

Online Corruption-Reporting, Internet Censorship, and the Limits of Responsive
Authoritarianism

by

Jack Hoskins
BA, University of Victoria, 2015

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Supervisory Committee

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Abstract

This thesis traces the development of the Chinese government's attempts to solicit corruption reports from citizens via online platforms such as websites and smartphone applications. It argues that this endeavour has proven largely unsuccessful, and what success it has enjoyed is not sustainable. The reason for this failure is that prospective complainants are offered little incentive to report corruption via official channels. Complaints on social media require less effort and are more likely to lead to investigations than complaints delivered straight to the government, though neither channel is particularly effective. The regime's concern for social stability has led to widespread censorship of corruption discussion on social media, as well as a slew of laws and regulations banning the behaviour. Though it is difficult to predict what the long-term results of these policies will be, it seems likely that the regime's ability to collect corruption data will remain limited.

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Dedication

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Chapter 1: Introduction

A common misconception about authoritarian China is that the Chinese government rules with little regard for the feelings of the population. In actuality, the Chinese central government devotes a tremendous amount of resources each year to the gathering of data on public opinion in order to better avoid causing social unrest. Because of this tendency, China's government has often been labeled "responsively" or "consultatively authoritarian" of late.¹ Similar trends have also been noted in other authoritarian regimes.² This paper discusses the limits of responsive authoritarianism as a concept, as well as the contingent nature of the policies that gave rise to this concept. China's central authorities may sometimes pursue policies that a label such as "responsive authoritarianism" would fit, but the regime is by no means responsively authoritarian.

I base my study of "responsive authoritarianism" on one government practice in specific: the regime's attempts to collect (or "crowdsource") information about corrupt officials from the public over the Internet via official corruption report channels. This topic has been neglected, so far, in the literature on the Chinese government's corruption report-gathering practices and the literature on the regime's Internet policy. This

¹ See e.g., Christopher Heurlin, *Responsive Authoritarianism in China: Land, Protests, and Policy Making* (New York: Cambridge University Press, 2016); and Nele Noesselt, "Microblogs and the Adaptation of the Chinese Party-State's Governance Strategy," *Governance*, Vol. 27, No. 3 (August 2014): 449-468..

² See e.g., Florian Toepfl, "Innovating consultative authoritarianism: Internet votes as a novel digital tool to stabilize non-democratic rule in Russia," *New Media & Society* (2016): 1-17; and Martin K. Dimitrov, "Tracking Public Opinion Under Authoritarianism: The Case of the Soviet Union During the Brezhnev Era," *Russian History*, Vol. 41 (2014): 329-353..

inattention is worth rectifying, as China has likely expended more effort and resources on creating and maintaining corruption-report platforms than any other organization ever has, and by no small margin.

Along with the regime's use of online corruption report platforms beginning in 2004, I study a parallel development: the regime's sustained and increasingly ambitious efforts at censorship and control of public, online criticism of corruption. This endeavour consists of censorship and the creation of many laws and regulations to deter Internet users (hereafter netizens) from posting content online that might spark social unrest. Jonathan Hassid has suggested, based on a statistical analysis of media reports and blog posts from 2010, that when netizens post information about sensitive topics such as corrupt officials before the media reports on the issue, public outrage over the issue is much greater than if the media reports on the issue first.³ Hassid argues that in these cases, blogging acts as a "pressure cooker" for public dissatisfaction with the authorities.⁴

We have, therefore, two very different approaches to Internet speech, one based supposedly on "responsive" authoritarian principles and one based on the more familiar authoritarian policy of repression. When this policy is applied to online dissent, it is commonly called "networked authoritarianism," though this term has been used in multiple different ways.⁵ Certainly, China's central authorities *respond* to anything perceived to chip away at their legitimacy; however, their response is not always what is meant by "responsive authoritarianism."

³ Jonathan Hassid, "Safety Valve or Pressure Cooker? Blogs in Chinese Political Life," *Journal of Communication*, Vol. 62 (2012): 221-225.

⁴ Ibid.

⁵ See e.g., Rebecca MacKinnon, "China's "Networked Authoritarianism,"" *Journal of Democracy*, Vol. 22, No. 2 (April 2011): 32-46.

I advance two central arguments in this paper. The first is that responsive and networked authoritarianism, indeed any kind of repressive authoritarianism, are two sides of the same coin. It is more useful to study the dynamics underlying the regime's choice of when to employ these strategies in response to citizen grievances, and in which cases. Below, I offer an analysis of the conflict between netizens, officials and the central authorities that has resulted in China's policy of simultaneously forbidding and encouraging netizens to speak out about corruption.

My second argument concerns the result of these two policies' coexistence. As Dieter Zinnbauer of the anti-corruption organization Transparency International writes, citizens usually "talk about, complain about, and discuss annoying incidences of corruption much earlier, more often, more spontaneously and in narratively much richer terms" on social media platforms such as microblogging sites than on corruption tipoff websites.⁶ Additionally, it is probable that corruption reports are more likely to result in an official's punishment if the official's corruption is well known.⁷ The most efficient way to publicize officials' wrongdoing is to publicly accuse them of it online.⁸ While the likelihood of a given public accusation of corruption to galvanize public anger over corruption is not high (see the discussion of citizen-made anti-corruption platforms in chapter 4), reporting corruption publicly is most likely a significantly more effective way

⁶ Dieter Zinnbauer, "Crowdsourced Corruption Reporting: What Petrified Forests, Sheet Music, Bath Towels, and the Taxman Can Tell Us About the Prospects for Its Future," *Policy and Internet*, Vol. 7, No. 1 (2015): 18.

⁷ See Xuanyu Huang, "Re-Legalization or De-Legalization? Netizens' Participation in Criminal Justice Practices in China," *British Journal of Criminology*, Vol. 52, No. 4 (2012): 724-743; and Benjamin Liebman and Tim Wu, "China's Network Justice," *Chicago Journal of International Law*, Vol. 8, No. 1 (2007-2008): 257-321, for evidence of this point.

⁸ See Guobin Yang, *The Power of the Internet in China* (NY: Columbia University Press, 2009).

of making officials pay attention (or netizens at least believe that to be so). Despite the government's extensive efforts to prevent netizens from publicly criticizing corrupt officials online, the practice continues to this day.

As a result of this imbalance in ease and effectiveness between social media and official tipoff platforms in attracting official attention to one's corruption-related grievances, the censorship of social media corruption reports is hampering the regime's ability to collect corruption information online. Official corruption tipoff websites and applications, as I will argue in chapter 5, generally receive large numbers of reports from the public immediately following their creation, but lose the public's interest over time as it becomes clear to prospective corruption whistleblowers that reports to the sites are highly unlikely to yield any change. In order to overcome this conflict between censorship and data collection, an unsustainable pattern has developed wherein organizations such as China's premier anti-corruption organization, the Central Commission for Discipline Inspection (CCDI), and the country's central police organization, the Supreme People's Procuratorate (SPP), continuously update and create new online corruption tipoff platforms in order to maintain a steady stream of reports.

The utility of online corruption tipoffs for officials is twofold. First, this information is useful as a form of public opinion data concerning corruption.¹¹ Data of this sort allow institutions such as the CCDI to tailor their anti-corruption work to the goal of minimizing public unrest over corruption. An example of this kind of shift in focus is the recent campaign against official decadence. In 2014, the CCDI created a website specifically for collecting reports about officials who held lavish banquets during

¹¹ See chapter 5's discussion of the 2010 CCDI work report for evidence supporting this point.

May Day and used public funds to purchase luxury goods. In 2015, a smartphone application was created allowing citizens to submit photos of corruption as evidence. These developments were anti-corruption officials' reaction to netizens' common practice of posting photos of officials carrying luxury goods that should be too expensive for government officials (see chapters 3 and 4).

The second and more obvious function of corruption report websites is that they increase the number of corruption cases for the CCDI and procuratorates to handle. Anti-corruption platforms such as the CCDI's smartphone application, because of their design for specific types of corruption, are unlikely to have been intended to collect public opinion information. As chapter 2 will demonstrate, however, it is likely that the CCDI and procuratorates already receive too many corruption reports to investigate. If this has remained the case up to today, then it seems likely that officials desire an increase in corruption reports because it would mean an increase in reports that are considered most important to resolve. It is not entirely clear what criteria the CCDI and procuratorates use as a matter of policy to sort through the corruption reports they receive. It is certainly plausible, however, that just as officials give priority to the publicly known cases of corruption that cause the most outrage, the CCDI and procuratorates use online corruption report channels to determine which corrupt officials are best known for their corruption, and focus on punishing these officials. This strategy would be the most efficient possible way for anti-corruption agencies to use their limited time and resources to reduce the appearance of corruption as much as possible.

It is difficult to quantify how dependent officials are on the information provided in online corruption tipoffs. What is clear is that the central authorities believe it

important enough to devote energy and resources into creating and refining multiple anti-corruption websites to get it. The most positive conceivable scenario for officials is that if official Internet corruption tipoff platforms ceased to be effective in collecting corruption reports, it would only mean that the central authorities' impression of public opinion on corruption would become hazier. As a result, civil unrest over corruption would likely increase, but the degree of that increase is difficult to speculate about.

The ineffectuality of official websites becomes clear from a critical analysis of the pattern of these sites' creation, as well as a selection of anecdotal evidence. Thus, eliminating all forms of corruption reporting other than through official channels is not just meant as a way of preventing public discontent that stems from awareness of corrupt officials' behaviour; it is also a way to funnel complainants toward official sites, where they can contribute to the government's information on public opinion and knowledge of corruption without sparking public outrage.

My sources consist of Chinese government statistics, newspaper reports, government documents and miscellaneous academic research. The value of these sources is that they can provide very detailed information about government supervisory measures such as corruption reporting websites. These sources are also invaluable in that they offer information about the chronology of China's relationship to the Internet that is difficult to find anywhere else. The weakness of Chinese government sources is that they are heavily biased. While the facts that they offer can be trusted, it is important not to accept as fact the author's generalizations, or claims about the government's intentions. To ascertain the intentions of the Chinese central authorities, one must deduce intentions from sustained observations about the authorities' behaviour. I attempt to determine such

intentions by examining the Chinese government's reaction to various Internet activities. I attempt to do the same about netizens' intentions, but only insofar as they react to the problem of corruption and the official discourses and policies of public corruption supervision.

Methodologically, this paper draws primarily from from two strands of literature. The first is the recent literature on the Chinese "security state," that is, on the regime's intense post-Tiananmen focus on avoiding social unrest and threats to legitimacy at all costs.¹² Following this literature (and the interesting but imperfect literature on "responsive authoritarianism") I assume on the part of the regime an overriding desire to maintain social stability, and a willingness to use an immense store of resources in pursuit of this goal. Thus I interpret much of the empirical data discussed below based on my assumption of this intention.

The second primary inspiration for my methodology comes from recent work on contentious politics.¹³ This literature adopts the fruitful approach of treating the conflict between citizens, local authorities and central authorities almost as a "game" (in the game-theoretic sense), positing each group as a set of rational agents pursuing a common set of interests. This is the approach that I adopt in explaining the concurrent appearance of official corruption tipoff websites and the numerous anti-"rumormongering" and anti-HFS laws over the past fifteen years. As I am dealing with online contentious politics and

¹² The phrase comes from Wang and Minzner, who illustrate the corresponding style of governance well. See Yuhua Wang and Carl Minzner, "The Rise of the Chinese Security State," *The China Quarterly*, Vol. 222 (June 2015): 339-359.

¹³ See e.g., Yongshun Cai, *Collective Resistance in China: Why Popular Protests Succeed or Fail* (Stanford, CA: Stanford University Press, 2010); Xi Chen, *Social Protest and Contentious Authoritarianism in China* (New York: Cambridge University Press, 2012); and Kevin J. O'Brien and Lianjiang Li, *Rightful Resistance in Rural China* (New York: Cambridge University Press, 2006).

not in-person contentious politics, however, the three players in my “game” are netizens, authorities at the individual level, and the central authorities, or “public security state.” It must be noted that the division between the latter two categories is not a division between two different groups of people. Rather, it is a distinction between interests. It is hard to imagine that any official would not fear at least a bit for his or her reputation and, in the case of corrupt officials, safety. At the same time, however, a large number of high-level officials are heavily invested in protecting the regime from threats to its legitimacy and stability.

I also draw from networked and responsive authoritarianism theory, but only in the sense that I seek to assess these theories based on the empirical data I analyze below.

Additionally, I briefly introduce a comparative perspective in my analysis of government-made corruption reporting websites by examining other examples of such websites internationally and the problems that most commonly plague those platforms. Finally, my analysis differs from the work of most of the above-mentioned scholars in that I avoid, in most cases, the use of government statistics to support my arguments. The only exceptions are when the statistics paint a pessimistic picture of the government’s performance in a certain area (such as responding to corruption reports). Where statistical evidence that might be perceived as undercutting my arguments is available, I include it to allow the reader to better evaluate my argument.

As well as these methodological notes, I must clarify the meaning of a couple of terms that feature prominently in the pages below. The first such term is “corruption.” For the purposes of this paper, I define “corruption” as the abuse of power by government officials and party members engaged in public service, in order to further their interests. I

have chosen this broad, general definition of corruption so that it will encompass as much as possible what both the regime and the Chinese public consider to be corruption.¹⁶ The degree of convergence between these two conceptions has been subject to very little research and thus remains far from clear. While it is not possible to definitively tell what reports to official corruption report channels consist of, social media criticism and HFSs are commonly directed, for example, at officials who have been photographed wearing watches believed to be too expensive for a government employee's salary. This kind of corruption, and all other accusations by netizens that I have come across all reference a conception of corruption that fits within my definition.

Another term whose meaning must be clarified is "privacy." When, in chapters 3 and 4, I discuss laws about online privacy, the use of the word may appear unorthodox to students of western privacy law. I use the term in these contexts only because the laws and official discourse do as well. When in chapter 6 I discuss netizens' desire for online privacy, however, I use the term in its regular sense.

Chapter synopses

Chapter two discusses the recent history of the "letters and visits" system, arguably the "offline" version of corruption tipoff websites. Letters and visits offices predate tipoff websites by many years. Responsive authoritarianism relies greatly on these offices for data about common public grievances. This chapter discusses the

¹⁶ For an overview of the definitions of corruption in Chinese law, see Kilkon Ko and Cuifen Weng, "Critical Review of Conceptual Definitions of Corruption: a formal-legal perspective," *Journal of Contemporary China*, Vol. 20, No. 70 (2011): 359-378. For a discussion of some of the loopholes in China's anti-corruption laws, see chapter 4.

reforms that have been made to the system between the late-1980s and today, as well as the shortcomings of the system in collecting corruption reports. Online tipoff platforms are both an extension of letters and visits offices and a response to the endemic flaws of the petition system.

Chapter three provides a history of the practice known as the Human Flesh Search Engine (HFS), which netizens have often used to expose corrupt officials online. HFS involves obtaining personal information about a certain individual (generally an infamous person, whose identity is not known, but who is known to have behaved in a way that netizens found abhorrent). The chapter focuses on government officials' largely negative response to the activity. From 2008 until 2012, laws and regulations were introduced provincially and centrally to render HFS illegal on the grounds that it violates individuals' rights to privacy and reputation. What is notable is that these new laws were not built upon the framework laid out in China's civil law code. Where illegally sharing someone's personal information was already illegal under the General Principles of Civil Law (hereafter GPCL), these new laws and regulations, first introduced at the municipal and provincial levels, made defamation of character and illegal personal information disclosure criminal offenses. I argue that this development is the result of the central authorities' concern with protecting the regime from the social unrest occasioned by public online corruption accusations, and most likely individual officials' desire to protect their reputations as well.

Chapter four discusses public criticism of corrupt officials online that does not involve HFS. It also details the history of central authorities' ban on "rumormongering," a practice that includes any unproven corruption accusations made publicly online. Many

regulations have been passed during the 2010s to ban this behaviour and to bar Internet service providers (ISPs) from allowing netizens to engage in it. Like the bans on HFS, the “rumormongering” laws and regulations criminalize behaviour that the GPCL already covered. Despite this endeavour, however, netizens continue to accuse officials of corruption. The frequency with which they do so is high enough the central authorities are still trying new methods to catch rumours and prevent them from spreading.

Chapter five details the history of the Chinese government’s efforts to create effective online corruption tipoff platforms. It identifies a pattern of new websites, website revisions and applications being established between a few months to a few years apart from each other. This pattern has been in place since at least 2004 and has continued to today. Drawing on research about corruption report websites outside of China, I argue that new corruption tipoff platforms are being created at their current pace in order to sustain a certain level of public reports. The creation of most, if not all of China’s corruption report websites (and many such sites worldwide) has been met with excitement and deluges of reports. This excitement quickly dies down when the tipoffs fail to result in a significant number of officials being reprimanded. Soon afterward, netizens lose interest in the platform and the number of reports decreases drastically. In reaction, the government updates the report platform or creates a new one in order to attract public attention.

This paper concludes by weighing the concept of responsive authoritarianism against the narrative I offer in chapters 2 through 5. I argue that rather than thinking of China as a responsively authoritarian regime, scholars should think of responsive and

repressive authoritarianism as merely different techniques regimes may use in “games” against their citizens, tools whose utility and feasibility varies depending on context.

