at the 2007 Congress, but a two-term limit for office holders requires that he step down in 2012 from his Party post, and in 2013 as head of state. An age limit on senior Party officials dictates that the majority of the nine-member Politburo Standing Committee – the inner circle of power in the Party – will also step down in 2012. Although there are always possibilities of last minute shake-ups, it would appear that the key members of the starting line-up for 2012 are already selected, with Xi Jinping being groomed to take over from President Hu Jintao, and Li Keqiang from Premier Wen Jiabao. The cast of supporting – but still very powerful – players on the Standing Committee remains more subject to change, with 7 of the current 9 members due to step down.

Once a party of revolutionaries and ideologues, the Communist Party is now, at least at the top, a meritocracy. But factionalism remains rampant, and ascension to the highest levels is not possible without powerful patrons. While necessary to improve the Party's legitimacy in the eyes of the people, there remains tremendous skepticism about the merits of many officials – particularly in an environment where the people have no voice regarding who is to be appointed to leadership positions, and where examples of corruption and abuse of power are rampant.

Factionalism within the Party, combined with loss of the peoples' confidence in the Party, have led to efforts for its internal revitalization. The efforts underway fall under the umbrella of "Inner Party Democracy," and in theory consist of a number of positive elements, including increased transparency, multi-candidate elections, and a system of improved supervision.

But the ingrained current system rewards compliance with orders from above, rather than responding to demands of those being governed. Inner Party Democracy is therefore viewed by many as a cynical effort primarily to strengthen the Party, and thus one-party rule. However, there is another camp which views Inner Party Democracy as a possible interim step toward democratic reform that should not be dismissed out-of-hand.

INSTITUTIONAL CHALLENGES

China faces a number of institutional challenges presenting both difficulties and opportunities for cooperation with China. An understanding of these challenges is a key to the toolbox for any diplomats or NGOs working with China in the area of institutional reform.

There is a tendency to think of the Communist Party of China as monolithic, but this could not be further from the truth. *The Party is not unified, and is more and more prey to internal debate and friction.* Although the details of such friction are not made known to the public, there exist two broad camps: the “princelings,” or those who come from a line of powerful parents, and the “*tuanpai*” – those who rose to power through the ranks of the Communist Youth League (Hu Jintao’s power base).

Efforts to manage this internal friction in an orderly manner are part of the controversial reforms referred to as ‘inner party democracy’ (see above). Although not democracy, this internal competition does mean that there are an increasing number of checks on the power of the inner circle, known as the Political Bureau (Politburo). Many in China’s new power elite have risen on the basis of perceived competence, as well as loyalty. Contrary to past practice, the majority of its leadership at the central and provincial levels now possess university degrees, though few have studied abroad. Also in contrast to the past, where the majority of university-educated leaders were engineers, the current political elite is more diverse, including members trained in economics, politics, law, business, journalism, and a variety of other areas.

There is a deep-seated belief within the power elite that the stability of the country depends upon strong leadership from within the Party, and draws from the fact that the Party is the only entity that currently has influence across China’s diverse society and regions. This analysis claims that low points in the country’s recent history tend to coincide with – or have been caused by – divisions within the Party. Therefore, much energy is being expended upon revamping the Party from within. However, as such “reforms” take place behind closed doors, it is simply not possible to evaluate their extent or eventual impact.

Just as the Party is not monolithic, *the pace of development and the degree of implementation of laws and policies differ dramatically from one province to another; even from one county to another.* An old saying – “The mountains are high, and the emperor is far away” – underscores a fundamental challenge faced by the central government: many laws and policies promulgated by the center are ignored, or not even known at the local level. While over the past 30 years, China has gone from having just two laws on their books to hundreds, the resources and capacity for implementation of its laws – including the Constitution – often do not exist.

There exists another complicating factor. Local Party officials are held responsible for any failures of central government policy in their district. But there is a wide variance in how they operate. Some have instituted public consultations on such issues as budgetary expenditure. Others are apt to imprison petitioners, to ensure that they cannot take their complaints to Beijing and avoid blame.

Public resentment of endemic corruption at all levels is an increasing preoccupation of the authorities. Efforts to address this through measures such as the 2008 Open Government Information Regulations, whistleblower regulations (Basic Standard for Enterprise Internal Control), and petitioners’ regulations have met with limited success – partly due to reasons cited in the above paragraph, and partly because where corrupt individuals are in power, they also have at their fingertips the power of the police to silence protest, and the ability to ignore – or selectively implement – laws promulgated from the center.

“*Suzhe*” is a Chinese concept that encompasses both the quality and capability of individuals, in both professional and personal senses. China suffers from a lack of “*suzhe*” on the part of many of its lower level peoples’ deputies. While efforts are being undertaken to address this issue, there are millions of peoples’ deputies at all levels, many of whom have little or no education, and most of whom have had little or no training with respect to how to carry out their responsibilities. Despite their title, these peoples’ deputies are answerable only to the level above them in the political hierarchy. With the exception of elections that take place at only the very lowest level, the public is given no opportunity to choose their representatives. Indeed, the concept of serving the electorate is a novel one for the majority of China’s peoples’ deputies. It should be recognized, though, that while many peoples’ deputies are indeed corrupt, many simply do not have the tools necessary to carry out their responsibilities, while many others do wish to improve the situation in their “constituencies,” but lack the financial resources or ability to do so.

Maintaining stability is of paramount concern to China’s leadership.

The issue of separatism (“splittism”) in Tibet and Xinjiang Autonomous Regions is a special concern for Beijing authorities. In the eyes of most foreign observers, they have over-reacted with what appears to be cultural and religious intolerance for Uighur Muslims and Tibetan Buddhists, as well as the heavy-handed persecution of the personal empowerment movement, Falun Gong. Tibet and Xinjiang are rich in natural resources, occupy key strategic areas, and account for almost a third of China’s landmass.

Internally, the regime’s fervent view is that the best – the only – means of maintaining stability is through the continued leadership of the Party. However, as stated earlier, the Party is not monolithic, and there are differing views from within with respect to how stability should be maintained. Some favor continued – or increased – controls, while others recognize the need for a ‘pressure valve’ that can be provided through selective loosening of controls.

An estimated 80,000 to 100,000 “mass incidents” or protests, including everything from peaceful demonstrations to violent riots (based on a combination of official announcements and extrapolation), take place annually. Moreover, their numbers are increasing every year. Also apparent is that most of these incidents are protests against a breach of rights – most often, property rights.

Some experimentation by the authorities in areas such as public participation, cooperation with NGOs, or selective loosening of media controls is taking place in order to address these issues, but on an *ad hoc* basis. In many cases, unless innovations are institutionalized, they are lost when a forward-thinking local leader is promoted away from the district. With the exception of powerful leaders such as those of Guangdong Province, Shanghai, or Chongqing, most leaders are unwilling to take on the risk of significant experimentation. Intimately familiar with their own Party’s history of purges and shifting allegiances, they remain cognizant of the consequences of failed endeavors – or even successful ones that may later fall out of favor.