Chapter 2: Petition offices and offline corruption-reporting

This chapter outlines the history of the letters and visits system from the 1990s to today. The letters and visits system (also known as the petition system) is a mechanism allowing citizens air their grievances about government corruption and other issues in letters or visits to special government offices (“petition” or “letters and visits” offices) that seek this information. The Chinese government has officially accepted letters and visits since 1951, but the modern letters and visits system, involving offices in counties and municipalities, only began to reach completion in the early 1990s.¹⁷ This chapter’s narrative serves two purposes. First, it traces the genesis of the Chinese government’s use of petition offices for public opinion research and charts the central authorities’ efforts to collect public opinion data from petition offices in the following two decades. The proliferation of official corruption tipoff websites after 2005 is an online extension of the central authorities’ strategy of collecting public opinion information via citizens’ reports and complaints. Second, this chapter will offer a brief assessment of how successful the letters and visits system has proven for corruption complainants. Despite the positive image presented by government statistics, the answer is that petition offices most likely fail to resolve the vast majority of citizens’ grievances. This evaluation lays out the most important of the myriad problems with the letters and visits system. While corruption is

¹⁷ Lianjiang Li, Mingxing Liu and Kevin J. O’Brien, “Petitioning Beijing: The High Tide of 2003-2006,” *The China Quarterly*, Vol. 210 (June 2012): 315.

far from the only issue that can be reported to letters and visits offices, corruption cases make up a large portion of those addressed in letters and visits.¹⁸

The Letters and Visits System and Public Opinion Research, 1995-Present

The Chinese government's interest in taking public opinion data from petition offices can be traced to at least the late-1980s. Speeches from this time and instructions presented at petition work conferences attest to this interest, although it is not known how well-developed the system of petition-based public opinion research was until the late 1990s.¹⁹ In the early 1990s, following the Tiananmen Square massacre, the central authorities began to focus even more on increasing government responsiveness to local concerns and issues. Public security chiefs were given higher ranks within the party and cadre evaluation standards were altered to incentivize local responsiveness.²⁰ Minzner and Wang wrongly date the emergence of this "security state" to the early 1990s, when the history of the central authorities' interest in public opinion data indicates that the genesis of this new model of governance lies in the pre-Tiananmen era.²¹

In 1993, the number of petitioners "skipping" past their local petition offices and traveling straight to Beijing to appeal to the central authorities began to increase rapidly.²² Two years later, the State Council promulgated the Regulations Concerning

¹⁸ Qiang Feng, *Chinese Complaints Systems: Natural Resistance* (New York: Routledge, 2013), 141.

¹⁹ *Ibid.*, 93-94.

²⁰ Wang and Minzner, "The Rise of the Chinese Security State," 340.

²¹ *Ibid.*

²² Li, Liu and O'Brien, 317.

Letters of Petition. These regulations established the proper nationwide procedure for handling petitions and provide basic instructions on the division of petition officials' responsibility. Article 36 states that all petition organs must "duly analyze the social implications and the wishes of the masses reflected in a letter of petition and shall accordingly put forward suggestions for improvements of work."²³ This regulation calls for petition offices to act as sources of public opinion research: if most, or at least a significant number of petition offices made "suggestions for improvements of work" to their superiors based on the most common complaints, or at least the complaints that seem the most reasonable to the petition officer, then the central authorities would have a vague idea of the most common public grievances.

In 2005, the State Council published a new set of Regulations on Letters and Visits.²⁴ Like the 1995 regulations, this set of regulations was issued soon after the beginning of a large spike in petitions.²⁵ This document greatly expands upon its predecessor's requirements for letters and visits offices gathering information about social issues. Article 11 states that the State Bureau of Letters and Visits (SBLV), the body in charge of the petition system, should, "making full use of the existing network resources for governmental affairs information, establish a national information system for letters and visits, in order to provide convenience for letter-writers and visitors to present letter-or-visit matters and inquire about the handling of the letters and visits

²³ China, State Council, *Regulations Concerning Letters of Petition* (hereafter 1995 Regulations), October 28, 1995, article 36, <http://www.asianlii.org/cn/legis/cen/laws/rclop433/#3> (accessed April 11, 2017).

²⁴ China, State Council, *Regulations on Letters and Visits* (hereafter 2005 Regulations), January 5, 2005, <http://unpan1.un.org/intradoc/groups/public/documents/UN-DPADM/UNPAN039990.pdf> (accessed March 16, 2017).

²⁵ Li, Liu and O'Brien, "Petitioning Beijing."

locally.”²⁶ The article also states that local governments at or above county level must “establish or designate the information system for letters and visits within its administrative areas and connect its information system for letters and visits with those of the people’s governments at higher levels, their relevant departments and the people’s governments at lower levels.”²⁷ Article 12 states that letters and visits departments and “any other relevant departments of the people’s government at or above the county level” must input any complaints received from the public into the letters and visits information system.²⁸

Article 37, updating article 36 of the 1995 regulations, calls for departments of letters and visits to report any policy problems that they discover via letters and visits, along with any solutions they can suggest, to the corresponding people’s government.²⁹ Article 39 calls for letters and visits departments at or above the county level to “regularly” submit analytical reports on letters and visits to the people’s government at the corresponding level. These reports are expected to include statistical data on the letters and visits issues investigated and which organs most complaints are lodged against, information about which matters are have been referred to other departments and which issues are most urgent, and information about what policy suggestions have been made via letters and visits, and which of these suggestions have been adopted.³⁰

²⁶ 2005 Regulations, article 11.

²⁷ Ibid.

²⁸ Ibid, article 12.

²⁹ Ibid, article 37.

³⁰ Ibid, article 39.

On January 4, 2007, a national information database was activated, cataloguing complaints delivered to Letters and Visits centers.³¹ State Councillor Zhou Yongkang praised the database, and advocated the creation of a system allowing complainants to check the responses to their complaints from home.³² He said that the database would give the government a better sense of public opinion on the grievances reported to Letters and Calls centers and give the public “more channels for submitting complaints.”³³ In the years following, other databases relating to corruption have been created: a database of officials convicted with corruption in 2007³⁴ and a database of officials involved in China’s five-year anti-poverty plan in 2016³⁵ are just two examples. The purpose of the latter database is to ensure that anti-poverty officials’ use of public funds is legal.

Later in 2007, a new anti-corruption organ known as the National Bureau of Corruption Prevention (NBCP) was established. This bureau focuses on increasing corruption supervision in the private sector, improving information coordination between existing anti-corruption bodies and collecting and disseminating information to anti-corruption bodies.³⁶ The NBCP also planned to set up local offices to gather tips about corruption.³⁷ In 2010, the bureau published a circular promising that it would find new

³¹ Xinhua News Agency, "State Councilor wants broader complaint channels," *People's Daily*, February 6, 2007, http://en.people.cn/200702/07/eng20070207_348099.html (accessed February 14, 2017).

³² Ibid.

³³ Ibid.

³⁴ Xinhua News Agency, "China sets up corruption database," Sina.com, March 29, 2007, <http://english.sina.com/china/1/2007/0328/107970.html> (accessed March 3, 2017).

³⁵ Xinhua News Agency, "Across China: Database helps tackle corruption in poverty relief," *China Daily*, November 23, 2016, http://www.chinadaily.com.cn/china/2016-11/23/content_27473248.htm (accessed March 20, 2017).

³⁶ Jeffrey Becker, "Tackling Corruption at its Source: The National Corruption Prevention Bureau," *Journal of Chinese Political Science*, Vol. 13, No. 3 (2008): 287-288.

³⁷ Ibid, 294-295.

ways to fight corruption in non-public commercial organizations, intermediaries, NGOs and private non-business groups. The circular also promised that a new set of regulations would be created for the supervision of officials with spouses and children living abroad.³⁸

In 2009, as part of a broader attempt to gather more information on corruption within its ranks,³⁹ the Supreme People's Court (SPC) created a new petition reception office. The office covers more than 15,000 square meters and consists of four separate petition buildings, each of which accepts petitions.⁴⁰ Around the time that the new office was set up, the SPC announced plans to standardize the petition-handling practices of the provincial and local courts' petition offices. As of 2009, around 80% of Chinese courts had reportedly set up their own petition offices.⁴¹

In 2014, the State Council and CPC Central Committee released new guidelines on petition taking. The guidelines dictate that petition cases must be sent to court if they involve lawsuits. Additionally, government policy and decision-making must become more transparent and involve more public participation.⁴² The guidelines also promise that officials who obstruct petitioning will be harshly punished and urge inspection authorities to better supervise officials' response to petitions and focus on the most

³⁸ Xinhua News Agency, "China to extend anti-corruption fight to non-public entities," *China Daily*, February 22, 2010, http://www.chinadaily.com.cn/china//2010-02/22/content_9485837.htm (accessed March 21, 2017).

³⁹ See chapter 5 for more details about the SPC's information-gathering activities.

⁴⁰ Xinhua News Agency, "China's Supreme Court opens new petition reception office to better handle complaint," November 18, 2009, http://news.xinhuanet.com/english/2009-11/18/content_12486626.htm (accessed March 15, 2017).

⁴¹ *Ibid.*

⁴² "Petition Reform," *Beijing Review*, Vol. 57, No. 10 (March 6, 2014): 4.

common subjects of petitions and issues that have not been resolved in a long time.⁴³ It was also reported in 2014 that a series of government bodies such as the SBLV and the Legislative Affairs Office of the State Council planned to set up five groups to examine how public complaints were dealt with in 15 provinces and 10 ministerial departments.⁴⁴ All staff involved with the project were then expected to summarize their experiences, locate problems with the government's response to complaints and suggest new regulations and reforms for the central authorities to enact.⁴⁵ Another set of regulations was published in 2014 barring petitioners from bypassing the level of government to which their petitions pertain.⁴⁶ These regulations, created by the SBLV, also dictate that authorities must turn down petitions that pertain to legislative bodies and judicial departments. The only exception to these rules is corruption. Central government departments are permitted to accept complaints about corrupt provincial officials, as well as trans-provincial issues and provincial issues that have not been handled properly.⁴⁷ The regulations also mandated that petitions be addressed within 60 days and all petitions be recorded in a national database.⁴⁸ According to a spokesman of the State Bureau, the

⁴³ Xinhua News Agency, "China petition reform vows rule of law," *China Daily*, February 25, 2014, http://usa.chinadaily.com.cn/2014-02/26/content_17305171.htm (accessed February 1, 2017).

⁴⁴ Xinhua News Agency, "China's State Council checks petitions," June 17, 2014, http://news.xinhuanet.com/english/china/2014-06/17/c_133414969.htm (accessed March 15, 2017).

⁴⁵ Ibid.

⁴⁶ An Baijie, "New regulation to improve how govt handles petitions," *China Daily*, April 25, 2014, http://www.chinadaily.com.cn/china/2014-04/25/content_17463507.htm (accessed March 18, 2017).

⁴⁷ Ibid.

⁴⁸ Ibid.

purpose of this set of regulations was to clarify the procedures of, regulate and improve the efficiency of petitioning and petition taking.⁴⁹

Recently, the CCDI established an Internal Supervision Department that collects information about corruption and other violations of administrative discipline among CCDI officials.⁵⁰ This body has already been responsible for investigating four high-level CCDI officials.

The Efficacy of Letters and Visits

The available statistical and anecdotal evidence hints strongly that the petition system is of little use in resolving individual public grievances related to corruption, and that the public is well aware of this fact. Minxin Pei used official data to argue in 2006 that only a quarter of corruption cases reported by the public were ever investigated, and of those cases investigated, only 40% resulted in the filing of formal charges. Pei concludes, when factoring in the percentage of formally charged officials who are punished, that corrupt officials only face a 5 to 6 percent chance of being punished.⁵¹ Andrew Wedeman estimated in 2012 that roughly ten percent of officials eventually

⁴⁹ Ibid.

⁵⁰ Fenfei Li and Jinting Deng, “The Limits of the Arbitrariness in Anticorruption by China’s Local Party Discipline Inspection Committees,” *Journal of Contemporary China*, Vol. 25, No. 97 (2016): 80.

⁵¹ Minxin Pei, *China’s Trapped Transition: The Limits of Developmental Autocracy* (Cambridge, MA: Harvard University Press, 2006), 150-153.

charged with corruption are caught within a given year. This ratio had been static for the ten years he surveyed.⁵²

Chinese social scientist Yu Jianrong conducted a study of 2,000 petitions in 2004 and found that only three of them got resolved, and the reason for their resolution was that prominent officials took an interest in the cases.⁵³ In 2009 Yu published a survey of 623 petitioners and found that the petitioners visited petition offices an average of more than six times. One had visited eighteen different petition organs.⁵⁴ Journalist Lu Yuegang said the following about the petition system in a 2011 interview: “The petition system has almost zero effect. Most petitions received by the state bureau are sent back to the local governments, the place where the cases originate. The system is not a problem-solving system but a receiving-and-forwarding system.”⁵⁵ Also in 2011, the creator of a citizen-made corruption report website offered to donate the site to the central government in order to keep it running, in the event that he was denied a license to run the site.⁵⁶

The likelihood of the average petition to receive satisfactory official attention is low, but a few factors can increase it, one of which is in petitioners’ control. This factor is

⁵² Andrew Wedeman, *Double Paradox: Rapid Growth and Rising Corruption in China* (Ithaca, NY: Cornell University Press, 2012), 160-161.

⁵³ Qin Shao, “Bridge Under Water: The Dilemma of the Chinese Petition System,” *China Currents*, Vol. 7, No. 1 (2008), http://www.chinacenter.net/2008/china_currents/7-1/bridge-under-water-the-dilemma-of-the-chinese-petition-system/ (accessed March 15, 2017).

⁵⁴ Xujun Gao and Jie Long, “On the Petition System in China,” *University of St. Thomas Law Journal*, Vol. 12, No. 1 (Fall 2015): 44.

⁵⁵ David Barboza, “China Leader Encourages Criticism of Government,” *New York Times*, January 26, 2011, <http://www.nytimes.com/2011/01/27/world/asia/27china.html?ref=collection%2Fbyline%2F david-barboza&action=click&contentCollection=undefined®ion=stream&module=stream unit&version=search&contentPlacement=10&pgtype=collection> (accessed June 5, 2017).

⁵⁶ Ang, “Authoritarian Restraints on Online Activism Revisited,” 27.

the number of people involved in the petition. As many recent studies have noted, officials at both the local level and the center can often be pressured, when faced with a large protest, to resolve contentious issues.⁵⁷ These studies have also noted the remarkable leniency with which the regime often treats such protests.⁵⁸ Repression, both direct and indirect, is still common, and thus protesting in large numbers hardly guarantees success, but its appeal for the determined citizen is easy to understand.⁵⁹

Though the petitions and complaints delivered to Letters and Visits centers vastly outnumber those that actually lead to investigations, official statistics suggest that significant improvements are being made. Between 2012 and 2014, the number of petition cases accepted by the people's procuratorates (local police bodies) annually increased by almost 60,000 (see fig. 1). These numbers must be viewed with suspicion, as the spike in accepted cases coincides exactly with 2012 anti-corruption campaign. There is no clear reason why CDIs and procuratorates would suddenly be willing and able to handle so many more corruption cases than they could even one year previously. There is no evidence that these organizations have grown in size or number during or leading up to the 2012 anti-corruption campaign.⁶⁰

The improvement in official response to petitions, if real and accurately reflected in the official statistics, has probably not made a significant impact on corruption or the

⁵⁷ Chen, *Social Protest and Contentious Authoritarianism in China*, 159-189.

⁵⁸ Ibid. See also, Wenfang Tang, *Populist Authoritarianism: Chinese Political Culture and Regime Sustainability* (New York: Oxford University Press, 2016); and Feng, *Chinese Complaints Systems*. See Heurlin, *Responsive Authoritarianism in China*, for an analysis of the role of popular protest in informing the regime of the currents of public opinion.

⁵⁹ See Kevin J. O'Brien and Yanhua Deng, "Preventing Protest One Person at a Time: Psychological Coercion and Relational Repression in China," *China Review*, Vol. 17, No. 2 (June 2017): 179-205.

⁶⁰ For a concise description of the campaign's features, see Melanie Manion, "Taking China's anticorruption campaign seriously," *Economic and Political Studies*, Vol. 4, No. 1 (2016): 3-18.

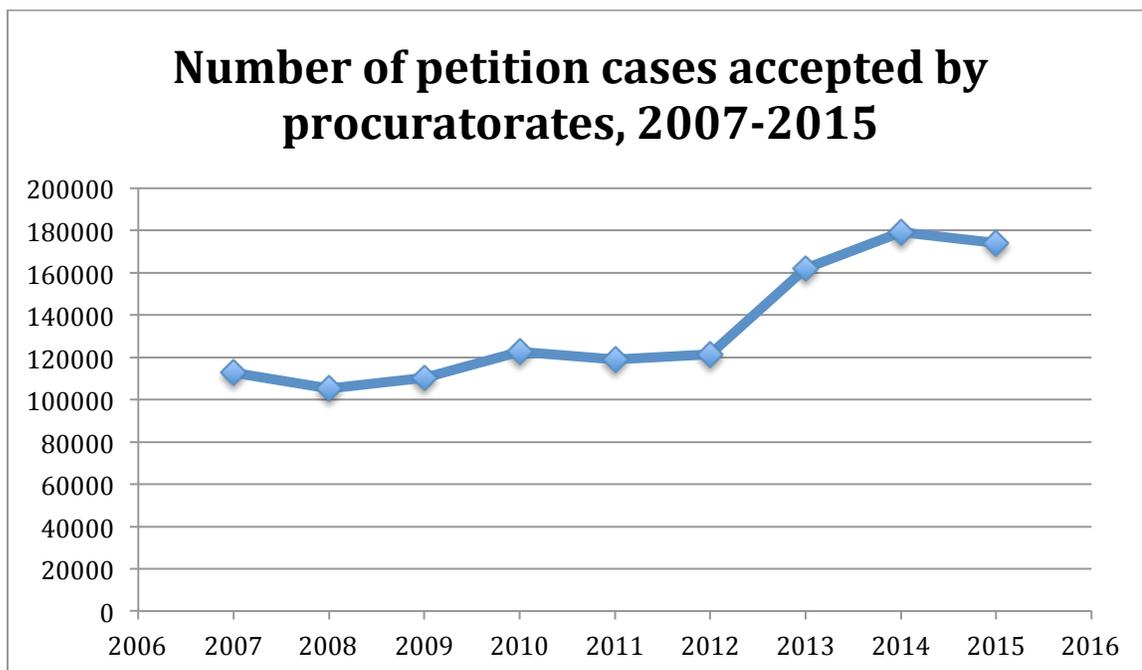


Fig. 1.

Source: National Bureau of Statistics of China.