Also contributing to the ferment is what is seen as an impossible situation for many of China’s young people. In a society where a university degree was, in the past, virtually a guarantee of a good job and everyone had work allocated to them, many graduates are now finding themselves unemployed or seriously underemployed.

It is estimated that China’s rural population is approximately 800 million. Low wages and difficult living conditions are forcing more and more of them to migrate to the cities in search of better wages. China is experiencing the largest internal migration in history, with estimates of between 100 – 200 million people on the move. Many rural villages have all but disappeared, housing only the very old and the very young

– all dependent on remittances from those who have moved to the cities. For these families, traditional social structure has broken down. The days of the iron rice bowl are but a distant memory; the old social safety net is gone, and the government is struggling to replace it.

Low wages also contribute to instability. An extremely low minimum wage [frozen at between RMB 850 – 1,000 per month (less than USD \$150) – an income not even supporting subsistence in the increasingly expensive cities] combined with rapidly escalating property prices make ownership of even a modest home an unrealistic goal for the vast majority of the population. This lies behind the spate of protests taking place in the summer of 2010.

The Chinese leadership's preoccupation with stability has made the notion of "color revolution" a real concern: study teams sent abroad in 2005 to examine the conditions leading to the Rose, Orange, and Tulip Revolutions are, by many, credited with a sense of 'clamping-down' experienced since 2008. The Internet Manifesto published by exiled dissident Wang Dan and others in February 2010 can only contribute to concerns of the leadership:

"This is an Internet Revolution, a color revolution with Chinese characteristics. Four hundred million Netizens are the fresh troops of China's Internet revolution. This revolution will not be won overnight, but if we persevere night and day, day in and day out, we will ultimately shake the very foundations of CCP rule."

The Party has weathered numerous crises since its inception. The past decade, in particular, has seen an increased focus on inner-party strengthening. However, the huge social issues discussed above show no indications of abating; just as one problem is addressed, another raises its head. Many question whether the use of on the spot solutions on regional issues combined with continuing strong-arm tactics to silence dissent can continue to keep the lid on growing discontent.

Yu Jianrong, a scholar at the prestigious Chinese Academy of Social Science, gained international stature for his work relating to social stability and the increasing frequency and violence of 'mass incidents' in recent years. In a 2009 speech to the Beijing Lawyers' Association, he relates how discussions with current and retired senior government cadres has shifted his earlier optimism regarding China's continued stability to growing concern: these cadres have frankly expressed the view that upheaval is unavoidable.

Following an exhaustive analysis of mass incidents and the precarious nature of China's present social stability, Yu concludes that China's political power must be reformed through judicial checks and balances from the local level – to do so from a higher level is simply not feasible in the current climate. He advocates "laying ideologies aside, and just defending the Constitution."

The confluence of the leadership's need to maintain stability, and the demands of the people for defense of their rights finds a common ground in the constitution: more and more scholars and activists are advocating enforcement of the constitution as a means of moving forward both protection of human rights and democratic development in China.

INSTITUTIONAL DEVELOPMENTS

Non-Governmental Organizations

China's regulations for NGOs are not easy to decipher or comply with: an NGO must be both sponsored by a government organization, and then registered with the Ministry of Civil Affairs. Many NGOs unable to secure a sponsor are forced, instead, to register as corporations – a very expensive and cumbersome

process which also denies them access to government funding, and does not permit the raising of funds from the public. Such NGOs therefore largely rely on foreign funding for their activities.

The difficult registration process leads to the majority of NGOs eschewing this requirement and operating without official sanction. This, however, can leave them vulnerable to action by the state authorities should they run afoul of local officials in the course of their work. At the same time, legally registered organizations are by no means immune from such action; the NGO Open Constitution Initiative was closed down in 2009 and two of its lawyers arrested. Historically, advocacy organizations – particularly those advocating political change – are far more vulnerable than those working on issues of environment, health, or public participation.

China's network of NGOs includes international NGOs, GONGOs (government organized non-governmental organizations), as well as various forms of grassroots civil society. In 1988, China had 4,500 officially registered NGOs (including GONGOs). By the end of last year, according to Tsinghua University's Deng Guosheng, there were 425,000 registered NGOs.

The growth of unregistered NGOs in China is even greater: China's first activist environmental NGO (Friends of Nature) was formed in 1994. Scholars now estimate that there are between 1 and 3 million unregistered NGOs operating in China.

New regulations introduced in March 2010 require legally notarized grant agreements before an NGO can receive money from foreign foundations. Although some NGOs registered with the Ministry of Civil Affairs have been able to do so, most others have been unsuccessful. As a result, the majority of NGOs are no longer able to legally receive the overseas funding upon which they depend and face the prospect of closing their doors.

Experts point to this as an example of further tightening of the environment for NGOs. Others, however, stress the importance of looking at the longer-term picture, bearing in mind that NGOs while a relatively new phenomenon in China, have nonetheless grown exponentially.

Indeed, NGOs are increasingly filling the gap – particularly with respect to social and environmental issues – that local governments are unwilling or unable to fill. Following the 2008 Sichuan earthquake, billions of RMB flowed into the disaster zone, and the government was not equipped to disburse all the funds that were flowing in. YouChange, a Beijing based non-profit charitable organization, partnered with the city of Mianzhu's government to integrate resources to help with earthquake relief. The initial experience of YouChange, however, is indicative of the deep government mistrust of NGOs: no government agency was willing to work with YouChange, and the project was in danger of ending before it started. This was attributed to the fear that some NGOs use aid as a pretext for anti-state and antigovernment activities, and the career of any official associated with such activities would immediately end. However, a local official eventually stepped forward, stating that 'one shouldn't stop eating for fear of choking.'

The success of this project, which has managed to directly and indirectly disseminate over 2.1 billion RMB of aid in the past two years, has dramatically changed the attitude of local officials toward NGOs. However, there are also concerns that this same model may bring NGOs too much into the orbit of government, turning them into GONGOS (Government Organized NGOs), and hampering their ability to play an advocacy role.

The relationship between China's NGO community and its government is conflicted: On the one hand, the Party, before it came into power, gained support by providing community services and teaching

people how to defend their rights against the corrupt one-party government, the Nationalists. So the Party recognizes the benefit of civil society organizations, but also recognizes their potential threat. But most experts agree that the services provided by the NGO community are too great, and that the hole that would be left by their abolition would be too large. It is probable that they will remain an element of China's development, and continue to grow in response to China's needs.

DIPLOMATIC RESOURCES AND ASSETS

The diplomatic community resident in China is a large one. While most countries have a presence in Beijing, many also have consulates in Shanghai, Guangzhou, Hong Kong and Chongqing or Chengdu, providing resources and opportunities for research and interaction with Chinese government and civil society over a broad geographic area. Representation outside the capital permits reporting and analysis from outside the rarified environment of the capital, as well as beneficial contact with provincial and local officials and civil society.

Hong Kong is unique in its status as part of China, but different³ – this difference is immediately evident when alighting from Hong Kong's iconic Star Ferry, where Falun Gong protestors have a semi-permanent presence. The abundance of research facilities, NGOs, and individuals studying China from Hong Kong makes it an ideal source of information, or location for convening meetings in a more open environment.

Diplomatic **immunity** can also cast a protective cloak around others, foreign nationals and even Chinese. In 2005, Sharon Hom – executive director of the international NGO Human Rights in China, and a US citizen – was in Beijing as part of the EU Delegation for the EU-China Human Rights Dialogue Seminar. Returning to her hotel room one evening, she was accosted by two plainclothes security personnel who attempted to get her to go to a waiting car “for a chat.” She refused, and was able to contact the EU diplomats in her delegation. With their assistance, and that of US diplomats who were also called to the scene, she was able to resist this attempt to intimidate her. But she and her organization were pointedly not invited to future sessions of the Dialogue, either in China or in Europe. Pressure, intimidation, and outright arrest of Chinese citizens by security organs occur regularly. The shield of diplomatic immunity enables diplomats to protest and this may have had a protective effect in some cases. Ultimately, Chinese activists can seek asylum in foreign embassies, or claim refugee status – this case-study records several such examples. But often these useful interventions are not followed by sustained support to such independent voices, for fear of upsetting the Chinese Government.

In an environment where individuals are not able to leave the country, it can also be difficult to transport their possessions – including writings or films – to the outside if they are not digitized. There is no formal restriction on taking personal papers out of the country, but opaque and far-reaching designations of ‘state secrets’ can be invoked to authorize confiscation from Chinese citizens or foreigners without diplomatic immunity. When Lu Decheng left China, he left behind not only his wife and children, but also five volumes containing the notes documenting his 10 years in prison for defacing the portrait of Mao in Tiananmen Square during the 1989 protests. These notes filled five volumes; without them it would have been near impossible to complete his memoirs. A diplomat heading home for summer holidays carried the material out of China. A similar action enabled delivery of a young filmmaker's feature film about corruption in China to the Montreal International Film Festival, where it won an award.

³ Since its return to Chinese sovereignty in 1997, Hong Kong has been permitted a high degree of autonomy with its own executive and laws, currency, etc., while leaving Beijing in charge of its defense and foreign affairs.

In 1998, Canada launched the first embassy-disbursed fund providing support for non-governmental initiatives aimed at improving democratic practices, social services, public education, legal reform, and respect for human rights in China. As of March 2008, the project had contributed to support for the creation of 35 new NGOs, and directly helped strengthen 160 existing NGOs. This program subsequently served as a model for other embassy-based funds, and has also had significant knock-on effects, including a legal aid pilot project that spread nation-wide.

The international community spends millions of dollars every year on rule of law and governance cooperation with China. Some of this **funding** is carried out by international NGOs in connection with Chinese academic institutions, NGOs, or the Chinese government. Some of it is government-to-government, and some of it is NGO-to-NGO. Ironically, the sheer volume of work and the geographic spread of projects taking place in China makes coordination in order to avoid duplication of effort problematic. In addition, donors may find themselves returning to the same recipient time after time, as familiarity with the grant application process and reporting requirements lies with a relatively small core of NGOs and academic institutions. In an effort to expand expertise in this area, some embassies are providing training to grassroots NGOs, and at least one has hired a consultant charged with assisting applicants with the sometimes cumbersome application process.

Coordination of political officers focused on human rights is, on the other hand, well developed. Some of the larger embassies have officers focused just on human rights, while others have officers working on human rights and domestic politics – it often being difficult to analyze one without an understanding of the other. An informal group of about 10 missions of Community of Democracies members gathers on a regular basis to share information and analysis. The group can also serve as a catalyst for coordinating joint demarches or demonstrative action – such as the joint effort to attend the sentencing hearing of democracy activist Liu Xiaobo for inciting subversion of state power on December 25, 2009.

China is party to a number of international human rights instruments, including the Convention against Torture, and the Convention on Economic, Social and Cultural Rights. China signed the International Covenant on Civil and Political Rights (ICCPR) in 1998, but ratification seems still not on the horizon despite the efforts of domestic academics and the international community. However, its signature reinforces the legitimacy of efforts aimed at the improvement of China's performance on political rights. It also supports activity aimed at improving the infrastructure so as to pave the way for its ratification. Justice reform and amendment of China's Criminal Procedure Law – seen as necessary before China can ratify the ICCPR - are key areas of ongoing international cooperation. China's own 1982 Constitution (Article 35) is unequivocal about rights that are every day denied: "Citizens of China enjoy freedom of speech, the press, of assembly, of association, of procession, and of demonstration." The 2004 Constitutional amendment stipulating that "the State respects and safeguards human rights" has not, in the absence of a constitutional court, had any visible impact.

WAYS THESE ASSETS HAVE BEEN APPLIED TO MAKE A DIFFERENCE⁴

The Golden Rules

Diplomats posted to China routinely undergo extensive language training in advance of their move. While such training is, of course, pragmatic –allowing diplomats to interact directly with the Chinese people – another significant benefit is the recognition of willingness to invest the time and resources necessary to learn a language as challenging as Mandarin as a sign of **respect**. The lengthy and arduous language training process also doubles as an intensive course in Chinese history, culture, economics, and politics, better equipping diplomats to function in China’s environment upon arrival.

The UK’s Strategic Engagement Policy with China issued in early 2008 is another effective demonstration of **respect**. By clearly setting out its foreign policy objectives in China, it has introduced greater transparency into the relationship, laying out a roadmap for future cooperation, and clearly flagging issues of importance. This demonstration of transparency also lends an additional layer of legitimacy to cooperation in support of China’s efforts to improve transparency and accountability in its own governance.

Diplomats functioning in China must be adept at listening not only to what their Chinese interlocutors are saying, but also to the choice of words used by other representatives of their government (Ministers, experts), and the choice of words used by interpreters in meetings. Many concepts relating to human rights and democracy do not translate well into Chinese or correspond to Chinese official thinking. (Article 1 of the 1982 Constitution affirms the “people’s democratic dictatorship”). In order to convey the intended tone and nuance, use of the appropriate word can be critical. It is not unusual for a Chinese official – many of whom are fluent in English – to correct their interpreters in the course of meetings: their command of both languages used in meetings provides a distinct advantage.

Understanding sensitivities is critical in determining in which areas foreign governments and NGOs can be overtly involved, and where their involvement is best kept under wraps. One domestic NGO figure focused exclusively on democratic development is now focused on the upcoming round of elections, where he expects a significant upsurge in the number of independent candidates: In the 2006-07 election cycle, Beijing alone put forward about 30,000 independent candidates. This time, the figure is expected to more than treble. While he acknowledges that there is considerable foreign interest in this area, he advises that foreign involvement is likely to be counter-productive because of the high level of ‘nervousness’ in the leadership.