<http://www.stats.gov.cn/english/Statisticaldata/AnnualData/>.

public's perception of it. Anecdotal evidence suggests that many, if not most, petitions and reports of corruption still do not lead to any action being taken. The public's reaction to the establishment of new corruption-reporting websites illustrates this point. The next three chapters will discuss this reaction in far greater detail, so a few points will suffice: the establishment of every new corruption-reporting site and application has been met with a deluge of submissions. Many corruption-reporting sites were the creations of ordinary citizens. In 2016, the CCDI's perceived lack of efficacy in combating corruption inspired a large protest in front of the organization's headquarters.

Impediments to Corruption-Related Petition Resolution

The ongoing public frustration with the petition system's inefficacy as a tool to eliminate corruption results from a series of institutional flaws that hamper the punishment of corrupt officials. One such flaw is the presence of numerous "gaps and vague expressions" in China's laws regarding corruption.⁶¹ One prominent gap is the criminal law's insufficient coverage of bribe giving. It is not illegal to give bribes to friends, close relatives and former officials or employees.⁶² The law is also insufficiently exhaustive in its definition of a bribe: benefits such as sexual favours, job promotions and educational opportunities do not count. Only "property from others" can be used as a bribe under the law.⁶³ Another, more general problem with China's criminal law is its vague standards for evidence. Zhang and Zheng argue that this shortcoming in the law helps a substantial number of corrupt officials escape punishment.⁶⁴

In addition to flaws in the legal system, many institutional problems plague petition offices and anti-corruption agencies, creating incentives for workers in these institutions that heavily hamper the investigation and punishment of corrupt officials and thus cripple the utility of petition offices for the prospective corruption whistleblower. As Li, Liu and O'Brien point out, there is a strong incentive for local officials to not pursue

⁶¹ Xuezhi Guo, "Controlling Corruption in the Party: China's Central Discipline Inspection Commission," *The China Quarterly*, Vol. 219 (September 2014): 618.

⁶² Fenfei Li and Jinting Deng, "The Limits of the Arbitrariness in Anticorruption by China's Local Party Discipline Inspection Committees," *Journal of Contemporary China*, Vol. 25, No. 97 (2016): 82.

⁶³ *Ibid*, 83.

⁶⁴ Baosheng Zhang and Fei Zheng, "Reforming the Criminal Evidence System in China," *Asian Criminology*, Vol. 9 (2014): 103-124.

letters and visits matters that affect other local officials.⁶⁵ Conducting investigations of other officials leads to undesirable conflict between officials. This incentive has proved so powerful in the past that when local authorities came under tremendous pressure to resolve petitioners' issues in 2006, during the mid-2000s petition boom, local officials responded by suppressing petitioners via methods such as beatings, detentions and imprisonment.⁶⁶ Local authorities continue to use extreme measures against locals who attempt to petition higher levels of government, due to strict responsibility systems that penalize local officials harshly if too many people from those officials' jurisdiction skip to higher levels of government to petition.⁶⁷ Additionally, during the petition boom, police officers and petition authorities were known to delete registered petitions in exchange for bribes. While this practice was considered a "last resort," it was nevertheless common.⁶⁸ There is little evidence that petition officials' incentive to not bring cases to light that would harm local officials has decreased in the years following the petition boom's end. In 2015, the Vice-Chairman of the SBLV was arrested for taking bribes in exchange for the deletion of petitions.⁶⁹

Deleting petitions is only one of many ways that CDI officials can hamper corruption investigations. Li and Deng, in a recent study based on interviews with CDI personnel, list many others, such as deliberately assigning a corruption case to

⁶⁵ Li, Liu and O'Brien, "Petitioning Beijing," 329-330.

⁶⁶ Ibid, 330.

⁶⁷ Carl F. Minzner, "Riots and Cover-Ups: Counterproductive Control of Local Agents in China," *University of Pennsylvania Journal of International Law*, Vol. 31, No. 1 (2009): 92.

⁶⁸ Li, Liu and O'Brien, "Petitioning Beijing," 331.

⁶⁹ Reuters, "Corruption at top rung of China's ancient petition system sparks calls for reform," *South China Morning Post*, April 11, 2017, <http://www.scmp.com/news/china/policies-politics/article/2086741/corruption-top-rung-chinas-ancient-petition-system> (accessed May 23, 2017).

investigators who are known to be incompetent.⁷⁰ CDI personnel are also known to obstruct investigations by questioning the petitioner in such a way as to learn as few specific details as possible.⁷¹ Leaking information about a corruption case to the official under investigation is another common and effective method of protecting corrupt officials. Even cases backed by strong evidence are generally abandoned when information is leaked.⁷²

Even if a petition implicating a local official is subject to investigation by the local procuratorate or some of its staff (which is usually the case, due to the CCDI's limited resources) the official still may not face any punishment or disciplinary action.⁷³ Procuratorates follow an internal rule dictating that if a case involves a senior official in the procuratorate's jurisdiction, the prosecutor needs to receive the approval of the local party secretary before carrying out an investigation.⁷⁴ In some districts, around half of the cases reported to the party secretary are not approved.⁷⁵ In addition to the above threats to the corruption investigation process, many specific circumstances also exist in which corruption investigations are likely to be obstructed or prevented in some way.⁷⁶ It is also likely that the poor working conditions, strict time constraints, and low morale of China's

⁷⁰ Li and Deng, "The Limits of the Arbitrariness," 84.

⁷¹ Ibid.

⁷² Ibid, 85.

⁷³ Fenfei Li and Jinting Deng, "The power and the misuse of power by China's local procuratorates in anticorruption," *International Journal of Law, Crime and Justice*, Vol. 45 (2016): 4-5.

⁷⁴ Ibid, 6.

⁷⁵ Ibid, 5.

⁷⁶ There are too many different types of these scenarios to list here. For a detailed account of all the potential problems that CDIs and procuratorates can face when investigating corruption, see Li and Deng, "The power and misuse of power by China's local procuratorates in anticorruption."

police causes an intangible but not insignificant degree of interference in their ability to successfully catch corrupt officials.⁷⁷

Because of the above-mentioned flaws, among other organizational problems, anti-corruption efforts have often been hampered by a lack of information coordination.⁷⁸ The severity of this problem is clear from the amount of action the government has taken over the years to rectify it. The creation of the NBCP and the national petition database are two examples from this chapter. Chapter five will offer two more: the diversification of different organs to which citizens can report corruption (the SBLV, the SPC, the SPP, the Ministry of Supervision (MoS), the CCDI, and even the Ministry of Land and Resources, among others) and the creation of countless online channels that allow corruption reporting straight to organizations such as the CCDI without intermediaries such as petition offices or local commissions for discipline inspection (CDIs).

The problems with the petition system have raised the question of why the system has endured. In 2004, officials, party members and intellectuals participated in a large national debate on how to reform the petition system. Yu Jianrong called for the system's abolishment. Other researchers suggested less radical reforms, such as shifting the responsibility for handling petitions to local people's congresses.⁷⁹ Other researchers offered more conservative solutions, calling for traditional aspects of the petition system

⁷⁷ Scoggins and O'Brien write: "[police officers'] low morale makes it difficult for them to care much about case resolution or pushing for larger changes that would improve public order. Instead, most Chinese police strain under time, funding, and staffing constraints and a system that many believe is stacked against them. The dissatisfaction that results leads to diminished effectiveness on the ground, apathy, shirking, and worse." Suzanne E. Scoggins and Kevin J. O'Brien, "China's Unhappy Police," *Asian Survey*, Vol. 56, No. 2 (2016): 228.

⁷⁸ Becker, "Tackling Corruption at Its Source," 293-294.

⁷⁹ Carl Minzner, "Xinfang: An Alternative to Formal Chinese Legal Institutions," *Stanford Journal of International Law*, Vol. 103 (2006): 178.

to be strengthened.⁸⁰ It was this latter camp that proved triumphant when the 2005 regulations were promulgated.⁸¹ Carl F. Minzner argues that the government's solution was intended just as a response to rising social unrest.⁸² There is another reason that must also be taken into account, though its level of influence on the government's decision is difficult to assess. China's brand of responsive authoritarianism requires a continuous stream of public opinion data, which necessitates the presence of channels for collecting that data. This strategy may have worked well in dealing with land protests, but no literature has yet examined the efficacy of responsive authoritarianism as a strategy to handle public outrage over corruption.

Conclusion

This chapter has outlined the historical context for the Chinese government's use of online corruption report platforms to gather information about corrupt officials and public opinion data relating to corruption. Online corruption reporting began as an extension of the letters and visits system and the latter's role, since the late 1980s, of collecting public opinion data for the government. During the 2000s, the government's methods of recording public opinion data became even more elaborate, involving a national database. This project simplified the collection of public opinion data, allowing the central authorities to access it once it is entered. The government has continued to tinker with the petition system to this day, passing regulations to standardize the

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Ibid.

acceptance, registration and investigation of petitions. It was inevitable, then, that the government would create channels for Internet users to report corruption right to central bodies such as the CCDI.

The petition system, though a valuable source of public opinion information, is not without its flaws. As this chapter's second section has shown, there are numerous obstacles to (a) corruption petitions getting registered and (b) such petitions being resolved, leading to a lack of incentive for citizens to report corruption to petition offices. This problem has plagued the petition offices since corruption became an important problem in the late 1980s, and, as chapter 5 will show, has carried over into the online era.

Chapter 3: Human Flesh Searches, Corruption and Online Privacy Law

Introduction

Many citizens, not content with official efforts to root out corruption, conduct their own investigations of corrupt officials using a method known as the “human flesh search engine” (HFS). Multiple competing definitions of HFS exist, but for the purposes of this paper, I define it as an attempt by Internet users to ascertain the identity of, and/or other personal information about an individual based on limited information about that person that has come to their attention online.⁸³ Almost invariably, the target of these searches is someone who has been recorded behaving in an upsetting manner in public. HFSs are carried out with the purpose of punishing their targets for this behaviour. One study from 2012 applies epidemic models to HFS, and with interesting results. Just as epidemics begin with the appearance of a disease to one or more patients, HFSs begin with an online call for help in obtaining information about their target.⁸⁴ The effectiveness of an HFS, as with a disease, depends on how many people it reaches. Cases last anywhere between a few hours and half a year and involve the gathering of information and heated online discussion by netizens.⁸⁵ Often, large numbers of outraged

⁸³ Fei-Yue Wang, et al., “A Study of The Human Flesh Search Engine: Crowd-Powered Expansion of Online Knowledge,” *Computer*, Vol. 43, No. 8 (August 2010): 45.

⁸⁴ Long Cheng, et al., “A Study of Human Flesh Search with Epidemic Models,” in *Proceedings of the 4th Annual ACM Web Science Conference* (June 2012): 68.

⁸⁵ Li Gao, “The Human Flesh Search Engine in China: a case-oriented approach to understanding online collective action,” PhD diss (Loughborough University, 2013), 18.

netizens harass the individual targeted by the search and in cases where the target is a corrupt official, disciplinary action soon follows in the wake of this public pressure.

This chapter follows the rise of HFS as a method of combating corruption, the central government's attempts to eliminate HFS. Li Gao has proposed a five-stage model of the average HFS case involving officials: an official-related HFS starts with the emergence of an online trigger. Next, the official is exposed, tracked down, "named and shamed," and finally, officially punished.⁸⁶ The government's response to HFS is intimately tied to its attempts to legally regulate data privacy. HFS as a social problem lies at the intersection of the central authorities' desire to protect individual privacy rights, and to limit the social unrest that HFS can lead to when it reveals large cases of corruption. This chapter synthesizes the current literature on HFS and official attempts to ban it, as well as discussing more recent regulations and laws concerning HFS that have not yet been discussed in literature. It shows, as does the next chapter, that the threat posed by HFS and online accusations of corruption to regime legitimacy have lead lawmakers to redefine defamation of character (at least in certain forms) as a criminal offense.

History of HFS

The first recorded instance of HFS happened in 2001, but HFS only received major attention in 2007-2008, with the publication of a series of articles on the practice in

⁸⁶ Gao, "The Human Flesh Search Engine in China," 146.

Chinese and foreign newspapers.⁸⁷ Previous to the end of 2007, instances of HFS happened only sporadically, but since then, the practice has become increasingly common. Upwards of fifty-five known searches happened in the first quarter of 2010.⁸⁸

It is unclear what proportion of the total number of HFSs is related to corruption. One study, based on a sample of twenty well-documented cases, found four cases related to corruption.⁸⁹ The other four government-related searches were fact-checks of government reports. Three of those searches concerned possible government cover-ups.⁹⁰ Another study, conducted in 2011 by Chinese social scientists suggests that a greater percentage of HFSs may be related to corruption. The study sampled 248 “Internet mass incidents” in 2009 and 274 in 2010 and found that one third of the 2009 incidents and half of the 2010 incidents involved “social issues and law enforcement authorities” 2010.⁹¹ (It must be noted that Internet mass incidents include but are not limited to cases of HFS. An Internet mass incident is simply a scenario in which large numbers of Internet users post online about a particular social issue.)⁹²

The common-sense explanation for the growth of HFS between 2004 and 2010 is the increase in number of Internet and social media users over this period. In 2000, only

⁸⁷ Ibid, 46.

⁸⁸ Ibid, 47.

⁸⁹ Li Gao and James Stanyer, “Hunting corrupt officials online: the human flesh search engine and the search for justice in China,” *Information, Communication & Society*, Vol. 17, No. 7 (2014): 817.

⁹⁰ Ibid, 819-820.

⁹¹ Yu Guoming, ed., *Annual Report on Public Opinion in China* (Beijing: People’s Daily Press, 2011), 17, quoted in Guobin Yang, “Internet Activism & the Party-State in China,” *Daedalus*, Vol. 143, No. 2 (Spring 2014): 120.

⁹² Yang, “Internet Activism,” 111.

22,553,646 Chinese citizens had access to the Internet. In 2010, over 459,952,277 did.⁹³

It is easy to see why “reporting” officials on social media should be so popular (especially when done anonymously). Doing so requires little effort and little thought, compared to writing a letter or traveling to a petition office. In the 2000s, before most of China’s real-name registration was in effect, complaining about an official online clearly carried with it very little risk, but it no more hope for success than petitioning. From the late-2000s on, more progress had been made in eliminating online anonymity (see below), increasing the risk, somewhat, of punishment for reporting officials online, but online posts by netizens and the media leading to corruption arrests were increasing. As the 2000s drew to a close, and China’s Internet users grew to such a number that “online mass incidents” became possible, pressuring the regime became far easier online than in person.⁹⁴ Thus it stands to reason that criticizing corrupt officials on social media began to seem like a more effective strategy from then on.

While this explanation seems persuasive, another influence may also have played a part. The increase in HFS activity (and online accusations of corruption in general) during the 2000s closely parallels an increase in reports of corrupt officials by the state-run media on the Internet over the course of the 2000s. Between 2004 and 2007, one to four corruption cases received media coverage each year; in 2008 and 2009, the number increased to more than a dozen; and in 2010, 26 corruption cases were reported in the media. In 2011, according to an independent study, nine “important” cases were

⁹³ “China Internet Users,” Internet Live Stats, <http://www.internetlivestats.com/internet-users/china/> (accessed July 16, 2017).

⁹⁴ Ronggui Huang and Xiaoyi Sun, “Weibo network, information diffusion and implications for collective action in China,” *Information, Communication & Society*, Vol. 17, No. 1 (2014): 86-104.

reported.⁹⁵ In 2012, 18 “important” cases were reported.⁹⁶ The prominent Chinese television personality Bai Yansong described the new trend in corruption reporting as “rule by media” in 2010, a phrase that encouraged widespread discussion and debate.⁹⁷ Many academics have also noted the media’s role in pressuring court officials to deal with cases in ways agreeable to the public.⁹⁸ Perhaps the increase in media reports of corruption empowered many netizens to follow the media’s lead in combating corruption, both by reporting the officials they already knew to be corrupt, and by seeking out information via HFS about officials who were believed to be corrupt.⁹⁹ While there certainly exists some overlap between corruption cases discussed by netizens online and cases revealed online by the news media, in these cases of overlap, it is not unjustified to assume that the media has fuelled netizens’ desire to expose corruption online, and not vice versa. Joyce Y.M. Nip and King-wa Fu, drawing on 29 cases of corruption revealed online in 2012, found that posts about corruption by news workers and news media sites were the most likely category corruption-related posts to be reposted.¹⁰⁰ Citizens also contributed a large percentage of successful corruption posts, but most citizens who authored reposted posts were involved in the corruption cases they described.¹⁰¹

⁹⁵ John Shinjian Mo, “‘Rule by Media,’ – The Role of Media in the Present Development of Rule of Law in Anti-Corruption Cases in Transitional China,” *Asia Pacific Law Review*, Vol. 21, No. 2 (2013): 230.

⁹⁶ *Ibid.*, 232.

⁹⁷ *Ibid.*, 224.

⁹⁸ Benjamin Liebman, “The Media and the Courts: Towards Competitive Supervision?” *The China Quarterly*, No. 208 (December 2011): 834. See also, Benjamin Liebman, “Watchdog or Demagogue? The Media in the Chinese Legal System,” *Columbia Law Review*, Vol. 105, No. 1 (January 2005): 1-157.

⁹⁹ Joyce Y.M. Nip and King-wa Fu, “Challenging Official Propaganda? Public Opinion Leaders on Sina Weibo,” *The China Quarterly*, Vol. 225 (March 2016): 132.

¹⁰⁰ See Hassid, “Safety Valve or Pressure Cooker?”

¹⁰¹ *Ibid.*

A famous instance of HFS's utility in dealing with abuses of power was an event most commonly referred to as the "outrageously priced hair-cut episode." In 2008, two Chinese students were charged 200 times the advertised price for a haircut. When the students threatened to report the barbershop to the authorities, they were told that the shop's owner had "deep connections" and thus media investigation was an empty threat.¹⁰² The students started an HFS to identify the "connections," and eventually the case attracted government attention. The owner of the barbershop received a half million RMB fine.

Police officers have also been known to use HFS, though it is unknown how many have done so. In order to ascertain the identity of an ATM fraudster in 2009, a Ruyang County police officer uploaded a security camera image of the felon on a public message board.¹⁰³ Following this episode, the *Beijing Review* published a discussion of whether it is lawful for police officers to use HFS. The officer, one author argued, should be "punished in accordance with the law" for revealing the photo.¹⁰⁴ Other authors defended the officer's action, claiming that revealing personal information about suspects was permissible morally and legally, however one argued that police use of HFS is only permissible if done on a police website and not a public forum such as the one used in the article's example.

Defamation Law and Legal Responses to HFS

¹⁰² Wang, Zeng, et al., "A Study of The Human Flesh Search Engine," 46.

¹⁰³ "Where Do We Draw the Line With Online Manhunts?" *Beijing Review*, Vol. 52, No. 32 (August 13, 2009): 46.

¹⁰⁴ *Ibid.*

This section reviews the official effort, starting in 2008, to ban HFS. Before focusing on legislation from 2008 and later, however, it is important to review the existing laws and regulations that could have covered HFS. Article 101 of 1987's GPCL establishes one's right to reputation, and the illegality of harming another's reputation.¹⁰⁵

Article 120 states that

If a citizen's right of personal name, portrait, reputation or honour is infringed upon, he shall have the right to demand that the infringement be stopped, his reputation be rehabilitated, and the ill effects be eliminated and an apology be made; he may also demand compensation for losses.¹⁰⁶

In 1993, the SPC issued an Explanation offering three criteria for the establishment of defamation, one of which being the unauthorized revelation of personal information leading to reputational harm.¹⁰⁷ As Liebman has shown via an analysis of 223 defamation cases brought to court between 1995 and 2004, many government officials have sued the media for defamation of character (sometimes even before the establishment of the GPCL).¹⁰⁸

¹⁰⁵ China, NPC, *GPCL*, July 1, 1987, article 101, http://www.npc.gov.cn/englishnpc/Law/2007-12/12/content_1383941.htm (accessed July 26, 2017).

¹⁰⁶ *Ibid*, article 120.

¹⁰⁷ China, SPC, *Explanation of the Supreme People's Court Regarding Some Questions in the Trial of Cases Concerning the Right of Reputation* (hereafter 1993 Explanation), 7 August 1993, article 8, quoted in Benjamin Liebman, "Innovation Through Intimidation: An Empirical Account of Defamation Litigation in China," *Harvard International Law Journal*, Vol. 47, No. 1 (Winter 2006): 40.

¹⁰⁸ Liebman, "Innovation Through Intimidation," 43-48.

In 2008, at the eleventh session of the Standing Committee of the NPC, members discussed the problematic tendency of HFS to result in the public revelation of individuals' personal information, violating those individuals' basic rights. At least one Standing Committee member recommended that HFS be treated as a criminal offense. A new amendment banning government staff from seeking and/or publicizing private information was passed in 2008. The *China Youth Daily* published a survey of 2,422 people online about whether personal information needed to be protected through law, and almost 99% of respondents agreed that such protection was necessary.¹⁰⁹ Nearly 89% claimed to have been the victims of some sort of harassment as a consequence of the leaking of their private information.

May of 2008 saw the publication of new rules mandating greater government transparency in accordance with the public's "right to know," the Regulations on the Disclosure of Government Information.¹¹⁰ Since the publication of the Regulations, measures have been taken to increase transparency. In 2009, government-issued press cards were modified to include the line, "The governments at all levels should facilitate the reporting of journalists who hold this card and provide necessary assistance." This sentence is intended to mean that government officials may not refuse interviews unless they can provide a compelling reason. The rest of the article discussing the modification of press cards discusses the virtues of the 1982 constitution for protecting civil rights and

¹⁰⁹ Xinhua News Agency, "New law on personal information protection hailed by Chinese public," September 2, 2008, *Business Collection* (accessed February 25, 2017), <http://go.galegroup.com.ezproxy.library.uvic.ca/ps/i.do?p=ITBC&sw=w&u=uvictoria&v=2.1&it=r&id=GALE%7CA184313386&asid=3c00b27bd16d6be3b60dcd9fe75f6e5a>.

¹¹⁰ Xinhua News Agency, "New press rule could help China improve civil rights protection," February 13, 2009, http://news.xinhuanet.com/english/2009-02/13/content_10816802.htm (accessed February 25, 2017).

argues that the new Regulations are part of a process of improving transparency.¹¹¹ As of 2011, however, the progress made toward institutional transparency was not substantial. According to a blue book report, 70% of 43 selected municipal governments failed an administrative transparency evaluation, as did 51 out of 59 government administrations under the State Council. Among the lowest-ranked institution for transparency was the National Bureau of Corruption Prevention.¹¹² More recently, the General Office of the State Council published a notice criticizing a large number of local administrations for failing to publish and update government information in a timely manner, as requires in the Regulations.¹¹³ The notice mentioned as an example, the Danzhou bureau of commerce website. A top official in the bureau was put under investigation for neglecting to update the website's information shortly after the notice was issued. According to State Council data, 84% of China's cities and regions have official accountability systems to ensure that officials diligently update government websites. The Regulations are only one of the more prominent examples of government efforts to increase transparency in response to online social consciousness. Xin Di of the Central Party School Research Department published an article in 2007 listing five examples of other government transparency initiatives launched recently in response to Internet pressure.¹¹⁴

Official restrictions on HFS appeared provincially within less than a year of the Standing Committee's condemnation of HFS. Between 2008 and 2010, the governments

¹¹¹ Ibid.

¹¹² Zhao Yinan, "Anti-corruption agency at bottom of transparency list, says blue book," *China Daily*, February 26, 2011, http://www.chinadaily.com.cn/cndy/2011-02/25/content_12075673.htm (accessed January 4, 2017).

¹¹³ Ma Zhiping, "Official's website failings targeted," *China Daily*, February 14, 2017, http://usa.chinadaily.com.cn/epaper/2017-02/14/content_28196663.htm (accessed February 18, 2017).

¹¹⁴ Xiao Qiang, "The Battle for the Chinese Internet," *Journal of Democracy*, Vol. 22, No. 2 (April 2011): 58.

of Jiangsu Province, Guangdong Province, Ningxia, Shanxi and others all published regulations forbidding the unauthorized disclosure of individuals' personal information to third parties.¹¹⁵ This legislation, judging from the available information, differs from previous defamation legislation in the punishments it prescribes. Whereas China's pre-2008 defamation legislation punished the offender by forcing him or her to repay the victim in some way, the new legislation treats defamation as an offense against the public at large, against the state. Through HFS (and as the next chapter will illustrate, accusations of corruption on social media), defamation went from civil law to criminal. Thus, for example, the anti-HFS regulation passed in Xuzhou, Jiangsu Province, in June of 2009, dictated that anyone who exposes someone else's private information illegally pay up to ¥RMB5, 000 in fines and be suspended from the Internet for six months.¹¹⁶

Even when provincial legislation was not being passed to ban the public dissemination of HFS-derived information, municipal officials worked to eliminate the practice as well. In the city of Shenzhen, in 2009, officials were preparing regulations to force Internet service providers and websites to stringently censor chat rooms and forums where the results of human flesh searches were often revealed.¹¹⁷ The new regulations, they claimed, would help to protect privacy and prevent slander. The project had its critics, including the head of a "police internet team" and a professor of law at Shenzhen University, both of whom claimed that the effectiveness of new regulations would be minimal, since they would not cover HFSs carried out outside of Shenzhen but targeting

¹¹⁵ "Human Flesh Search: Banned or it cannot be helped," *Science and Technology Daily*, May 17, 2010, http://news.xinhuanet.com/it/2010-06/17/c_12230338.htm (accessed February 19, 2017).

¹¹⁶ Fiona Tam, "Officials attempt to suppress 'human flesh search engines,'" *South China Morning Post*, August 28, 2009, <http://www.scmp.com/article/690818/officials-attempt-suppress-human-flesh-search-engines> (accessed February 23, 2017).

¹¹⁷ *Ibid.*

residents of the city.¹¹⁸ Police Internet team head Qiao Zhi also claimed that existing regulations on privacy were sufficient of Shenzhen.

In 2010, the Zhejiang Provincial People's Congress Legal Committee drafted its "Zhejiang Province Information Promotion Regulations," a set of rules that many in the public interpreted as a ban on HFS.¹¹⁹ In two online polls, eighty and ninety percent, respectively, of Internet users opposed the ban, fearing it would protect corrupt officials from exposure.¹²⁰ In response to public concern, Zhejiang officials, like officials in Jiangsu the year before, denied that the new regulations banned HFS. Xichang College law professor Wang Mingwen claimed that the public concern over the new laws was based on the fear that since the HFS was being used to reveal the corruption of local officials, those officials were trying to eliminate it in self-defence. Wang argued that the public's fears were unfounded, since the necessity of government transparency was enshrined in law in the form of the Government Information Disclosure Ordinance of 2008. Thus, as long as the disclosure ordinance is implemented successfully, then the public's "right to know" is satisfied. In the case of the Jiangsu regulations, an official denied that the regulations banned HFS, pointing out that HFS was never explicitly mentioned. The official also reiterated that citizens have a "right to supervise," which can be exercised via "the normal channels."¹²¹

¹¹⁸ Ibid.

¹¹⁹ "Human Flesh Search: Banned or it cannot be helped."

¹²⁰ Alice Yan, "Zhejiang mulls ban on 'human flesh' search engines," *South China Morning Post*, May 29, 2010, <http://www.scmp.com/article/715581/zhejiang-mulls-ban-human-flesh-search-engines> (accessed February 10, 2017).

¹²¹ Sina News, "Zhejiang proposes legislation to prohibit 'human flesh search,' prompting worry from Internet users," May 30, 2010, <http://news.sina.com.cn/o/2010-05-30/204117583922s.shtml> (accessed February 10, 2017).

2009 brought the first concrete nationwide legal efforts to reign in the danger posed by HFS to personal privacy. The Criminal Law was amended for the seventh time and expanded to protect personal data.¹²² The revised 253rd article of the criminal law states:

Where any staff member of a state organ or an entity in such a field as finance, telecommunications, transportation, education or medical treatment, in violation of the state provisions, sells or illegally provides personal information on citizens, which is obtained during the organ's or entity's performance of duties or provisions of services, to others shall, if the circumstances are serious, be sentenced to fixed-term imprisonment not more than three years or criminal detention, and/or be fired.¹²³

The article also states that anyone who obtains the personal information of others illegally will be punished the same way if the circumstances are “serious.”¹²⁴ Additionally, the entity for which the individual who has obtained and/or disseminated the information works will face a fine.¹²⁵

The Tort Law of the People's Republic of China (hereafter Tort Law), passed the same year, established a nationwide procedure for network service providers' responses to torts committed by users. The victim of the tort, article 36 dictates, is to notify the ISP of what happened. Then, the service provider must “take such necessary measures as deletion, block or disconnection,” or else share joint and several liability with the user for

¹²² Qingxiu Bu, “‘Human flesh search’ in China: the double-edged sword,” *International Data Privacy Law*, Vol. 3, No. 3 (2013): 192.

¹²³ China, Standing Committee of the NPC, *Amendment 7 to the Criminal Law of the People's Republic of China*, February 28, 2009, article 253, https://www.unodc.org/tldb/pdf/ChineseLegislation/China_Criminal_Law_Amendment_VII_EN.pdf (March 17, 2017).

¹²⁴ Ibid.

¹²⁵ Ibid.

any “additional harm” resulting from the user’s actions.¹²⁶ Network service providers will face the same penalty if they knowingly fail to prevent users from committing torts. Article 2 lists among the rights whose violation constitutes a tort, “the right to name, the right to reputation, the right to honor, right to self image, right to privacy,” among others.¹²⁷

The Standing Committee and NPC were not the only government institutions passing rules about online privacy. The Ministry of Industry and Information Technology (MIIT) issued Several Provisions on Regulating the Market Order for Internet Information Services in 2011, and these provisions came into force the following year.¹²⁸ The provisions governed ISPs’ handling of users’ personal information, making it illegal to share said information except if a law or administrative regulation states otherwise.¹²⁹ If a user’s personal information is shared illegally, the ISP is required to take remedial measures including reporting the issue to the relevant administrative agencies and aid in investigations those agencies conduct, or face a non-compliance fine of between ¥RMB10, 000 and 30, 000.¹³⁰

2012 brought yet more efforts to legally enshrine the protection of personal data privacy. The Standing Committee released a Decision on strengthening Internet information privacy. This decision, unlike most previous legislation on data privacy that the government had been working on, explicitly focuses on individuals’ personal online

¹²⁶ China, National People’s Congress, *Tort Law of the People’s Republic of China*, December 26, 2009, article 36, http://english.gov.cn/archive/laws_regulations/2014/08/23/content_281474983043584.htm (accessed July 29, 2017).

¹²⁷ *Ibid*, article 2.

¹²⁸ Bu, “‘Human flesh search’ in China,” 192.

¹²⁹ *Ibid*, 193.

¹³⁰ *Ibid*.

information. The decision states that: “No organization or individual may steal or by other illegal means obtain citizens’ personal information, and said information if obtained must not be sold or otherwise illegally distributed to others.”¹³¹ The Decision also requires that Internet service providers treat their users’ information as confidential and do not distribute it. Furthermore, these institutions should take measures to ensure the security of the users’ information. Interestingly, the decision also mandated that any Internet and other information technology service providers such as cellphone companies must require all users to provide personal information verifying their identities.¹³² A year later, the SPC promulgated a new judicial interpretation to govern the handling of Internet-assisted defamation cases.¹³³ This interpretation establishes that if a social media post containing a piece of defaming information is viewed 5000 times or more, or it is reposted 500 times or more, then the case of defamation has been carried out under “grave” or “serious” circumstances, meaning that it merits a sentence of up to three years of prison, criminal detention or surveillance, or deprivation of political rights.¹³⁴ The interpretation also establishes conditions for when an act of online defamation must be treated as “gravely endangering social order and national interests.” If the defamatory post triggers (1) mass incidents, (2) “an upset of social order,” (3) ethnic or religious

¹³¹ China, Standing Committee of the NPC, *Decision of the Standing Committee of the National People’s Congress on Strengthening the Protection of Network Information*, December 28, 2012, http://www.gov.cn/jrzq/2012-12/28/content_2301231.htm (accessed February 1, 2017).

¹³² *Ibid.*

¹³³ “Interpretation concerning Some Questions of Applicable Law When Handling Uses of Information Networks to Commit Defamation and Other Such Criminal Cases,” *China Copyright and Media*, posted September 10, 2013, <https://chinacopyrightandmedia.wordpress.com/2013/09/06/interpretation-concerning-some-questions-of-applicable-law-when-handling-uses-of-information-networks-to-commit-defamation-and-other-such-criminal-cases/> (accessed February 2, 2017).

¹³⁴ China, National People’s Congress, *Criminal Law of the People’s Republic of China*, article 246, http://www.npc.gov.cn/englishnpc/Law/2007-12/13/content_1384075.htm (accessed February 1, 2017).

conflict, creates (4) “vile social influences,” (6) “vile international influence,” or (7) “other circumstances gravely endangering social order and national interests,” or (5) “harms the national image or gravely endangers the national interests,” then the post constitutes a “grave” endangerment of social order and national interests, in which case, as per the Criminal Law, the case is to be investigated regardless of whether a the post’s author has been sued. It seems fairly clear that these interpretations are meant to deter netizens from sparking social unrest (and perhaps harming the reputations of officials) more than anything else. It is hard to imagine any posts not political in nature, which could lead to any of the above seven scenarios.

In 2014, the Supreme People’s Court banned HFS more definitively than in 2012. Its court judgment committee released a set of Provisions on Several Issues Concerning the Application of Law in Civil Dispute Cases.¹³⁵ Article three of these provisions states that if a network service provider is sued for defamation, and this provider requests that an identifiable network user responsible for some or all of the defaming post be added as a co-defendant, this is allowed. Conversely, if the defendant is an individual, and seeks to add the network service provider as a co-defendant, this too is allowed.¹³⁶ According to article four, if a network service provider is the target of an infringement lawsuit, and it offers in its defense a claim that a network user was responsible for the infringing post, then at the request of the plaintiff the court can order the service provider to reveal the

¹³⁵ “Supreme People’s Court Regulations concerning Some Questions of Applicable Law in Handling Civil Dispute Cases involving the Use of Information Networks to Harm Personal Rights and Interests,” *China Copyright and Media*, posted October 9, 2014, <https://chinacopyrightandmedia.wordpress.com/2014/10/09/supreme-peoples-court-regulations-concerning-some-questions-of-applicable-law-in-handling-civil-dispute-cases-involving-the-use-of-information-networks-to-harm-personal-rights-and-interests/#more-3696> (accessed February 27, 2017).

¹³⁶ Ibid.

identity information of the post's author. If the service provider does not reveal this information, it could face punitive action. Upon the request of the plaintiff, the individual network user can be added as a co-defendant.

A search in Google and Baidu for HFS cases following the passage of the 2014 provisions yields few, if any mentions of specific HFS cases. The only case that I have come across since 2014 is a 2015 search directed at an irresponsible driver whose behaviour had been caught on video.¹³⁷ This dearth of information obviously does not prove that the practice has stopped. What generally allows us to distinguish between accusations of corruption and human flesh searches is whether or not private information about a corrupt official is included in the online accusation. The lack of this information in an accusation does not necessarily mean that HFS was not used to determine the official's guilt, but if a netizen plans to accuse an official of corruption there is little reason not to include any relevant HFS-derived information about the official in the accusation. It seems unlikely that a netizen who would risk the punishment legally prescribed for rumormongering would not also be willing to risk being punished for violating laws and regulations governing personal information privacy if it made the corrupt official more likely to be punished. This argument is merely conjecture, however, in the absence of data. As the next chapter will suggest, attempts to regulate rumormongering have not ended the practice. The central authorities are still trying different methods to control it. It is possible (although there is little direct evidence of it) that the same may be true for HFS.

¹³⁷ Yang Zhang and Hong Gao, "Human Flesh Search Engine and Online Privacy," *Science and Engineering Ethics*, Vol. 22 (2016): 601-602.