Such nervousness is linked to concerns regarding allegations of foreign involvement in recent “color revolutions.” At the same time, however, this institute’s pilot projects in the area of public participation have come to the – largely favorable – attention of the highest levels in the central government. Articles

⁴ Nota Bene - Many of the tools in the Diplomats’ toolbox apply equally well to the NGO sector. Due to the sensitivity of many of the projects that are currently underway, as well as the high level of cooperation between the NGO and the diplomatic sectors, examples provided of application of the tools have been drawn from both international NGO and diplomatic representatives.

In addition, the sensitive nature of many of the projects involving foreign governments – even in the case of cooperation with various levels of the Chinese government – result in a reluctance to specifically name either the country or the Chinese government department involved. For this reason, many of the examples given below relating to recent or ongoing activities are – of necessity – vague and unattributed.

about these pilots are attracting a great deal of domestic media attention in the country's increasingly privately owned (though still strictly controlled) press. And in an environment where experimentation rarely takes place in the absence of senior level approval, and where such approval is rarely – if ever – explicit, tacit government support for such pilots is often discerned by tracking commentary in the *Peoples' Daily* (the official media organ of the Party), where favorable reports can signal an opportunity for greater openness in a field.

Similarly, many countries have experienced a greater degree of success in cooperative projects – particularly in sensitive areas – if embassies step back from direct involvement in support activity. Proposals to local governments put forward by academics, rather than a foreign government, are more apt to be accepted. In the case of one seminal conference relating to NGO development, the sponsoring government left all reference to its involvement off conference materials, and did not actively participate in the conference. Absence of the foreign presence allowed officials and NGOs to speak freely and establish contacts that some Chinese participants would not have pursued in the presence of foreigners, especially from embassies. Additionally, China's rigid system of protocol requires the presence of certain senior officials (or individuals holding a certain position) at conferences involving foreigners that can have a dampening effect on candor and outcomes.

One diplomat reported cancellation of a poverty alleviation project in a remote province. The reason given for cancellation of such a seemingly uncontroversial project was that local officials did not wish the fact of foreign involvement to be known. The diplomat asked not to be named, as they hoped to restart the project in the future with a different approach.

In some cases, the challenge in reaching agreement is with the language proposed, rather than the concept. **Understanding** the constraints and priorities of various government ministries has assisted in framing projects that are “win-win.” The US – China Rule of Law Initiative is a classic example of this: its official title is “Cooperation in the Field of Law.”

One country that wished to cooperate with China in a certain area of justice reform is having success by taking a practical approach. After **listening** to China's greatest concern in the area, for example prison reform, the foreign partner presents a business case approach that links a human rights emphasis in international research to China's desired outcome. This approach has delivered additional dividends: an improved relationship with a generally inaccessible government ministry, and improved access to prisons.

Canadian Ambassador Joseph Caron was never afraid to push boundaries in the course of his meetings with senior government or Party officials. He recalls lively discussions with Pan Yue – then Vice Minister of China's State Environment Protection Administration – arguing the necessity of freedom of the media in order to enable the government to better do its work and root-out corruption. Indeed it was one of the first areas of both increased NGO involvement, and increased journalistic activism. Pan not only used the media himself to bring environmental problems to the attention of the public, but during his tenure, journalists enjoyed a greater freedom in their ability to report on environmental issues. While Ambassador Caron was unlikely to have been the only foreign diplomat stressing the economic benefits of a freer media to Pan, the recognition by diplomats of opportunities where there may be both a business case to be made, and the space to move forward (here, in the form of a forward-thinking and risk-taking leader) can support efforts to pave the path to change.

Understanding an opaque environment: In an environment where ‘tea leaf reading’⁵ is both a hobby and a professional necessity, certain developments may be assigned a significance they may not merit. Understanding the broader political environment can enable diplomats to avoid the ‘loosening and tightening’ flavor of reporting which can be misinterpreted in capitals, and lead to an ill-supported sense of the often volatile situation on the ground.

For example, according to David Bandurski, a Hong Kong-based academic working with China’s growing professional journalist community, frequent references to “another press crackdown” in China are misleading: the “crackdown” has been ongoing since 1989. While control remains constant, he maintains that the type of manipulation shifts in response to the changing reality on the ground. This changing reality is also strongly influenced by the Internet. For example, a story regarding local corruption will be picked up by the web, and so can’t be completely silenced. Rather than banning all reporting, as would have happened several years ago, the news cycle is now used: coverage by independent media is restricted, but Xinhua (China’s official news agency) is permitted to cover it. Xinhua then “exposes” the story, points the finger at local corrupt officials, and “gets to play the good guy.” This may be interpreted as “loosening,” just as a subsequent removal of an editor for publishing an investigative analysis may be interpreted as a “crackdown.” Understanding the underlying and somewhat obscure cycle of “control, change, and chaos” can help better target cooperation with China’s nascent domestic journalism community

The Beijing diplomatic community focused on human rights issues is closely knit. This group **shares** information on a regular basis, and on a variety of issues, including recent developments and new initiatives. It coordinates joint demarches, exchanges translations of key documents or articles, and compares notes in analyzing the constantly changing face of China’s human rights situation.

Many diplomats are also part of international, informal networks of China-watchers: academics, businesspeople, journalists, and others with an ongoing interest in, or involvement with China. Such groups are invaluable resources for the real-time exchange of information and interpretation of events in China, including detention or release of activists, updates on recent policy changes, or interpretation of the actions of China’s leadership. Multiple open online sources, such as *China Digital Times* also contribute to the worldwide sharing of information about China, as well as translations of Chinese documents and articles.

Truth in Communications

Despite the existence of China’s infamous Great Firewall (GFW), information is flowing to and from China’s human rights defenders, some of whom have thousands following their tweets and blogs. With almost 400 million Internet users, it is simply not possible for authorities to monitor all e-mails, tweets, blogs, and posts that these users generate. The state incentives of the “50 cent party”⁶ are having little, if any, effect on the increasingly savvy Internet population, gaining more derisory comments than converts.

Han-Han, a prominent Chinese blogger, was voted the second most influential person in the world in Time Magazine’s 2010 list. His acerbic, political jabs at government policy and restrictions of the media

⁵ ‘Tea leaf reading’ refers to the tendency of all China watchers – in the absence of media or government transparency and in an environment where little happens without a reason – to interpret new policies or actions by the leadership as having significance. However, the interpretation is not always correct, and there is not always an underlying agenda.

⁶ Individuals paid ½ RMB for every pro-government post that they submit to chat-rooms.

have gained him millions of followers. Internationally acclaimed artist Ai Weiwei and “the Butcher” are also well known members of this growing cohort of Internet crusaders, using the Internet as their 21st Century Democracy Wall.

One thing many of these bloggers and activists have in common is the occurrence of a single event that triggered their Internet activism. Although the events differ, they generally relate to discovery of a specific injustice or cover-up, such as over the tainted milk scandal, or the number of children who perished in the Sichuan earthquake, or the arrest of Liu Xiaobo. The number of signatures to Charter ‘08 continued to grow, undeterred by Mr. Liu’s sentencing. Sharon Hom reports that many well-known writers that had been using pseudonyms for some of their more controversial work have ceased to do so since the sentencing of Liu Xiaobo. The Internet is encouraging a different type of activism.