Discussion and Conclusion

It is difficult to determine whether the majority of HFSs were directed at authorities suspected of corruption or at civilians. Both types of HFS appear fairly common, based on the frequency of news coverage. For this reason it is difficult to determine the primary reason for the wave of bans against HFS between 2008 and 2014. There is abundant evidence to support the government's claim that HFS can be harmful to innocent citizens' reputations. Most famously, in 2007 a man named Wang Fei became the subject of a human flesh search, and severe harassment, following the suicide of his wife in response to his infidelity.¹³⁸ As Human Flesh Searcher Wu Gan admitted to *The Atlantic* in 2012, "Some innocent people have been hurt, personal privacy has not been protected, especially when information is incorrect."¹³⁹ Official response to HFS was not consistent from locality to locality. Though HFS was eventually banned throughout China, the Standing Committee found it necessary in 2008 to ban government employees from encouraging HFS. This action suggests that it was common for police officers and other officials to encourage HFS as a means of catching criminals. It seems fair to assume that the ban was enacted out of concern for citizens' privacy rights, the possibility of police using HFS to abuse their power, and in order to prevent the social unrest that follows revelations that corrupt officials have gone unpunished. It is unclear, however, to

¹³⁸ Qingxiu Bu, "Human flesh search' in China," 185.

¹³⁹ Jessica Levine, "What Is a 'Human Flesh Search,' and How Is It Changing China?" *The Atlantic*, October 5, 2012, <https://www.theatlantic.com/international/archive/2012/10/what-is-a-human-flesh-search-and-how-is-it-changing-china/263258/> (accessed February 19, 2017).

what degree the impetus for bans on HFS came from the government's desire to protect individual privacy.

Chapter 4: Social Media Corruption Reporting

Introduction

This chapter discusses citizen criticism of corrupt officials online when done via social media or citizen-made corruption tipoff websites. This criticism takes the form of either (1) “outing” a corrupt official via social media, or (2) spreading the word about a certain official’s corruption after reading about it in the news or in another netizen’s post online.¹⁴⁰ Often, enormous numbers of netizens discuss given corruption cases that have come to light online, leading to a form of collective behaviour that Lin Qiu, et al., term “massive online discussions.”¹⁴¹ There is some overlap with the previous chapter, as the results of HFS are commonly, if not always, displayed on social media. However, whereas the previous chapter dealt with lawmakers’ response to the methods used by netizens to uncover corruption, this chapter deals with the government’s regulation of how information about corruption, whether discovered via HFS or not, is disclosed. Both chapters are thus facets of the same story: online threats to government legitimacy have driven Chinese lawmakers to make defamation of character a criminal offense, and hence one that warrants a more severe and certain punishment. This chapter focuses on the use of censorship to prevent the disclosure of corruption cases that would likely lead to mass

¹⁴⁰ Online discussions of politics, corruption and specific corruption cases seem to be most common on social media platforms such as Weibo and WeChat. See Daniela Stockmann and Ting Luo, “Which Social Media Facilitate Online Public Opinion in China?” *Problems of Post-Communism*, Vol. 63, Nos. 3-4 (2017): 189-202, for a persuasive explanation of why this might be the case.

¹⁴¹ Lin Qiu, et al., “Online Collective Behaviors in China: Dimensions and Motivations,” *Analyses of Social Issues and Public Policy*, Vol. 15, No. 1 (2015): 51.

outrage. It traces the history of the government's efforts to eliminate rumormongering between 2009 and 2016, efforts that include laws and regulations that prescribe punishment for both Internet service providers (ISPs) and Internet users, and methods of rumour detection. It concludes that despite the government's continued efforts to eliminate rumours, it is likely that the practice is still fairly common.

The chapter is divided into two sections: (1) a discussion of the citizen-made corruption report websites that are known to have existed and the government's reaction to these sites, and (2) an account of the government's efforts to eliminate online rumours, including corruption accusations.

Citizen-Made Corruption Report Websites

The first-known Chinese corruption report website, www.703804.com, was launched in 2004. The website, in founder Ye Shao's words, was meant to offer citizens a platform to "voice complaints and expose dishonesty."¹⁴² The site's name means "chitchat." In 2006, following a human flesh search that exposed the whereabouts of a corrupt official, the Wenzhou procuratorate made it a rule to monitor the website for new information about corrupt officials. The best-known instance of the government's response to citizen-made corruption report websites, however, was the shutting down of a plethora of Chinese imitations of an Indian corruption report website called I-Paid-A-Bribe (IPAB).

¹⁴² Asian News International, "Snooping Chinese 'chitchat' site unleashes "human flesh search engines" on corrupt govt officials," Sify.com, August 1, 2009, <http://www.sify.com/news/snooping-chinese-chitchat-site-unleashes-human-flesh-search-engines-on-corrupt-govt-officials-news-international-jibpufcjcasi.html> (accessed February 20, 2017).

Following the success of IPAB in India, Chinese Internet activists became excited. In June 2011, four websites were created in China, emulating IPAB, including www.woxinghuile.com.¹⁴³ Estimates of how many other such websites were created range from twenty to sixty.¹⁴⁴ Within days of opening, [woxinghuile.com](http://www.woxinghuile.com) received around 50,000 visitors per day and upwards of 8,000 posts, breaking down intermittently under the strain. The other anti-corruption websites received comparable levels of public attention. A government crackdown on IPAB imitators soon began, however, and [woxinghuile.com](http://www.woxinghuile.com) was shut down after only five days. The site's webmaster managed to put it back online following the crackdown, and told Xinhua News: "I believe the government will support us. Anti-corruption is a need of the party and the people."

Soon afterward, the Beijing anti-corruption bureau and procuratorate chiefs expressed their concern IPAB imitators might invite false accusations and defamation, and could interfere with current corruption investigations by revealing the charges to suspects. It reminded the public that there were already ways to report corruption to the government.¹⁴⁵

By late June, the Ministry of Information & Communications approved the registration of [woxinghuile.com](http://www.woxinghuile.com) and three other IPAB imitators. The websites soon lost their previous popularity, however: in the three days following the site's approval, [woxinghuile.com](http://www.woxinghuile.com) had received only 2,975 visits and under 5,000 postings. Not long afterward, the websites were shut down once again. This time, the public received no explanation. The four IPAB imitators that had been registered had their registration

¹⁴³Ang, "Authoritarian Restraints on Online Activism Revisited," 27.

¹⁴⁴ *Ibid.*, 26.

¹⁴⁵ *Ibid.*

revoked.¹⁴⁶ The Webmaster of woxinhuile.com offered to “donate” his site to the government in order to keep it in operation.¹⁴⁷

Why did the Chinese government ultimately turn against the citizen-made corruption reporting sites that sprung up following the reports of IPAB’s success? Yuen Yuen Ang offers two explanations: (1) central authorities feared that IPAB could inflame the public’s anger over corruption and thus undermine state legitimacy;¹⁴⁸ and (2) the authorities want to maintain control of the process of investigating reports of corruption.¹⁴⁹ Evidence of conflict between corruption reporting civilians and retaliatory local authorities exists: in the Northeast of China, for example, two IPAB imitator sites revealed local authorities’ corruption, leading those authorities to charge the sites’ owners with “extortion” and arrest them.¹⁵⁰ The unpopularity of local officials is well documented.¹⁵¹ Thus, it stands to reason that central authorities would ultimately choose to restrict citizen complaints to channels that would not encourage local official retaliation, conflict and instability.

In addition to the IPAB imitators, there may be many more citizen-made anti-corruption websites getting shut down regularly. 2012 saw the shutting down of a website called “China anti-corruption report website.” This website was one of fourteen shut down in 2012. According to the State Internet Information Office (SIIO), the website was shut down for circulating false rumours and for blackmailing people with incriminating

¹⁴⁶ Ibid, 27.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid, 28.

¹⁴⁹ Ibid, 30.

¹⁵⁰ Ibid.

¹⁵¹ See e.g., Lianjiang Li, “Rights Consciousness and Rules Consciousness in Contemporary China,” *The China Journal*, No. 64 (July 2010): 47-68.

information.¹⁵² Also in 2012, at least 89 websites claiming to represent government organs were shut down. It is possible that some of these fake government sites solicit information about corruption.¹⁵³

Social Media Corruption Reporting and Discussion

Far more often than on citizen-made corruption reporting websites, citizens will call out corrupt officials on microblogging websites known in China as weibo. It is easy to understand why many citizens choose to discuss corruption on public social media platforms, rather than on official government corruption report channels. The benefit of reporting corruption via social media is obvious: other citizens can see the information, allowing for netizens to pressure the government via a technique called the “surrounding gaze.” The surrounding gaze means intense and widespread discussion of an issue on social media, putting pressure on the government to respond.¹⁵⁴ Authorities both central and local have been inconsistent in their responses to accusations of corruption made on social media. The most common response, however, has been to curb the practice. All accusations of corruption on social media are considered socially destructive acts of “rumormongering,” according to official discourse. What follows is a short history of

¹⁵² Xinhua News Agency, "Websites, microblog accounts closed for fraud," *China Daily*, September 14, 2012, http://www.chinadaily.com.cn/bizchina/2012-09/14/content_15757663.htm (accessed February 28, 2017).

¹⁵³ Xinhua News Agency, "Anti-graft authority issues warnings against fraudulent websites," June 21, 2012, http://news.xinhuanet.com/english/china/2012-06/21/c_131668822.htm (accessed February 4, 2017).

¹⁵⁴ Zhou Kangliang, "The Power of the Chinese Netizen? How Microblogging is Changing Chinese Journalism," *Reuters Institute Fellowship Paper* (2011): 16-17.

officials' strategies, both via regulation and via censorship, of limiting "rumours" about corrupt officials.

The earliest government action that can be tied to the effort to prevent undesirable online discourse and chip away at online anonymity came in 2000 with the passing of two sets of regulations: the Measures for the Management of Internet Information Services (hereafter 2000 Measures), and the Regulations on the Management of Electronic Bulletin Services (hereafter 2000 Regulations). The contents of these documents merit discussion. I will first discuss the 2000 Measures, and then the 2000 Regulations.

Article 6 of 2000 Measures is the first notable one for our purposes. It requires all websites to have "sound security protection systems for the network and information including security protection systems for Web sites, a confidential management system of information security, and a security management system of users' information."¹⁵⁵ Article 15 forbids anyone from publishing information on BBS websites belonging to any of nine categories, including the following: contents that (1) "contravene the basic principles established by the constitution"; (2) "endanger national security, leak state secrets, subvert China's state power, or undermine national unity"; (3) "impinge on China's honor and interests"; (6) "spread rumors, disturb social order, or undermine social stability"; and (8) "insult or slander others or infringe upon other people's legitimate rights and interests."¹⁵⁶ If content of this sort is published, the site's administrator's responsibility, as per article 16, is to delete it, preserve records of it, and report the issue

¹⁵⁵ Zhu Rongji, "Measures for the Management of Internet Information Services," *Chinese Law & Government*, Vol. 43, No. 5 (September-October 2010): 31.

¹⁵⁶ *Ibid*, 33.

to the “relevant state organs.”¹⁵⁷ Article 20 states that when information of the sorts listed in article 15 is disseminated to a website, this constituted a crime, and the individual responsible will bear criminal liability. If the posts in question belong to categories that “do not yet constitute crimes,” the punishment is to be administered according to the Security Regulations of the People’s Republic of China on Administrative Penalties.¹⁵⁸ Further punishment depends on whether or not the site is for-profit. If so, the punishment ranges from a temporary suspension of the site’s operations to the revocation of the owner’s business license.¹⁵⁹ If the site is non-profit, it will be closed either temporarily or permanently, depending on the discretion of the authorities.

The 2000 Regulations closely resembled the 2000 Measures, but specifically targeted social media websites organized via the popular “Bulleting Board System” (BBS). Article 4 states that BBS users must “take responsibility for the information they release.”¹⁶⁰ Article 6 is nearly identical to article 6 of the 2000 Measures. Its criteria for a BBS site include “sound rules and regulations for electronic bulletin board service,” and “security measures for electronic bulletin board services, including Internet user registration procedures, management systems for the security of Internet user information, and technical support facilities.”¹⁶¹ Article 9 forbids the same illegal behaviours banned in article 15 of the 2000 Measures.¹⁶² Article 13 offers the same

¹⁵⁷ Ibid.

¹⁵⁸ Ibid, 34.

¹⁵⁹ Ibid.

¹⁶⁰ Ministry of Information Industry, “Regulations on the Management of Internet Electronic Bulletin Services,” *Chinese Law & Government*, Vol. 43, No. 5 (September-October 2010): 108.

¹⁶¹ Ibid.

¹⁶² Ibid, 109.

instructions for BBS administrators who find illegal content on their sites as article 16 of the 2000 Measures provides to administrators of all websites.¹⁶³ Article 17 states that whoever publishes information on a BBS site that meets the criteria set out in article 9 is to be punished according to article 20 of the 2000 Measures.¹⁶⁴ Article 10 requires BBS sites to prominently display reminders that users will be held legally responsible for anything they post.¹⁶⁵ Articles 14 and 15 require that BBS operators keep records for up to 60 days of the content posted on their sites, which users posted it, and “internet addresses,” domain names and main telephone numbers of those users.¹⁶⁶

In 2006, the Ministry of Information Industry published another set of regulations closely modeled after the 2000 Measures, the Measures for the Management of Internet E-mail Services (hereafter 2006 Measures). Like the 2000 Regulations, the 2006 Measures require users to share “personal registration information” as a precondition for using the service (article 9).¹⁶⁷ As article 7 states, email service providers must shut down all anonymous email servers under their control.¹⁶⁸ Both of these articles emphasize the service provider’s responsibility to protect users’ personal information. Articles 15-18 establish rules governing the process whereby users can send the service provider tipoff emails about illegal content that they have encountered on the email website. The service

¹⁶³ Ibid, 110.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid, 109.

¹⁶⁶ Ibid, 110.

¹⁶⁷ Ministry of Information Industry, “Measures for the Management of Internet E-Mail Services,” *Chinese Law & Government*, Vol. 43, No. 5 (September-October 2010): 57.

¹⁶⁸ Ibid.

provider must pass the tipoff on to a relevant state organ or the China Internet Association's Internet E-mail Tip-Off Acceptance and Handling Center.¹⁶⁹

By 2004, all Chinese colleges and universities required the real names of (BBS) users.¹⁷⁰ In 2006, real name registration policy trial runs were conducted in several cities around China, including Beijing. The Beijing administration soon gave up on upholding this policy because of heavy criticism from netizens, news media, and tech companies.¹⁷¹ The local government in the city of Xiamen faced similar backlash for trying to implement the policy.¹⁷² In 2007, cartoon characters called Jingjing and Chacha (adapted from jingcha, meaning "police") began appearing on internet users' computer screens and providing links to the Public Security website's Internet Police section. According to a Shenzhen police officer, the cartoon characters were created to intimidate potential rumormongers and posters of illicit information, not to gather information on cybercrime.¹⁷³ Two years later, Hangzhou's local legislature passed a regulation requiring real-name registration for any Internet user who plays online videogames or posts information online, but widespread objection led the government to give up on enforcement.¹⁷⁴ Also in 2009, a series of news portals including Sina, NetEase and Sohu

¹⁶⁹ Ibid, 59.

¹⁷⁰ Jyh-An Lee and Ching-Yi Liu, "Real-Name Registration Rules and the Fading Digital Anonymity in China," *Washington International Law Journal*, Vol. 25, No. 1 (2015): 12.

¹⁷¹ Ibid, 11.

¹⁷² Ibid.

¹⁷³ Xiao Qiang, "The Battle for the Chinese Internet," *Journal of Democracy*, Vol. 22, No. 2 (April 2011): 51.

¹⁷⁴ Ibid, 11-12.

received secret government orders to require all users to submit their real names and identification numbers.¹⁷⁵

In August of 2011, Beijing Party secretary and party Politburo member Liu Qi visited the office of Sina, owner of the most common Weibo site. Soon after the visit, Sina released a statement promising to “put more effort into attacking all kinds of rumors.”¹⁷⁶ More concretely, the company pledged to monitor the content of users with upwards of 50,000 followers. As Keith B. Richburg of the *Washington Post* notes, however, Sina’s suppression of posts did not always occur in response to clear cases of rumormongering. A Shanghai microblogger who posted a series of photos of government officials carrying luxury goods too expensive for a government salary to cover, for example, had his photos deleted and his account terminated in September. On September 29, 2011, SIIO minister Wang Chen told a conference audience that social media was a problem for the government. The next day, the SIIO issued a statement warning Internet users to “show self discipline and refrain from spreading rumors.”¹⁷⁷ It is unclear how many weibo accounts were shut down. Media reports claimed that Sina employs a large team, under the leadership of ten editors, which examines Weibo posts daily in order to identify accounts that spread false information. As of December 2011, the team had already posted 269 rumour corrections.¹⁷⁸

¹⁷⁵ Ibid, 12.

¹⁷⁶ Keith B. Richburg, "China tightens control of microblogs," *Washington Post*, October 4, 2011, World Section, A8.

¹⁷⁷ Ibid.

¹⁷⁸ Xinhua News Agency, "Beijing requires real names in microblog registration," December 16, 2011, http://news.xinhuanet.com/english/china/2011-12/16/c_131310381.htm (accessed March 11, 2017).

2011 also marked the beginning of serious measures to curb “rumormongering.” In May, China University of Political Science and Law researcher Wu Danhong created a “rumor-curbing league.” The “league” found that many microblog and social media users have several accounts, and that almost all online rumours came from accounts that were not attached to any verified identification.¹⁷⁹ Later in the year, a series of trials began to find a way to eliminate social media rumors.¹⁸⁰ Beijing’s municipal government (more specifically, its public security bureau, communication administration and Internet information office) published a set of rules in December requiring that all microblog service providers collect personal information from users, such as identification, before allowing users to create accounts.¹⁸¹ Internet users can browse microblog posts without an ID, but cannot make posts of their own. A spokesman for the Beijing Internet Information Office (BIIO) justified claimed the new rules would protect web users’ interests, “improve credibility on the web” and “help microblogging service providers enhance trustworthiness.”¹⁸² The BIIO’s executive deputy director, Tong Liqiang, claimed that the new rules could help prevent “the spread of rumors and fake information as well as Internet fraud on the microblog platform.”¹⁸³ The new rules also banned individuals and organizations from posting or reposting illegal information, including

¹⁷⁹ Xinhua News Agency, "More Chinese cities require real-name microblog registration," December 22, 2011, http://news.xinhuanet.com/english/china/2011-12/22/c_131321760.htm (accessed March 15, 2017).