Google’s move of redirecting users in mainland China to its Hong Kong site, google.com.hk, in March 2010, following its decision to no longer comply with China’s monitoring policies, has been hailed by many Chinese democracy activists as a great victory. While many activists are able to sidestep the GFW through the use of a series of different and increasingly sophisticated measures, Google’s move to Hong Kong is better **informing** the average user by now allowing them to see just how many sites are blocked - even though access to these sites remains censored.

In July 2010, the government of China renewed Google’s license to operate its website in mainland China without changing its censorship rules. While some have criticized Google’s decision, users in mainland China will have the option to click a link to switch over to Google’s Hong Kong site. Xiao Qiang, director of the China Internet Project at UC Berkeley, cautiously points out that this decision breaks new ground, stating, “It is unprecedented for a private company to challenge Chinese Internet censorship... In the past, there would have been no doubt that the Chinese government would have punished Google.” The government’s decision, Xiao adds, is “a very calculated position that is good for China’s long-term development and openness.”

Many embassies make use of the Internet and blogs to reach the Chinese public. For example, one British Embassy blog providing an account of a day spent with a migrant worker had, after being translated into Chinese, 30,000 hits in its first five hours. This account had the effect of both informing the local population about the plight of individuals literally in their own back yard, and of providing this same population with a different view of the foreign community that they have been taught to fear.⁷

While the Internet revolution has shifted much focus from shortwave radio broadcasts such as Voice of America or Radio Free Asia, the important role they have played in the past – and continue to play – in **providing information** to populations behind the GFW should not be discounted. Lu Decheng, imprisoned for 10 years after throwing ink at Mao’s portrait in Tiananmen Square, recounts⁸ how he and others relied on such broadcasts to learn about events in China, including commentaries by astrophysicist and democracy proponent Fang Lizhi, well before the 1989 Tiananmen protests. Such broadcasts are still of importance for those who either do not have access to a computer, or who have access, but are unable to scale “the Great Firewall.”

⁷ A number of Chinese activists and academics have referred to the continuing fear and antipathy that exists toward ‘the west’, resulting from an anti-foreign bias in the education system. They have stressed the importance of increasing people-to-people ties as a means of dissipating such perceptions.

⁸ In the memoir *Egg on Mao*, by Denise Chong – an account of the events leading up to the author’s throwing ink at the portrait of Mao during the 1989 Tiananmen demonstrations, and the resulting 16 year imprisonment.

Liu Xiaobo, the activist imprisoned in 2009 for 11 years for his role in drafting Charter '08, underscored the importance of international media in giving voice to those who no longer can speak in China:

“I, who had been drawn into the path of dissidence by the passions of June Fourth, after leaving the Qincheng Prison in 1991, lost in the right to speak openly in my own country, and could only do so through overseas media, and hence was monitored for many years; placed under surveillance (May 1995- January 1996); educated through labor (October 1996 – October 1999), and now once again am thrust into the dock by enemies in the regime.”

Diplomats' efforts to provide balanced **reporting** to capitals can be challenged by inaccurate or biased media reports in the home country media, or by inaccurate views held by individuals in capitals who still hold outdated pre-conceptions of Chinese society and the extent of modernization and sophistication in its cities.

A diplomat's efforts at reporting are only as useful as the willingness of the recipients to read and assess this reporting. Many diplomats based in Beijing (as elsewhere) complain about the 'black hole' into which their reports often fall. However, those targeting their reports on long term, strategic issues, and who identify specific links to issues of national interest report increased readership in capitals.

As the above makes clear, reporting has its limitations – there is no substitute for actual travel to other countries to promote understanding. Approximately 2.2 million Chinese citizens have travelled abroad to study since 1979. These numbers include academics, government officials, private citizens, judges, and any other imaginable category of citizen. Diplomats working on cooperative development projects have found that those officials with overseas experience are far more open to incorporation of human rights elements in the development of projects.

While informing capitals of important development in China through reporting is an opportunity, it is also a responsibility. Activists are willing – even eager – to meet with foreign diplomats and journalists. In contrast to the situation 10 years ago, they are very frank and open in their comments. However, these same activists are still taking a risk; the diplomats with whom they meet have a corresponding responsibility to interpret and report such contacts judiciously as well as the way they use their networks to share this information. Such sharing of information can provide these risk-takers with some semblance of protection.

David Bandurski, of Hong Kong University's China Media Project, states that although the government's effort to control the media has not changed since the aftermath of Tiananmen Square, there has been a significant social change. Now, papers are market-based, so public demand is having a greater impact on what is found in the news. This is leading to watchdog journalism. He believes that a new pluralism is emerging, and leading to gaps where professionals can fill the space.

Working with the Government

The international community has by now an established history of **cooperation with the Chinese government** in a broad range of areas, from village elections to open government, accountability, human rights in prisons, procuratorate⁹ reform, and judges' training. This cooperation takes place with all levels of government, and may have an impact that is felt, though not yet seen. For example, a lawyer

⁹ The Supreme Peoples' Procuratorate is responsible for prosecuting criminal cases, investigating corruption, and overseeing the criminal justice system.

representing several well-known human rights defenders advised that he has seen a positive change in judges over the years – a change that he attributes to ongoing judges’ training that has been undertaken by a number of nations. Some of these judges have advised, unofficially, that they agree with the arguments of the defense, despite having no flexibility regarding the verdict they must deliver. For lawyers working within this system, such recognition by judges of the illegitimacy of the process, together with a willingness to communicate such sentiments is a small but significant step forward.

China’s cooperation with other countries can, however, be held hostage to changes in policy from the center, or at the local level. In cases where long-term programming is anticipated, making at least the principle of cooperation a part of a summit process, and incorporating the agreement to cooperate in the Summit document, has been a means of preserving the nature of the project, and – in some cases – assuring its very existence. The US Rule of Law Initiative is an example: its inclusion in the 1997 Clinton-Jiang summit document ensured its continuing legitimacy (though it went dormant for a time due to lack of funding). Such government-to-government agreements also provide legitimacy for NGOs working in the same field. In cases where NGOs run into trouble with local authorities, it is possible to point to the high-level agreement as an indication of an area where cooperation has the blessing of the central authorities.

Sometimes the most unlikely circumstances can lead to working with the government – or at least dissemination of central policy to local areas. In advance of the 2008 Beijing Olympics, restrictions on foreign media were relaxed, allowing reporters to interview anyone they wished, as long as that person provided consent. Initially, local authorities were not aware of these regulations, and would not permit journalists to enter their districts. The journalists had laminated cards printed, containing the text of the regulations, together with contact names and numbers in Beijing for further information. This relatively simple solution both informed local authorities and allowed the journalists to get on with their work.

The Human Rights **Dialogues** established between a number of countries and China have consistently come under fire from the international NGO community for their failure to achieve concrete results. Nonetheless, there is consensus among diplomats that they can serve as a springboard for a number of less visible but more effective efforts. The dialogues have been used to bring together Chinese government and NGO representatives, or high-level Chinese officials from various government departments. Some dialogues also provide an opportunity for high-level (vice-ministerial) meetings and demarches. This is particularly important in the current environment where China is increasingly resistant to accepting demarches.

The EU dialogue on the death penalty has taken a practical, incremental approach. In the five years since the dialogue started, China’s attitude has gone from “the Chinese people want the death penalty” to “it will eventually be abolished.” Although it has not been abolished, regulatory changes over the past five years are believed to have had an effect of reducing the number of executions. However, because these numbers are shrouded in secrecy, it is not possible to be certain.

Dialogue can take many other forms, as well: the US is credited with having a positive impact on treatment of persons with hepatitis as a result of raising the issue with the Ministry of Health. In 2008, hundreds – mainly children – were poisoned (many fatally) by milk and infant formula cut with melamine as a cost-saving measure. New Zealand is credited with breaking the scandal as a result of its officials in Beijing – on the instructions of their Prime Minister – notifying relevant ministries in Beijing of the problem, and the failure of local authorities to institute a recall. This latter case has led to new legislation relating to food safety, though – as with much of China’s legislation – enforcement remains problematic.

Most countries when working with China on human rights issues use a combination of closed-door and public declaratory diplomacy. A number of Chinese activists, while stressing the importance of demarching, also stress the importance of determining which form of diplomacy is most likely to be effective. Says one: “Reduce the room for human rights violators to abuse the comments made, and make sure you can afford to make the statement, and are not going to be forced to back down at a later point.” A recent case involving a foreign national where public protest failed because of inadequate information was former Australian Prime Minister Kevin Rudd’s threat of possible economic consequences in the case of Stern Hu, a Rio Tinto executive. After he confessed to corruption charges, he was sentenced to 10 years’ imprisonment in China.

Regarding protests on apparent human rights violations on dual nationals, foreign governments need to cope with the policy of China to disregard the legitimacy of the foreign citizenship claim. Public pledges by foreign leaders to extract their citizens from their Chinese difficulties need to be carefully calibrated with the private messaging to the Chinese authorities.

When a democratic head of government has concerns over the jailing in China of a national, a dual national (a status the Chinese do not recognize), or even a Chinese citizen, the manner in which the matter is raised can influence the outcome. The Chinese do recognize that the jailing of an activist as prominent as Liu Xiaobo will oblige democratic representatives to protest in public, and they generally give their side of the argument publicly. There is not apt to be a change favoring the prisoner but moral support is of some value to his ongoing cause. Practical outcomes are more likely to emerge from private demarches situated in the context of the bilateral relationship. Making it known in advance that such a matter will be raised is not in itself counter-productive. But if public statements imply that a Summit meeting with the Chinese leadership is being sought specifically to take up a case, and especially if the statement is litigious, contentious, and critical of the Chinese legal process, experience shows that the meeting is unlikely even to take place, much less help the prisoner.

There is broad agreement regarding the value of **demarching** in China, although tangible results have become less clear in recent years. Chinese authorities have responded positively to several private top-level demarches to permit the release of jailed activists and their travel to asylum abroad, but rarely respond positively to public campaigns especially if these seem directed to a foreign country’s domestic political constituency. As for everything in China, the best results emerge when they can be shown to have been in Chinese self-interest and not foreign pressure.

Demarches at high levels, or in advance of high level visits, have succeeded in securing the release of a number of high visibility individuals, including Rebiya Khadeer, Jiang Weiping, and Wei Jingsheng – to name just a few. However, this particular element of success is seen as mixed – those who do not immediately leave China may, such as in the cases of Gao Zhisheng or Hu Jia, again disappear or be arrested in very short order.

Reaching Out

Former US Ambassador Winston Lord (1985 – 1989) took advantage of a period of relative openness to meet with a wide range of academics, artists, students and others. His appearance, together with his wife Bette Bao Lord, at Beijing University’s Democracy Salon in June 1988 caused a sensation – both for the hundreds of students present, but also for the Chinese leadership. Ambassador Lord was subsequently advised that he should have obtained the government’s permission to speak to the students – and that this advice came directly from Deng Xiaoping. Ambassador Lord’s reaction was swift and vehement, stating that no-one would be expected to obtain advance clearance to meet with students at Yale or Harvard, and that he had the right to do the same at Beijing University. Nothing more was heard on the matter.

Ambassador Lord first opened his residence to Chinese visitors on his arrival in 1985. He and his wife, well-known author Bette Bao Lord, opened the Embassy's July 4th celebrations to Chinese civil society and worked on a daily basis to increase their people-to-people ties. One means used was through a series of discussion evenings. They would invite political and economic reformers to their home, together with officials, academics, or other diplomats for informal discussion on a variety of topics ranging from culture to science to more overtly political topics.

Such access to the diplomatic community and to Chinese officials was rare for the academic and activist community, particularly in 1986. It not only provided the US Embassy with valuable insights into the views of some key members of the academic and cultural community in the years between the 1986 Shanghai democracy protests and the Tiananmen Square protests, but it also provided what was then a rare opportunity for different elements of China's stratified society to meet and share views with each other, representing a **convening** function.

Many individuals doing advocacy work in the area of human rights have stressed the importance of making such contacts. They have advised that instances of diplomats using embassy or their own homes as places to meet and discuss issues – be it one-on-one, or as a networking opportunity – is invaluable. They have stressed the value of this in breaking down the antipathy and fear that many Chinese people have been taught to feel for westerners, stating that people-to-people connections are the best means of increasing understanding, and breaking down barriers, as demonstrated by the myriad of exchange programs that have been instituted in recent decades, often administered or facilitated by embassy personnel.

Convening NGOs and government officials can have valuable knock-on effects in a society where NGOs not only rarely have access to government officials, but are often mistrusted by them. One prominent independent Peoples' Deputy¹⁰ and vocal women's rights advocate advised that one of her most valuable government contacts was met during a conference convened by Canada's CIDA. This contact has since become instrumental in her gender equality and training work.

The Beijing International Women's Conference has been described as a watershed for the development of China's then-nascent NGO community. Although many aspects of the conference – such as confining the NGO element to a separate venue and requiring protest to take place within defined zones – came under fire from the international community, it provided a valuable and unprecedented opportunity for Chinese NGOs to witness protest, to establish connections with the international NGO community, and also to participate in an international human rights conference. One Canadian diplomat recalls racing to the protest site upon receiving information that some Canadians were preparing to unfurl a 'Remember Tiananmen' banner in the designated "demonstration zone." Instead of having to deal with the feared consular case, he vividly recalls watching both private citizens and local police standing by watching the Canadians demonstrate.