¹⁸⁰ Michael Wines, "China Expands Program Requiring Real-Name Registration Online," *New York Times*, January 18, 2012, http://www.nytimes.com/2012/01/19/world/asia/china-expands-program-requiring-real-name-registration-online.html?rref=collection%2Fbyline%2Fmichael-wines&action=click&contentCollection=undefined®ion=stream&module=stream_unit&version=search&contentPlacement=1&pgtype=collection (accessed March 8, 2017).

¹⁸¹ Xinhua News Agency, "Beijing requires real names in microblog registration."

¹⁸² Ibid.

¹⁸³ Ibid.

leaks of state secrets, information that “damages national security and interests, and instigates ethnic resentment, discrimination or illegal rallies that disrupt social order.”¹⁸⁴

In late December of 2011, following the publication of a new set of rules for the cities of Guangzhou and Shenzhen seven microblog service providers in those cities also began to require real identification from users.¹⁸⁵

At the beginning of that year, CCDI researcher Sun Zhiyong gave a positive appraisal of microblog websites’ and new media’s utility in the fight against corruption. Sun stated that the CCDI and Ministry of Supervision had received many online reports of corruption via microblogs and other websites. Sun also claimed that the authorities would “beef up the collecting, examination and handling of clues” that come from the Internet.¹⁸⁶ Similarly, in 2013 Minister of Supervision and NBCP head Ma Wen described herself as a “weibo-diver” who searches China’s microblogs for tips on corruption.¹⁸⁷

In 2012, the Standing Committee published a Decision on Strengthening Online Information Protection, which mandated that all telephone service providers, as well as all internet service providers that provide website access services, require the “real identity information” of users before any access agreements can be completed.¹⁸⁸

¹⁸⁴ Ibid.

¹⁸⁵ Xinhua News Agency, “More Chinese cities require real-name microblog registration.”

¹⁸⁶ Xinhua News Agency, “China’s discipline watchdog says microblogs help fight corruption,” January 17, 2012, http://news.xinhuanet.com/english/china/2012-01/17/c_131364696.htm (accessed February 15, 2017).

¹⁸⁷ Xi Jing, “Minister of Supervision is ‘Weibo-diver,’” China.org, http://www.china.org.cn/china/NPC_CPPCC_2013/2013-03/04/content_28123627.htm (accessed March 13, 2017).

¹⁸⁸ “National People’s Congress Standing Committee Decision concerning Strengthening Network Information Protection,” *China Copyright and Media*, posted December 29, 2012, <https://chinacopyrightandmedia.wordpress.com/2012/12/28/national-peoples->

In early 2013, the state began to freeze or shut down the accounts of prominent Chinese liberals on microblogging websites. The intellectuals banned included Hao Qun, a well-known writer who often writes about corruption.¹⁸⁹ The SIIO offered a statement in May of 2013, claiming that the Office had begun a campaign to stop “the spread of online rumours” and “bad social influence” that results from them. In August the Ministry of Public Security vowed to target rumormongers.¹⁹⁰ In September of 2013, SPC issued a ten-clause judicial interpretation defining online behaviour that will be treated as “fabricating facts to slander others” and what constitutes a “serious” violation. According to the interpretation, if a slanderous post on social media is seen by more than 5,000 netizens or is reposted more than 500 times, as per the SPC’s 2013 judicial decision, the author will be charged with defamation.¹⁹¹

Often, social media whistleblowers end up being investigated for blackmail. Whistleblower Wu Dong was the subject of such an investigation in 2013. According to Wu, the police did not mention his online activism, which mainly consisted of taking and posting incriminating photos of officials with luxury goods.¹⁹² By the end of May, thirteen more people had been arrested on suspicion of spreading rumours, as well as

congress-standing-committee-decision-concerning-strengthening-network-information-protection/ (accessed February 30, 2017).

¹⁸⁹ Clifford Coonan, “China starts clampdown on microblogs,” *The Irish Times*, May 16, 2013, <http://www.irishtimes.com/news/world/asia-pacific/chinese-government-starts-clampdown-on-microblogs-1.1394824> (accessed March 20, 2017).

¹⁹⁰ Xinhua News Agency, “Man stands trial over rumormongering,” April 11, 2014, http://news.xinhuanet.com/english/photo/2014-04/11/c_133255041.htm (accessed March 2, 2017).

¹⁹¹ Xinhua News Agency, “Internet rumormonger gets 3-year jail term,” April 17, 2014, http://news.xinhuanet.com/english/china/2014-04/17/c_133269304.htm (accessed April 20, 2017).

¹⁹² Reuters, “China police probe online whistleblower over blackmail suspicions,” September 21, 2013, <http://www.reuters.com/article/china-whistleblower-idUSL3N0HH04820130921> (accessed February 4, 2017).

“disrupting public order” by inciting a protest following a young woman’s death. The thirteen suspects, one of whom was the boyfriend of the dead woman, allegedly incited the protest based on a rumour spread by the boyfriend that the young woman had been murdered.¹⁹³ Eleven additional suspects were investigated over their possible role in spreading the rumours.

Officials’ reaction to online public corruption reports did not consist only of attempts to eliminate it. They also used it as an opportunity to learn about public opinion. In September of 2013, for example, the *Legal Daily*’s center for public opinion monitoring published an analysis of 26 common cases of corruption report, compiled from social media platforms such as Weibo and Tianya. The paper broke down the cases based on who reported them and concluded that 15.4 percent of reporters were former mistresses of corrupt officials and 26.9 percent, the largest share, were. Journalists, businessmen, officials and netizens also contributed reports.¹⁹⁴ The report also claimed that whistleblowers were increasingly resorting to erotic photos or tapes featuring corrupt officials in order to better capture the public’s attention. In addition, the paper claimed that the authorities had responded to 88.5 percent of the cases as by the time of the article’s publication and handled 73.1 percent of them. The report also noted that police had detained 23.1 percent of the whistleblowers who had given their real names, or else listed them as wanted, based on suspicion of “rumormongering” and “causing trouble.”” The report still claimed, however, that it was safer for whistleblowers to use their real

¹⁹³ Xinhua News Agency, "13 arrested in Beijing for rumormongering, disrupting public disorder," May 21, 2013, http://news.xinhuanet.com/english/china/2013-05/22/c_124744771.htm (accessed March 1, 2017).

¹⁹⁴ Xinhua News Agency, "15.4 percent of online whistleblowers are mistresses," *China Daily*, October 16, 2013, http://europe.chinadaily.com.cn/china/2013-10/16/content_17037552.htm (accessed January 29, 2017).

names, because “constant and close attention from the public helps to prevent retaliation against whistleblowers.”¹⁹⁵

Since the regulation banning rumormongering, many citizens have been prosecuted for the practice. In 2014, a Sina Weibo user named Qin Zihui was tried for spreading rumours about popular television personality Yang Lan, as well as other celebrities, and China’s former minister of railways. The ministry, Qin claimed, had given the equivalent of 32.5 million US dollars to a train crash victim in 2011. These rumours were circulated online between December 2012 and August 2013. The official charges, in violation of criminal law, were “defamation” and “disturbing the peace.”¹⁹⁶ In 2014, the rules for real-name registration online tightened further: the SIIO ruled that instant messaging (IM) service providers have to require the real names and phone numbers of all users. According to the *China Daily*, this new ruling was a response to “the increasing popularity of [IM services] that has led to problems including the spreading of rumours and information relating to terrorism, pornography and violence.”¹⁹⁷

In February of 2015, the Cyberspace Administration of China (CAC) published a regulation expanding the coverage of the 2012 real name registration requirement. This regulation stipulates that all blog and microblog service providers, as well as websites with comment sections, must obtain the real names of all of their users.¹⁹⁸ Instant

¹⁹⁵ Ibid.

¹⁹⁶ Xinhua, “Man stands trial over rumormongering.”

¹⁹⁷ Cao Yin, “IM rules are tightened to stem rumors, pornography,” *China Daily*, August 8, 2014, http://usa.chinadaily.com.cn/epaper/2014-08/08/content_18274337.htm (accessed February 25, 2017).

¹⁹⁸ Joe McDonald, “China tightens Web requirements,” *Telegraph Herald*, February 8, 2015, http://www.telegraphherald.com/news/technology/article_6a3ed1d0-1e4c-5222-bece-77cd1634a572.html (accessed January 30, 2017).

messaging services, too, would need users' identities.¹⁹⁹ Sina expressed support for the measure on its own Sina Weibo account and posted instructions for how users can report possible violators.²⁰⁰ The new regulation also required that avatars and account handles must not include information that violates the constitution or the law, subverts state power, undermined national security and sovereignty, or is deemed rumormongering. The regulation took effect on March 1st of 2015, but by the end of February over 60,000 Internet account names had already been forcibly changed to comply with the regulation.²⁰¹

In 2016, more than 580 illegal public social media accounts and accounts belonging to "celebrity microbloggers" were shut down, according to the CAC. Additionally, the institution requested the deletion of more than 2,000 rumors. The microbloggers' accounts were terminated, the CAC claimed in a statement, for "misleading the public and posting remarks that run counter to the constitution," and "ignoring their social responsibilities, abusing their influence, smearing the state honor and disrupting social honor."²⁰² In 2016, the SPC drafted the Cybersecurity Law of the People's Republic of China, which will go into effect in June of 2017. Article 24 of this law reiterates the illegality of not forcing social media users to provide their real

¹⁹⁹ Jamie Fullerton, "China makes social media users reveal real names," *The Times*, February 26, 2015, <https://www.thetimes.co.uk/article/china-makes-social-media-users-reveal-real-names-bvs56xmjmr> (accessed February 21, 2017).

²⁰⁰ Ibid.

²⁰¹ Xinhua News Agency, "China deletes over 60,000 Internet accounts," February 27, 2015, http://english.gov.cn/news/top_news/2015/02/27/content_281475062456492.htm (March 10, 2017).

²⁰² Xinhua News Agency, "Celebrity microbloggers' accounts closed for rumormongering," February 27, 2016, http://news.xinhuanet.com/english/2016-02/27/c_135135257.htm (February 7, 2017).

identities as a condition for use of such media.²⁰³ Article 61 states that if service providers fail to require this information from users, those service providers

are ordered to make corrections by the relevant competent department; where corrections are refused or the circumstances are serious, a fine of between RMB 50,000 and 500,000 shall be given, and the relevant competent department may order a temporary suspension of operations, a suspension of business for corrections, closing down of websites, cancellation of relevant operations permits, or cancellation of business licenses; persons who are directly in charge and other directly responsible personnel shall be fined between RMB 10,000 and 100,000.²⁰⁴

As of 2017, it is unclear how widely enforced the existing rules about online identity are. Recent media reports indicate that many Internet users have managed to escape the rules.²⁰⁵ A deadline was set in 2012 for microblog service providers to verify the identities of all their users, but it is not believed that a significant change in the number of verified users was made by that deadline.²⁰⁶ Sina Corp. said the following in its annual report: “We believe successful implementation of user identity over a long period of time.” The report also stated that Sina’s identity verification policy was already driving

²⁰³ “Cybersecurity Law of the People’s Republic of China,” *China Copyright and Media*, posted January 16, 2017, <https://chinacopyrightandmedia.wordpress.com/2016/11/07/cybersecurity-law-of-the-peoples-republic-of-china/#more-4132> (accessed February 30, 2017).

²⁰⁴ Ibid.

²⁰⁵ Lee and Liu, “Real-name Registration Rules,” 23.

²⁰⁶ Loretta Chao, “Microblogs Survive Real-Name Rules—So Far,” *China Real Time Report*, posted April 30, 2012, <http://blogs.wsj.com/chinarealtime/2012/04/30/microblogs-survive-real-name-rules-so-far/> (accessed March 15, 2017).

away many new potential users, and many people who had applied for accounts had been “rejected by the Chinese government database.”²⁰⁷

Interestingly, 2016 saw the creation of a whistleblower website for citizens to expose those who have spread pernicious rumours online. The site, a joint creation of the Ministry of Public Security and leading microblog platform Sina Weibo, is called the National Platform to Refute Rumors.²⁰⁸ Though little information exists so far as to how many accusations of corruption on microblogs will be treated as rumours, online activists have already expressed suspicions that the website’s ‘tipoffs’ will be used as a pretext to punish everyone who speaks out about corruption or disputes the government’s account of events. One netizen interviewed by Radio Free Asia claimed that it is necessary to publicize allegations of corruption that may be false (in other words, spread rumours) in order to combat corruption.²⁰⁹ This comment suggests both that social media corruption accusations are still a more reliable way of making the government investigate officials for corruption than reporting corruption through official channels, and that accusations of corruption on social media are still common. The creation of the website in 2017 also suggests the latter point. Another piece of evidence comes from a 2016 study of CDIs’ effectiveness in combating corruption. The study contained an interview with a CDI official revealing that one source of information about official corruption that the CDIs relied on was social media complaints.²¹⁰

²⁰⁷ Ibid.

²⁰⁸ Luisetta Mudie, “China Launches ‘Rumor-Busting’ Website to Enforce Party Line,” Radio Free Asia, May 13, 2016, <http://www.rfa.org/english/news/china/china-launches-rumor-busting-website-to-enforce-party-line-05132016093057.html> (accessed February 2, 2017).

²⁰⁹ Ibid.

²¹⁰ Li and Deng, “The Limits of the Arbitrariness,” 77.

In addition to crowdsourcing information about rumours, extensive research has been conducted (and continues to this day) on automating rumour detection.²¹¹ No systematic research exists on the effectiveness automated rumour detection by the central authorities. All that exists so far is anecdotal information presented in news reports that mention the topic. A recent example is an article by Bao Pu about social media rumourmonger/whistleblower Guo Wengui. Pu writes that Guo's social media followers

have been forced to resort to covert retweets, avoiding detection by constantly creating new word variations. Discussion forums on the issues he has raised have been rendered impossible, and computational detection is closing in on his creative, if outmatched, allies.²¹²

Pu's prognosis for the future is bleak: if the Chinese authorities begin to use artificial intelligence and machine learning for automatic rumour detection, an eventuality that Pu considers highly likely and likely to happen in the near future, then there will be little that netizens can do to post accusations of corruption while avoiding potential punishment.²¹³

Not everyone is as pessimistic as Pu. Giovanni Navarri argues that the Chinese authorities will probably never be able to eliminate rumourmongering. He bases this

²¹¹ See, e.g., Fan Yang, Xiaohui Yu, Yang Liu and Min Yang, "Automatic Detection of Rumor on Sina Weibo," in *Proceedings of the ACM SIGKDD Workshop on Mining Data Semantics*, No. 3 (August 12, 2012): 1-7, and Ke Wu, Song Yang and Kenny Q. Zhu, "False rumors detection on Sina Weibo by propagation structures," in *IEEE 31st International Conference on Data Engineering (ICDE)* (April 13-17, 2015): 651-662.

²¹² Bao Pu, "The Other Side of 'the Biggest Political Story in China,'" *Worldview*, June 16, 2017, https://worldview.stratfor.com/article/other-side-biggest-political-story-china?utm_source=Facebook&utm_medium=Keywee&utm_campaign=Article&kwp_0=445560&kwp_4=1637775&kwp_1=704791 (accessed June 22, 2017).

²¹³ *Ibid.*

claim on Internet censorship's dependence on a "decentralized web of individual companies" whose efficacy in carrying out censorship varies based on factors such as their market share, their physical locations, and the will of individuals within the company to implement the government's policies.²¹⁴

Conclusion

While the previous chapter discussed the government's attempts to use law to stop HFS-based corruption disclosure, this chapter has offered a parallel narrative, investigating the government's attempts to prevent the disclosure of corruption on social media and citizen-made corruption report sites. Whereas the ban on disclosure of information gleaned from HFS was justified as protection of personal privacy, the censorship of corruption disclosure and the punishment of certain social media whistleblowers were justified as an attempt to prevent rumormongering. By definition, for the central authorities, any disclosure of corruption not made through the official channels was rumormongering, as it had not been subject to official verification. Unfortunately, there are no statistics to indicate how many cases of "rumormongering" involve corruption, but anecdotal evidence presented in this chapter gives the impression that the number is high.

While it is unclear how much the authorities' campaign to eliminate "rumours" about corrupt officials has reduced the number of those rumours posted

²¹⁴ Giovanni Navarria, "China: the Party, the Internet, and power as shared weakness," *Global Change, Peace & Security*, Vol. 29, No. 1 (2017): 5.

each year, the practice remains common enough for the government to continue looking for ways to end it.

Chapter 5: Official Online Corruption-Report Platforms

Introduction

This chapter surveys the Chinese government's efforts to solicit information about corruption online. The government's activity in this regard takes the form of either the creation of a website or application that accepts online tipoffs, or an account on a social media website such as WeChat or Sina Weibo. Since the late-1990s, numerous government websites have been created, often including sections for feedback allowing officials to collect general complaints (of which an overwhelming proportion would likely relate to corruption or official abuses of power) or complaints about corruption in specific.²¹⁵ In the case of curbing corruption, no amount of websites, social media presence, hotlines and applications has seemed enough; with each year, more are established. The purpose of these websites is twofold: (1) to gather information on corrupt officials and thus punish more of those officials; and (2) to gather more information about public opinion on and the public's knowledge of corruption.

Corruption report websites are not unique to China; many have been created in other countries (see below). Most of these sites receive initial media and public interest, but stop receiving report after time passes. In this chapter, I argue that China's official online anti-corruption platforms have followed the same trend, leading the government to create more and more of them in order to maintain a steady amount of reports. This strategy is unsustainable: over time, after witnessing the creation of many new corruption

²¹⁵ Kathleen Hartford, "Dear Mayor: Online Communications with Local Governments in Hangzhou and Nanjing," *China Information*, Vol. 19, No. 2 (2005): 218-221.

report platforms, netizens will most likely stop paying attention to the websites and the calls for more online corruption reports. The end of this chapter presents evidence that growing disillusionment with online anti-corruption platforms has already begun. It must be briefly noted that the following narrative of the Chinese government's online anti-corruption initiatives discusses many online platforms that are not strictly meant for collecting corruption reports. I have chosen to include these platforms in my narrative because they are possible channels through which netizens can report corruption. Despite the proliferation of these platforms, in addition to the many corruption report websites the government has created, the government has still felt the need to create more anti-corruption websites.