A three-day conference on international law in Hong Kong for a group of China's public interest lawyers was instrumental in providing them with additional tools for the protection of their clients. In particular, many of these lawyers were not aware that China is a party to the United Nations Convention Against Torture (CAT). They were given training on the provisions of the CAT, suggestions on how to use the

¹⁰ While the vast majority of Peoples' Deputies are Party members, there is a slowly growing number of independent representatives, although this is only at the lowest levels. Contrary to those Deputies who are Party members, and thus see themselves as answerable to the levels above them in order to advance their careers, independent representatives have no opportunity of career advancement within the system, and so work for the rights of their constituents.

provisions of the International Covenant on Economic, Social, and Cultural Rights to fight both for their own, and their clients' rights. These same lawyers were also provided training on how to draw up detailed and well-reasoned defense statements. Although the courts rarely permit submission of such statements, the lawyers continue to prepare them, and are now posting them on the Internet as a means of publicizing their clients' arguments, and as a resource for others. At the time of writing, none of these lawyers have been 'invited to tea'¹¹ by local police.

An initiative of the British Embassy relating to implementation of the new Lawyers' Law would not have taken place without foreign involvement: they brought lawyers, judges, and other officials together in one room to discuss necessary steps for implementation.

Over the past 30 years, the international community has invested considerable money and effort into a broad range of collaborative efforts with both government and civil society in support of China's democratic development. Justice reform, village elections, judicial training, and accountability are all areas that have benefitted from direct government-to-government cooperation.

In addition to the large-scale, primarily government-to-government cooperation, there are countless examples where a relatively small amount of funding, capacity building, or networking opportunities provided grassroots civil society organizations with either the push to expand their operations, or the tools and encouragement necessary to continue their work.

Little Bird is a grassroots organization started by a migrant worker in Beijing. In the beginning, he didn't even know he was starting a civil society organization – he was just connecting migrant workers with each other. However, in 2003, he was given the opportunity to grow. An Embassy-administered civil society fund provided him with a small sum to set up a hotline for migrant workers. He is now partnered with local governments, has been approached to mediate labor disputes, and has started similar NGOs in two other cities. Although he continues to need some foreign funding he has also established effective partnerships with local government agencies – an occurrence that is still rare, but would have been unthinkable 10 years ago.

Until recently, all social programming in China was undertaken by the state. In recent years, NGOs have been filling in gaps where the state has been unable or unwilling to respond to increasing demand for services. Work by China's nascent civil society – particularly in the areas of environment, migrant workers, and disabilities – is providing valuable experience to the Chinese public in lobbying government, organization, and capacity building. A wide range of embassy-based programs and international NGO cooperation is providing support to these NGOs to develop their capacity and networks.

However, as one diplomat based in Beijing is quick to point out, the 'ecology of China's civil society is still in its early stages.' He cautions that until civil society is better established, the international community should not have the institutional expectations it might have of other, better developed civil societies. And until there is a critical mass of civil society organizations, they will not be able to move decisively forward with reform.

¹¹ Persons who have come to the attention of authorities, but who haven't broken any laws, are being 'invited to tea' with local police. Such invitations are often issued to activists, and were offered with particular frequency to individuals who signed Charter '08. It has now become a topic of several blogs, where invitees share their experiences.

China's civil society has been developing in fits and starts, characterized by rapid expansion and sudden restrictions. Independent NGOs lead an uncertain existence in China. Recent regulations relating to foreign funding of NGOs have led many to conclude that these new regulations are aimed at shutting down NGOs that receive foreign funding. The head of a Hong Kong based NGO (who has personally suffered the consequences of past campaigns to silence dissent) stresses the need to first look at new policies from the perspective of a legitimate government (increasing tax revenue from funds coming into the country), rather than that of a human rights violator (stifling the environment for NGOs). He believes that this is precisely where government-to-government reasonable discussion may succeed in finding a solution. If China is immediately accused of making regulatory changes in order to further control NGOs, the door to reasonable discussion is closed, regardless of whether or not this was indeed the original intent. If, through efforts to work cooperatively, it becomes evident that measures are indeed intended to restrict the environment for NGOs, that becomes the time to move to other means of expressing concern – through private, and then perhaps more public statements.

Both he and the head of another think-tank that have suffered a negative impact from these new regulations counsel creative solutions and flexibility in order to minimize the negative impact: one organization has studied the regulations and identified what must be done in order to continue receiving foreign funds. It is cumbersome, but possible. Another organization has identified a legal means to receive funds without going through the prescribed hoops – but it is an unorthodox means that many foreign governments are unwilling to follow.

Challenges

China's stature as a world power is such that fear of arousing its wrath is leading to widespread self-censorship of businesspeople, academics, and public officials outside China, as well as within the country's borders. It is a phenomenon described by eminent China scholar Perry Link as 'the anaconda in the chandelier.' It is never clear where the boundaries between allowed and illegal, or innocuous and offensive comment may be, but the anaconda remains coiled in the chandelier above your head, waiting to descend if that invisible line is crossed. So, rather than risk inciting the anaconda's wrath, it tends to be the safe road that is taken.

Beijing diplomats expressed a concern that groups with the loudest voices often drive priorities from capitals, possibly sending an inconsistent message to Beijing. The most obvious example was with respect to support for the situation of ethnic Tibetans or Uighurs – countries with a large or vocal ethnic Tibetan population may advocate the interests of Tibetans – or vice versa.

Defending Democrats

During the protests on Tiananmen Square in April, May and June 1989, representatives of the international diplomatic community could often be seen on Tiananmen Square, speaking with demonstrators, and subsequently reporting back to capitals. Frequent peaceful demonstrations in Beijing also provide opportunities to both speak with petitioners, and to provide these petitioners with access – albeit fleeting – to a foreign diplomat. One diplomat recalls being mobbed by petitioners who had travelled to Beijing from the countryside, and were marching toward the United Nations offices. Thrusting copies of their petitions and supporting documents at her, they begged that their plight be made known to foreign governments. In this case, the diplomat was physically restrained by undercover police while the papers were wrenched from her grasp. While this particular incident may not have yielded concrete results, it is indicative of both a concern on the part of the authorities that details of internal conflict not be made known, as well as the desperation of citizens to have their stories heard.

More recently, the diplomatic community has provided valuable support to democracy activists through their visible and high-level presence at the sentencing hearing of democracy activist Liu Xiaobo on Christmas Day 2009. Several members of the activist community have commented on the value of this **demonstration** of international support to the supporters of Liu – whether they were at the courthouse, under house arrest, or observing events from a distance – stating that it has given many others the courage to protest. Indeed, the signatures of Charter '08 increased steadily following Liu's sentencing, and many prominent authors and academics who had previously used pseudonyms are now “coming into the open” with their calls for change.

While not a diplomatic act, the nomination of Liu Xiaobo and other Chinese human rights defenders for the 2010 Nobel Peace Prize is seen as a valuable recognition of what has been described as the ‘lonely struggle’ of the activist.

In 2002, after the AIDS activist organization *Aizhixing* drew attention to China's tainted blood banks, Wan Yanhai was arrested on suspicion of “leaking state secrets” for publishing online a government report documenting the transfusion-borne spread of AIDS. Wan, who was jailed for a month, but never formally charged, credited his release to the political pressure generated by an international media campaign. In 2010, Wan – citing increasing official harassment, and fears of imminent arrest, moved to the US. He has, however, expressed the hope that he will be permitted to safely return to China in the future.

The case of Fang Lizhi is perhaps one of the best-known examples of a foreign embassy providing **protection** in China. Fang, an astrophysicist, had become well known as a democracy activist as early as 1956, during the 100 Flowers Movement. He was purged as a result of his writings at that time, but again rose to prominence in activist circles in 1985, gaining even greater prominence in the months leading up to June 4, 1989. On June 5, Fang and his wife sought refuge at the US Embassy in Beijing, where they remained for over a year before being sent by military transport to England. Fang had had frequent interaction with the previous American Ambassador and his wife, and had visited their residence on several previous occasions.

Less dramatic, but also effective, is the work of advocating for prisoners through letters and – where possible – prison visits. It has been established through information received from family members, and interviews with prisoners, that communication from embassies or foreign governments regarding persons in prison – particularly “Reeducation through Labor” (RTL) facilities – can have a valuable **protective** result. Almost always resulting in better treatment of the prisoner, it has been – in some cases – the difference between life and death. This protection can be particularly effective in the case of lesser-known prisoners who might not have other advocates from outside China.

Conversely, however, extremely harsh sentences in cases such as those of Zhao Yan or Chen Guangcheng – where the international community had been actively demarching - led to concerns at the time of a possible backlash against such actions. However, activists are quick to stress the importance of continuing demarches, together with continued efforts to attend trials and sentencing. Although efforts to do so, in an environment where even the lawyer and family of the accused are often not permitted to attend the trial, have been consistently unsuccessful, the moral support to the activist community of such efforts is critical.

Autonomy/Empowerment at Post

Democratic development is an incremental process, and because it involves so many elements, determining benchmarks – or evaluating progress – can be problematic. Diplomats in Beijing report the temptation of home authorities to link benchmark progress to their own electoral calendars, a shallow

impulse that can lead to a lack of interest in projects that may not include an imminent ‘deliverable.’ Although it can be possible to measure results in an anecdotal way, it is not always possible to pinpoint in a measurable manner concrete results of projects. It is therefore necessary to maintain a long-term view.

In order to meet with academics or think-tanks in their offices, it is necessary to go through a sometimes cumbersome process, and obtain the concurrence of the host institution. However, in cases where diplomats have already developed connections with their interlocutor, it is possible to meet outside the office environment, and engage in a more open discussion, skirting the official process.

Restrictions on civil society remain prevalent, but consequences of defying such restrictions can be mixed. Although often told not to meet with diplomats, journalists, or foreign officials, many Chinese defy such instructions, with little or no consequence. In fact, such meetings – especially at high levels – are believed to provide some degree of protection, but can also lead to problems. For example, one week after the Swedish Foreign Minister met with a number of academics, one of them was moved to Xinjiang. However, it cannot be proven there was linkage.

CONCLUSION

China’s democratic transition has commenced, but the form that this democracy will take in the end remains uncertain, even to its leadership and its people.

Future updates of this case study, particularly following the change in leadership in 2012/13, could be of even greater interest than this one. This study can really only provide a starting-point on the question of China’s democratic development. Changes are taking place at such a pace as to be impossible to track on a comprehensive level. Indeed, in the months since commencement of this project there have been a number of significant events that have occurred, and which are documented in the current version.

The Internet, with almost 400 million users, is playing a critical role in this transition. Text messaging, tweets, and other uses of new technologies are also critical tools for dissemination of information and bringing people together. Demands for rights enforcement and simmering discontent in rural areas are also pushing the need for reform and to establish a dialogue on the nature of modern economies, societies and polities.

China’s leadership is not monolithic. Struggling with China’s myriad challenges, it is also struggling with internal conflict with respect to how to best address these challenges in order to maintain – or resuscitate – its legitimacy.

China’s leadership is also very pragmatic. There are indeed hardliners within the leadership, but there are also reformers who need ammunition to push forward with reform. Where a business case can be made, there will be opportunities to work toward pragmatic reforms. A large-scale leadership change is coming in 2012. Many of the new leaders are still in the provinces, or ministerial level jobs. By building relationships now – when diplomats have better access to them – it will be possible to enhance opportunities for cooperation at the most senior level in the future.

In an increasingly globalized world, China’s continued stability is critical to international stability, but – contrary to the belief of some of its leadership – its political development is not a threat to its stability. Indeed, more and more Chinese scholars are pointing to the need for change in order to preserve stability. And, contrary to the past, when scholars were regularly purged for advocating change, there is now an uneasy truce between the leadership and academics, with the leadership increasingly seeking the counsel

of think-tanks and universities. But the memory of past purges is still raw, and even suggesting a move to a multi-party system remains potentially dangerous.

The pace and direction of China's development – including democratic development - will be determined by its people. China's leadership has been borrowing from a variety of international models, while steadfastly rejecting any suggestion of 'Western-style' democracy. Calls are increasing from within China for enforcement of its own laws, including its Constitution, as a means of moving forward with political change. The international community has a wealth of experience to share with China's ever-pragmatic leadership, and the leadership at all levels is willing to learn from the international community – on its own terms. Just one generation ago, the entire country was closed. Now, some doors are open, while others remain resolutely closed. The role of diplomats is to use the open doors in hopeful expectation that Chinese citizens will open others in their own interest.

“I want to emphasize that if China cannot have democracy and constitutionalism, this will be a problem not just for the Chinese themselves, but the entire world. People outside China have to understand that what happens in China and the political situation here directly impacts the situation elsewhere. I want to thank the American government and all Western people who have been concerned, and continue to show their concern, because they are our only hope. The support of the foreign media, governments and people has given us confidence and courage and made it easier for us to bear the solitude of our activism. There is one thing that I've never doubted, and that's that China will eventually have democracy and constitutionalism. Our only concern is when they will arrive.”

- Gao Zhisheng,¹² in an interview to *South China Morning Post*¹³

N.B. On October 7, 2010, the Norwegian Nobel Committee awarded the Nobel Peace Prize to Chinese democracy activist and dissident Liu Xiaobo, The full statement from the Nobel Committee may be read [here](#).

¹² In 2001, Gao Zhisheng was recognized by China's Ministry of Justice as one of the 10 best lawyers in the country. In 2006, after taking on a number of controversial cases relating to human rights issues, he was convicted of “inciting subversion of state power,” sentenced to three years' imprisonment with a five year suspension, and one year deprivation of political rights. His license to practice law was also revoked. The suspension of his sentence meant that Gao was not imprisoned. He was politically outspoken, and as a result was taken from his home in 2007 and detained for two months, during which time he was tortured. He was again taken from his home in 2009, briefly reappeared in March 2010, and then disappeared again one month later.

¹³ South China Morning Post,, 15 June 2010 “Lawyer Gao Zhisheng Suffers Beijing's Mafia Justice” by Paul Mooney