Official Online Corruption Tipoff Platforms, 2000-2017

Information on China's earliest online public input channels is scarce. A 2005 study by Kathleen Hartford on the government email addresses in the cities of Hangzhou and Nanjing known as "leaders'" or "mayor's mailboxes" is the most notable exception. The study profiles Hangzhou's 12345 Mayor's Mailbox, set up in 2003. This website, run by the Hangzhou Petitions Bureau, reportedly received around 48-50 messages daily between 2003 and February of 2004, after which the website introduced a function allowing cellphone users to send text messages.²¹⁶ Due to this new feature, the total number of communications received weekly by the Mayor's office (a number that is primarily made up of phone calls and letters) jumped from 3000-3500 in 2003 to over

²¹⁶ Ibid, 225.

6500 in the first week of March 2004.²¹⁷ Due to the age of the study, it is unclear if this website's popularity lasted long after 2005. Nanjing's Mayor's Window website, online since 2001, received 800 messages during Mayor Jiang Hongkun's tenure, and had archived 3,400 messages delivered during the tenures of three other mayors.²¹⁸ Guangzhou had its own online 12345 mailbox as well, through which its local petition office accepted online submissions.²¹⁹

The above examples are helpful in understanding the genesis of China's online anti-corruption policy, but it must be stressed that they do little to justify inferences about how common mayor's mailboxes and petition sites were in the early 2000s, and how popular these platforms were. One final piece of evidence about the prevalence of petition email channels is article 17 of the 2005 Regulations on Letters and Visits: "A letter-writer or visitor shall, in general, present a letter-or-visit matter through correspondence, E-mail, fax or any other written form."²²⁰

In 2004, the CCDI created what is likely the very first corruption and official misbehaviour report website, known as "96666." The website took its name from a hotline created by the CCDI in 2002 to collect public reports of official "inaction or malfeasance."²²¹ Around this time, multiple official webpages were also created allowing the public to report judicial misconduct, although it is unknown how many such pages were created. Liebman and Wu provide one example from 2004.²²² A year after these

²¹⁷ Ibid, 227-228.

²¹⁸ Ibid, 230.

²¹⁹ Ibid, 224.

²²⁰ 2005 regulations, article 17.

²²¹ Hartford, "Dear Mayor," 228.

²²² Liebman and Wu, "China's Network Justice," 299.

sites were created, the CCDI set up another website, jubao.gov.cn, this time with the explicit aim of collecting reports of official corruption.²²³ In addition to this website, some district and city CCDI departments created corruption tipoff websites of their own in 2005.²²⁴ An unspecified number of other tipoff websites were created before 2008. Some were created under the supervision of the CCDI, the Ministry of Supervision and eighteen provincial-level discipline inspection committees.²²⁵ Other websites created before 2008 were the work of municipal governments in provinces such as Shanxi, Guizhou and Zhejiang. In the latter province alone, 11 cities and 85 counties used corruption tipoff websites.²²⁶ In 2007, following the creation of the National Bureau of Corruption Prevention (NBCP), this bureau opened a new corruption reporting website.²²⁷ The NBCP's site received so many reports that it crashed multiple times and recorded more than 250 messages during its first two days of operation. These messages ranged from "tirades to denunciations to congratulations for cracking down." Most of these messages referred to local village, township or provincial officials and did not refer

²²³ Xinhua News Agency, "China launches website for reporting corruption," December 28, 2005, *Business Collection* (accessed December 30, 2016), <http://go.galegroup.com.ezproxy.library.uvic.ca/ps/i.do?p=ITBC&sw=w&u=uvictoria&v=2.1&it=r&id=GALE%7CA140213902&asid=9bc1892dda1a7e97339ddd5fc31126bb> (accessed February 3, 2017). This tipoff website no longer exists.

²²⁴ Paulina Hartono, "Central Commission for Discipline Inspection Opens National Informant Website," *China Digital Times*, <http://chinadigitaltimes.net/2009/10/central-commission-for-discipline-inspection-opens-national-informant-website/> (accessed March 20, 2017).

²²⁵ Xinhua News Agency, "China's discipline watchdogs establish more websites for corruption report," *People's Daily*, January 25, 2008, <http://en.people.cn/90001/90776/6345576.html> (accessed February 10, 2017).

²²⁶ Ibid.

²²⁷ E. Cody, "Reports crash china's corruption website deluged; outpouring seen as a measure of public resentment," *The Vancouver Sun*, December 20, 2007, <http://search.proquest.com.ezproxy.library.uvic.ca/docview/242011759?accountid=14846> (accessed February 1, 2017).

to specific officials by name or station, making identifying and prosecuting those individuals impossible. Few complaints mentioned central officials.

China's provincial governments' online complaints platforms (platforms that collect collecting petitions and not just information about corruption) were, in their 2007 form, subject to one of the very few academic studies of China's government websites. The study assessed the quality and popularity of China's 31 provincial government websites and their features. The data for the study was gathered in December of 2007.²²⁸ In 2007, two thirds of provincial government websites accepted online petitions. 61% of the sites surveyed were receiving "dozens" of petitions monthly. 33% of the websites, however, were barely receiving any petitions at all.²²⁹ To put these numbers in perspective, it is important to note that as of 2005, the population of internet users in 28 of the 31 provinces surveyed was over one thousand.²³⁰ Guangdong province, by itself, had 14,860 internet users by that year. The petition feedback features of provincial government websites lagged behind the petition reception mechanisms: over 10% fewer provincial websites gave feedback on online petitions than received those petitions.²³¹ Under 25% of provincial government sites gave regular and detailed feedback.²³²

²²⁸ Min Jiang and Heng Xu, "Exploring Online Structures on Chinese Government Portals: Citizen Political Participation and Government Legitimation," *Social Science Computer Review*, Vol. 27, No. 2 (2009): 183.

²²⁹ *Ibid*, 179, 182.

²³⁰ *Ibid*, 180.

²³¹ *Ibid*, 189.

²³² *Ibid*.

There is no evidence of new corruption report websites created in 2008. In 2009, however, an informant website called 12388.gov.cn was established.²³³ Named after a Ministry of Supervision phone number established earlier that year, the new website received so many visits following its creation that it crashed for close to ten hours.²³⁴ By 2012, it had reportedly received 301,000 reports.²³⁵ The hotline had received over 11,000 calls within its first week.²³⁶

Also in 2009, the Supreme People's Court and all provincial courts in Mainland China launched websites to collect tips about corrupt judges. The Supreme People's Court supervises the provincial courts' websites via an internal computer network.²³⁷ The SPC's push to accumulate public opinion information (which the reader will remember from chapter 2 included setting up an SPC-exclusive petition office) followed closely after the appointment of Wang Shengjun as the SPC president in 2008. Under Wang, a party bureaucrat who lacked legal education and court experience, the SPC pursued a populist doctrine, involving a greater emphasis placed on public opinion.²³⁸

²³³ Reuters, "China to protect online whistleblowers, but only via official site," September 12, 2013, <http://www.reuters.com/article/us-china-corruption-idUSBRE98B09B20130912> (accessed February 15, 2017).

²³⁴ Woods Lee, "Party website opens to expose corruption," *South China Morning Post*, October 30, 2009, <http://www.scmp.com/article/696846/party-website-opens-expose-corruption> (accessed February 3, 2017).

²³⁵ Reuters, "Top Chinese prosecutor guarantees protection for whistleblowers," October 28, 2014, <http://www.reuters.com/article/us-china-corruption-whistleblowers-idUSKBN0IH07Q20141028> (accessed February 15, 2017).

²³⁶ Wang Huazhong, "Whistleblowers heat up new hotline," *China Daily*, June 29, 2009, http://www.chinadaily.com.cn/china/2009-06/30/content_8335092.htm (accessed February 3, 2017).

²³⁷ Xinhua News Agency, "Tip-off websites launched to root out corruption in China's legal system," February 9, 2011, http://www.china.org.cn/china/2011-02/09/content_21885267.htm (accessed January 29, 2017).

²³⁸ Taisu Zhang, "The Pragmatic Court: Reinterpreting The Supreme People's Court of China," *Columbia Journal of Asian Law*, Vol. 25, No. 1 (2012): 4-5.

In addition to these websites, many more were likely set up by 2010. A government white paper from that year about the Chinese internet asserts, in a section about the internet's facilitation of public supervision: "The vast majority of government websites have published e-mail addresses and telephone numbers in order to facilitate the public to reflect the problems in government work."²³⁹ If this claim is not an exaggeration, then by 2009, the number of online channels allowing the public to criticize corruption numbered in the thousands: by that year, the white paper claims, over 45,000 government portals had been established.

The 2010 *White Paper on China's Efforts to Combat corruption and Build a Clean Government* elaborated on some of the problems with existing corruption reporting websites as of 2010. It declared that the government was working to "improve the acceptance mechanism and clue application and feedback system of the report websites in order to offer a convenient and unimpeded channel for the public to exercise their right of supervision through the internet."²⁴⁰ A 2011 interview with Tian Xiangbo of Hunan University's Research Centre for Clean Governance offers a hint about the public response to corruption reporting websites: "some of the reports sent through [official corruption tipoff websites] do not receive a satisfactory response, causing the public to become less public in revealing instances of corruption."²⁴¹

²³⁹ China, State Council, *The State of China's Internet*, June 8, 2010, <http://unpan1.un.org/intradoc/groups/public/documents/UN-DPADM/UNPAN042565.pdf> (accessed January 30, 2017).

²⁴⁰ China, Information Office of the State Council, *White Paper on China's Efforts to Combat corruption and Build a Clean Government*, December 2010, <http://unpan1.un.org/intradoc/groups/public/documents/apcity/unpan043696.pdf> (accessed April 1, 2017).

²⁴¹ Xinhua News Agency, "Bribe-reporting websites get mixed reviews," *China Daily*, June 19, 2011, http://usa.chinadaily.com.cn/china/2011-06/19/content_12734144.htm (accessed February 30, 2017).

A 2010 speech by He Guoqiang on the work of the CCDI offers some hints about that institution's goals for internet anti-corruption supervision. He linked the collection of information on corruption with the collection of information on public opinion, arguing that the government needed to "actively explore the use of the Internet and other communication media to carry out anti-corruption work and find new ways to create a positive climate of public opinion."²⁴² Furthermore, He argued that the government needed to be timely in its responses to issues of corruption that galvanize public opinion on the internet. He also stated that the government focus on collecting, analyzing and learning from information on corruption and internet public opinion and improve the its workings in this area.²⁴³

Between 2010 and 2012, there is no evidence that any official corruption report websites were created. However, by the end of 2012, 176,714 government-operated microblog accounts existed, more than twice as many as in 2011.²⁴⁴ Microblogs allow users to both display messages for public viewing and receive them. Part of the reason for these accounts' creation was doubtless to solicit public opinion on a variety of topics, including corruption.

In 2013, as Xi Jinping's anti-corruption campaign began, yet another official corruption reporting website was created, a joint project by the CCDI and the Ministry of

²⁴² He Guoqing, *Report on the Work of the Seventh Central Committee for Discipline Inspection at the Fifth Plenary Session of the Communist Party of China*, January 11, 2010, <http://cpc.people.com.cn/GB/64093/64094/10961809.html> (accessed March 28, 2017).

²⁴³ Ibid.

²⁴⁴ Xinhua News Agency, "China has over 170,000 government microblogs: report," March 27, 2013, http://news.xinhuanet.com/english/china/2013-03/27/c_132266075.htm (accessed March 15, 2017).

Supervision.²⁴⁵ The site, www.ccdi.gov.cn, initially contained ten sections, including an online forum allowing the public to leave their opinions and proposals, and pose questions about anti-corruption work. The site also offers a link to a database of laws and regulations relating to corruption. It replaced an older website run exclusively by the Ministry of Supervision that did not solicit tips and instead, just provided information about the Ministry and other supervisory organizations.²⁴⁶ The informative function of the old website has carried over to the 2013 site, as the latter publishes information on the cases that result from tipoffs on the site.²⁴⁷ In September of 2013, the site published an explanation of the CCDI's process of responding to complaints.²⁴⁸ The site's publication of information on important corruption cases has since received praise from Chinese Internet public opinion experts. Tsinghua University's Shen Yang told the *China Daily* in 2014 that the quick verification of online corruption reports, and the speedy publication of information about high-profile cases would reduce rumormongering about corrupt officials.²⁴⁹ The CCDI website, like the others, received immense initial attention from the public: between its creation and October 8th, 2013, the CCDI claims, the website received an average of 827 corruption tipoffs each day.²⁵⁰ Only four months into the

²⁴⁵ Xinhua News Agency, "Party discipline agency launches official website," September 2, 2013, http://www.china.org.cn/china/2013-09/02/content_29898763.htm (accessed January 25, 2017).

²⁴⁶ Zhao Lei, "Anti-graft website of CPC signals openness," *China Daily*, September 3, 2013, http://usa.chinadaily.com.cn/epaper/2013-09/03/content_16940656.htm (accessed March 15, 2017).

²⁴⁷ Cao Yin, "'Anti-graft' fight is hottest online topic," *China Daily*, December 26, 2014, http://www.chinadaily.com.cn/china/2014-12/26/content_19170213.htm (accessed February 21, 2017).

²⁴⁸ "Official tip-off website unveils petition process," *China Daily*, September 22, 2013, http://europe.chinadaily.com.cn/china/2013-09/22/content_16985464.htm (accessed March 25, 2017).

²⁴⁹ *Ibid.*

²⁵⁰ "Online Whistleblowers," *Beijing Review*, Vol. 56, No. 42 (October 17, 2013): 4.

site's existence, however, the CCDI posted a statement on the site calling for suggestions about how to improve the site's "features, design and user experience."²⁵¹

During this same year, the websites of Xinhua, People's Daily, and Guangming Daily, and the news sites belonging to Sina, Sohu and Netease, opened webpages for corruption reporting.²⁵² Visitors to these pages could choose to report cases to corruption to the CCDI, the Organization Department of the CPC Central Committee the SPP, the SPC or the Ministry of Land and Resources. The State Bureau of Letters and Calls set up its own website for complaints as well, and on its first day the site received so many reports that it crashed for most of the morning.²⁵³ This website was intended to focus on complaints about "abuses of administrative power" and allow petitioners afraid to petition with local authorities to voice their complaints.²⁵⁴ An unpopular feature of the State Bureau's site is that all complainants must provide their real names, identity card numbers, residential and work addresses.²⁵⁵ Rights lawyers expressed scepticism about the SBLV's ability to resolve the grievances reported to its website.²⁵⁶ In October, the SPC created its own public email account in order to "solicit opinions." According to Xinhua News, this move is part of the SPC's campaign against formalism, bureaucracy,

²⁵¹ Xinhua News Agency, "China Focus: CCDI's website feedback call to ensure transparency," January 6, 2014, http://news.xinhuanet.com/english/china/2014-01/06/c_133022073.htm (accessed March 10, 2017).

²⁵² Xinhua News Network, "China opens online informant pages for corruption fight," April 19, 2013, http://news.xinhuanet.com/english/china/2013-04/19/c_132323316.htm (accessed April 30, 2017).

²⁵³ "China petitions office launches website to accept complaints online," *South China Morning Post*, July 2, 2013, <http://www.scmp.com/news/china/article/1273415/petitions-office-accept-complaints-online> (accessed March 3, 2017).

²⁵⁴ Ibid.

²⁵⁵ Ibid.

²⁵⁶ Ibid.

hedonism and extravagance.²⁵⁷ A few days later, the Chinese government's official website launched two microblog accounts of its own. According to Xinhua, the accounts are means to "approach the public and improve transparency."²⁵⁸ Near the end of the year, the SPC created a microblog account and a WeChat account. The reason for the new social media presence, according to the SPC, was to "promote judicial transparency."²⁵⁹ A statement on the SPC website claimed that the court would "value public opinions and widen the channel for the masses to oversee judicial authorities," and "take initiative to respond to social concerns," conveying clearly that the purpose of these accounts was to collect public complaints about judicial authorities.²⁶⁰ In March of 2014, the CCDI created yet another corruption tipoff website. The organ also released a statement around this time, encouraging citizens to be extra vigilant during May Day and other holidays, as officials are especially likely to abuse their authority during these times.²⁶¹ The new corruption report website contains both a section for reporting corrupt officials, and a section for opinions and suggestions about the counter-corruption drive.²⁶² Also in March, the SPP created official microblog accounts on three popular platforms in

²⁵⁷ Xinhua News Agency, "China supreme court gets email account," October 9, 2013, http://news.xinhuanet.com/english/china/2013-10/09/c_132782252.htm (accessed March 13, 2017).

²⁵⁸ Xinhua News Agency, "Chinese government website opens microblog, Wechat accounts," October 11, 2013, http://news.xinhuanet.com/english/china/2013-10/11/c_132790274.htm (accessed March 13, 2017).

²⁵⁹ Xinhua News Agency, "China Focus: Supreme People's Court creates microblog, WeChat account," November 21, 2013, http://news.xinhuanet.com/english/china/2013-11/21/c_132907519.htm (accessed December 29, 2016).

²⁶⁰ Ibid.

²⁶¹ Jamie Fullerton, "Chinese on the take face website shame," *The Times*, April 9, 2014, <https://www.thetimes.co.uk/article/chinese-on-the-take-face-website-shame-qsrw3jglxsn> (accessed April 1, 2017).

²⁶² Xinhua News Agency, "China's top anti-graft body opens special website for tipoffs during festival," December 18, 2014, http://news.xinhuanet.com/english/china/2014-12/18/c_133863622.htm (accessed January 30, 2017).

order to “disclose information and solicit public opinions.” The organ also announced plans to create its own WeChat account.²⁶³

In the fall of 2014, the SPP released a statement on its website to the effect that it had published official rules governing whistleblowers for the first time. The Regulations Governing the Work of Whistleblowers stipulate that when the prosecutor’s office receives the report of a whistleblower who has used his or her real name, the office must determine the risk of retaliation faced by that whistleblower and protect the latter from retaliation. Sometimes this protection will involve drawing up whistleblower protection plans.²⁶⁴

In early 2015, a CCDI communiqué was published calling for greater citizen participation and “positive energy” from the public in the anti-corruption campaign. The document also cautioned against actions that could lead to social disorder and “mass movements,” emphasizing that the anti-corruption campaign is not a “whirlwind” campaign.²⁶⁵ Leading up to May Day 2015, the CCDI website’s corruption report site opened a new section for users to report “undesirable work styles” such as using public money to hold decadent banquets, to take vacations and to buy gifts. Starting April 20, the website named officials who had committed these transgressions weekly.²⁶⁶ Later in

²⁶³ Xinhua News Network, “China’s top procuratorate launches official microblog,” March 3, 2014, http://news.xinhuanet.com/english/china/2014-03/03/c_133157021.htm (accessed March 16, 2017).

²⁶⁴ Reuters, “Top Chinese prosecutor guarantees protection for whistleblowers,” October 27, 2014, <http://www.reuters.com/article/us-china-corruption-whistleblowers-idUSKBN0IH07Q20141028> (accessed January 30, 2017).

²⁶⁵ “Corruption fight needs public support: CCDI,” *China Daily*, January 14, 2015, http://www.chinadaily.com.cn/china/2015-01/14/content_19321023.htm (March 20, 2017).

²⁶⁶ Xinhua News Agency, “Anti-corruption agency welcomes whistleblowing,” April 14, 2015, http://news.xinhuanet.com/english/2015-04/14/c_134150079.htm (accessed March 30, 2017).

the year, the CCDI's official smartphone application, the Central Commission for Discipline Inspection Website App, was updated to allow users to report corruption and upload photos as evidence.²⁶⁷ Simultaneously, the CCDI revamped its website. Later in the year the website was further updated to feature one-click reporting. As of 2015, there were eleven categories of misbehaviour that app users could report, including using public funds for dinner, for over seas tours, misusing public vehicles and accepting bribes. The application allows anonymous reporting, but priority is given to reports by citizens who verify their identities.²⁶⁸ This application's focus on photo evidence is most likely a reaction to the common practice among corruption-reporting netizens of sharing photos of officials with luxury goods. On the first day of 2016, the CCDI created an account on the Chinese smartphone chat application WeChat that allows the public to report corruption by party members. This channel, activists would complain, does not allow anonymous reporting.²⁶⁹ There are two principal advantages to anti-corruption apps such as the CCDI's that likely played a part in motivating the CCDI to create it. The first is that the app lowers the threshold for engagement in the anti-corruption campaign. Reporting corruption is fast, simple and can be done anywhere one goes with a smartphone. The second advantage is that corruption cases involving photo evidence are treated more seriously than cases without concrete evidence such as photos.²⁷⁰

²⁶⁷ Zhang Yi and Zhang Yan, "Mobile app joins toolbox in anti-corruption effort," *China Daily*, July 21, 2015, http://www.chinadaily.com.cn/china/2015-07/21/content_21364538.htm (accessed February 15, 2017).

²⁶⁸ Ibid.

²⁶⁹ Luisetta Mudie, "Chinese Communist Party Sets up Smartphone Channel For Corruption Tip-offs," *Radio Free Asia*, January 5, 2016, <http://www.rfa.org/english/news/china/chinas-communist-party-sets-up-smartphone-channel-for-corruption-tip-offs-01052016103546.html> (accessed January 27, 2017).

²⁷⁰ Li and Deng, "The power and misuse of power by China's local procuratorates in anticorruption," 5.

The creation of the app and other online anti-corruption platforms was not enough to pacify an angry public. At the beginning of 2016, at least 2,000 petitioners gathered at the CCDI office to pressure the institution to do more to stop corruption. The protesters, when interviewed, said that their tip-offs rarely, if ever, resulted in government action. They expressed cynicism about the intention of the new WeChat channel, claiming that it was only meant to pacify and distract the public.²⁷¹ The creation of the WeChat account may have been a reaction to some Internet users' suggestion that supervision organizations open up accounts on Chinese microblogging websites to solicit tips.²⁷²

The SPP claims that by 2016, procuratorates had created more than 3,800 WeChat accounts.²⁷³ In November of that year, the SPP issued a guideline encouraging procuratorates to be more diligent in responding to the online tips and complaints of WeChat users.²⁷⁴ Beginning in 2016, the CCDI aired a three-episode documentary on corruption. The documentary, broadcast on China Central Television and available (with transcript) on the CCDI's website, details cases of high-ranking officials who the CCDI has taken down since the beginning of the 2013 anti-corruption campaign.²⁷⁵ Doubtless, part of the motivation for creating this documentary was to encourage citizens to trust the CCDI's ability to handle their corruption complaints.

²⁷¹ Ibid.

²⁷² Zhao Lei, "Anti-graft website of CPC signals openness."

²⁷³ Xinhua News Agency, "Procuratorates urged to respond to online appeals," November 4, 2016, http://news.xinhuanet.com/english/2016-11/04/c_135806333.htm (accessed March 20, 2017).

²⁷⁴ Ibid.

²⁷⁵ "Creative publicity boosts China's anti-corruption fight," *China Daily*, January 8, 2017, http://usa.chinadaily.com.cn/china/2017-01/08/content_27892361.htm (accessed February 15, 2017).

The Limits of Online Corruption Reporting

As Zinnbauer has noted, corruption-reporting websites usually fail to sustain public interest.²⁷⁶ While public and media attention often follows the establishment of the websites, the buzz does not last long. Multiple studies have demonstrated this trend. In 2012 the research institution, Crowdglobe, published a statistical study of 12,795 crowd report websites (focusing on a variety of different issues, not just corruption) and found that 93% of them had received fewer than ten reports.²⁷⁷ The most successful of these sites (selected based on their having between received 21 and 10,000 reports) had received, on average, only 814 reports.²⁷⁸ These statistics appear less dismal when a few other factors are taken into account. Part of the reason for the dearth of reports may be that 61% of the sites analyzed were based on a default crowd report site template.²⁷⁹ Additionally, 40% of the websites were created to collect reports about a specific event. Of these sites, 63% covered an event in one specific city.²⁸⁰ Around 20% of the sites' creators claimed to have successfully used social media, SMS and other channels to create public awareness and 6% claimed to have used traditional news media to publicize their projects.²⁸¹ 23% of creators claimed to have used community engagement to raise awareness about their sites.²⁸²

²⁷⁶ Zinnbauer, "Crowdsourced Corruption Reporting," 6.

²⁷⁷ Crowdglobe, *Mapping the Maps: A Meta-Level Analysis of Ushahidi & Crowdmapp* (Washington, DC: Internews, 2012), 3.

²⁷⁸ Ibid.

²⁷⁹ Ibid.

²⁸⁰ Ibid.

²⁸¹ Ibid.

²⁸² Ibid, 34.

There is a tendency, as Zinnbauer points out, for corruption report websites to become “dormant” after their flow of reports halts or drastically slows.²⁸³ This has been the case even for some of the most popular sites, including India’s I-Paid-A-Bribe.²⁸⁴ China’s imitation of I-Paid-A-Bribe was not immune to its inspiration’s fate.²⁸⁵ While reliable data do not exist to trace increases and decreases in the number of reports sent to official corruption report sites over time, the pace at which these sites are created offers a good indication of how they fare in practice. Since 2005, on average, the government has created multiple online channels for corruption reporting each year. Reports state that many of these sites received overwhelming numbers of reports immediately after coming online. This attention, however, does not last long: soon, more websites have been created and are experiencing their own booms in reports. Part of the reason for the websites’ decreasing popularity can be attributed to problems in their design. Recall that the 2010 government white paper on corruption hints at flawed website design being an ongoing problem for official online tipoff platforms and not long into the CCDI tipoff site’s existence, the CCDI asked for feedback on the site’s design.

Another hint of the official corruption report channels’ diminishing returns is the mixed official response to online corruption reporting not done via official channels. As chapters three and four indicate, government agencies such as the CCDI collect and analyze information about corruption from social media. While part of the reason for this research is most likely that corruption accusations on social media are open to public viewing and thus more likely to cause upset, it is worth recalling that government

²⁸³ Zinnbauer “Crowdsourced Corruption Reporting,” 6.

²⁸⁴ Ibid.

²⁸⁵ See chapter 4.

organizations have carried out public opinion research on corruption online²⁸⁶ and that the central authorities' response to the I-Paid-A-Bribe imitators (see chapter 4) was mixed, suggesting that the information provided by those websites was useful enough to the government to cause debate over whether to shut it down.²⁸⁷ Two years after those websites were deactivated, MoS head Ma Wen praised the virtue of online corruption discussion for gathering information on corruption.

There are two primary causes to which we can attribute the unsatisfactory performance of the corruption report websites: (1) the limitations of the CDIs' and procuratorates' ability to adequately deal with corrupt officials;²⁸⁸ and (2) public fear of retaliation from authorities whom they accuse of corruption.²⁸⁹ After all, one of the touted attributes of the CCDIC corruption report application was that individuals could report corruption anonymously.²⁹⁰ The CCDI's WeChat account, however, attracted public criticism for its failure to allow users to remain anonymous. As Bott, Gigler and Young write: "The biggest issue with government-controlled platforms is that individuals do not trust that their information will be used responsibly. The more authoritarian a government's behaviour, the less trust it will inspire from its citizens."²⁹¹

²⁸⁶ In 2008, for example, the government created a team that collects corruption data and information about public opinion on corruption from the Internet. See Ping Shum and Zheng Yongnian, "Xi Jinping's Internet Anti-Corruption Campaign," China Policy Institute: Analysis, May 26, 2015, <https://cpianalysis.org/2015/05/26/xi-jinpings-internet-anti-corruption-campaign/> (accessed March 11, 2017).

²⁸⁷ See Ang, "Authoritarian Restraints on Online Activism Revisited."

²⁸⁸ See chapter 2.

²⁸⁹ Becker, "Tackling Corruption at its Source," 294.

²⁹⁰ Geng, "Fighting China Corruption? There's an App for That."

²⁹¹ Maja Bott, Björn-Sören Gigler, and Gregor Young, "The Role of Crowdsourcing for Better Governance in Fragile State Contexts," in *Closing the Feedback Loop: Can Technology Bridge the Accountability Gap?*, ed. Björn-Sören Gigler and Savita Bailur (Washington, D.C.: The World Bank, 2014), 120.

It is also possible that the sheer number of different anti-corruption sites in China may also be a deterrent for some potential whistleblowers. As Zinnbauer suggests about situations where there are many possible corruption-reporting sites for one to use: “the fragmentation and bewildering diversity of mechanisms without a clear and trusted front-runner can... make things more confusing, and increase search and selection costs and therefore thresholds for use.”²⁹²

Conclusion

The central authorities have continued to churn out new and improved anti-corruption websites and applications to continuously attract public attention and so receive a steady stream of information about corruption. Not enough of citizens’ complaints about corrupt officials are met with action, and so corruption-reporting websites generally lose popularity over time. This decline in reports leads the government to create new websites, revise old ones, and make use of services such as smartphone applications, WeChat and weibo in order to continually gather information on corruption from an aggrieved populace. Netizens who report corruption through these channels are beginning to become disillusioned, however, as the 2016 protest at the CCDI headquarters illustrates. Events such as this one make the sustainability of the government’s strategy for information collection appear doubtful.

²⁹² Zinnbauer, “Crowdsourced Corruption Reporting,” 7.

Chapter 6: Conclusion

Beyond Responsive Authoritarianism

A central focus of the previous pages has been a choice with which the China's central authorities were faced in the late-2000s: whether to allow the public to use the medium of the Internet to freely air their grievances about corrupt officials, or silence such discourse and punish its authors. The fickle, transitory nature of netizens' interest in the government's many corruption report websites contributes to the gravity of the dilemma: without the supply of corruption reports available on social media, the Internet might be of little more use than petition offices in collecting information about corruption cases. Allowing free criticism of corruption on unofficial channels such as social media would likely allow for the collection of a far greater number of corruption reports, but it also entails a greater threat of civil unrest and erosion to government legitimacy. Starting in 2008, the authorities chose the path of censorship, passing numerous laws and regulations to ban public online whistleblowing and adopting multiple strategies to identify and eliminate online "rumours" about corruption.

At the same time as this move to restrict online discussions of corruption, the authorities have increased their efforts to collect public opinion data. This trend is manifest, for example, in the post-2012 boom in corruption report platforms. Another development, concurrent with the increase in anti-corruption platforms, is also illustrative. The National Social Science Foundation, the largest official institution that funds social science work in China, funded 34 projects in the category of library,

information and documentation science. The primary focus of these projects is the use of data analytics to improve information analysis and the monitoring of public opinion.²⁹³ No other category of project received as much funding from the Foundation. Thus the choice to censor online discussion hardly signals an end to the regime's policy of public opinion data-driven responsiveness to public grievances. While this policy has not been abandoned, the censorship of online discussions about corruption will likely have a deleterious effect on the regime's ability to collect data on corruption and the public's knowledge and opinions of it. This theme will be revisited in the next section.

How are we to understand the regime's choice to censor online discussion? Has "networked authoritarianism" been given precedence over "responsive authoritarianism"? In the discussion that follows, I would like to critique and then transcend these concepts for a more substantial analysis of the issues surrounding online censorship and corruption report websites. I will start with "responsive authoritarianism." The first problem with the concept is that it is somewhat redundant. Is "unresponsive" authoritarianism even possible in practice? Every authoritarian regime must pay at least some attention to the concerns of its citizens. The second problem, in the case of China, is whether or not the concept actually describes the central authorities' policy accurately. Certainly, the regime is careful to collect extensive information on public opinion, and consult this information when making policy. However, to label China's style of governance "responsive" obscures the fact this need for "responsiveness" and sensitivity to the public concerns does not obtain at all times and in all situations. The available evidence indicates that China's central authorities only choose "responsiveness" in certain cases, cases in which

²⁹³ Jinghan Zeng, "China's date with big data: will it strengthen or threaten authoritarian rule?" *International Affairs*, Vol. 92, No. 6 (2016): 1448-1449.

there is no other option. In choosing to censor and outlaw online anti-corruption speech, the authorities went in a decidedly “unresponsive” direction. It is easy to see why they did so. The government could contend with an endless series of mass online discussions about corrupt officials and about the regime’s lack of efficacy in curbing corruption, or it could work to eliminate netizens’ ability to use pressure in this way. To circumvent the negative consequences of this strategy, the regime created anti-corruption websites. Thus while netizens have been able to use their numbers to pressure the government into investigating certain corrupt officials, their influence on policy is far less substantial and, in the case of the government’s Internet censorship policies, works against netizens’ interests.

It must also be noted that the public opinion data that enables “responsive authoritarianism” is only one of multiple kinds of data about the public that the Chinese government collects. The government is also working on an ambitious plan to assign every citizen a “social credit score” based on a wide variety of personal data from banks, e-commerce websites and social media, among other sources.²⁹⁴ The government plans for this data to be aggregated in a “mega platform” to which all government bodies will have access. The score one is assigned will affect everything from the amount of paperwork necessary for a visa to whether or not a deposit is necessary for a car rental. By 2020, the score is intended to include information such as one’s professional reputation.²⁹⁵ The social credit score plan may be unprecedented in its invasiveness, but it must be noted that many analogous policies have been introduced in western

²⁹⁴ Hal Hodson, “Inside China’s plan to give every citizen a character score,” *New Scientist*, October 9, 2015, <https://www.newscientist.com/article/dn28314-inside-chinas-plan-to-give-every-citizen-a-character-score/> (accessed May 30, 2017).

²⁹⁵ *Ibid.*

democracies.²⁹⁶ The Chinese government's pursuit of the social credit score project indicates that the regime's responsiveness to public opinion data is part of a broader style of governance based on data about the public. Thus, if China is "responsively" authoritarian, then, this label must come with more than a few caveats. In fact, the label comes with caveats too great in quantity and significance for its use to be warranted.

If the events described in the above chapters do not represent the triumph of online censorship over responsive authoritarianism, then, what significance can be drawn from them? To answer this question, I treat them as the outcome of a conflict between three parties: netizens, individual officials and the central authorities. The ban on social media corruption reporting and proliferation of official corruption report sites are the results of these three parties' attempts to negotiate their competing interests. One of netizens' most prominent concerns is maintaining online anonymity. This concern manifests itself in their well-known opposition to real-name registration requirements on online forums,²⁹⁷ as well as the netizens' fondness for bulletin board system (BBS) sites.²⁹⁸ The specific reasons for this concern for anonymity are not always clear. Recall netizens' complaints about official anti-corruption platforms that did not allow anonymous reporting, mentioned in chapter 5. As most corruption report platforms seem to be under the control of central bodies such as the CDIC, fear of retaliation is unlikely to be the motive. Connected to this concern, is the desire to be able to discuss topics such as corruption safely. It seems that for many netizens, anonymity is a precondition for a

²⁹⁶ See Cathy O'Neil, *Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy* (New York: Crown Publishers, 2016).

²⁹⁷ See, e.g., Jonathan Ansfield, "China Web Sites Seeking Users' Names," *New York Times*, September 5, 2009, http://www.nytimes.com/2009/09/06/world/asia/06chinanet.html?pagewanted=1&_r=1 (accessed June 16, 2017).

²⁹⁸ Yang, "The Co-Evolution of the Internet and Civil Society in China," 411.

sense of online safety and freedom of expression, although the degree to which this is true, and how many netizens use the Internet anonymously, has not yet been clearly determined. As well as a degree of freedom and safety, online anonymity provides netizens with power. Without the threat of punishment, netizens could pool their numbers and pressure the regime as a large group. Unlike in physical protests, joining an online protest when anonymous requires little commitment: no movement or planning. All that is necessary is a single post. For this reason, a massive online discussion can grow in size and significance with remarkable speed.

Finally, and most importantly for the regime's purposes, netizens want to see tangible evidence of progress made in anti-corruption work. As the initial bursts of popularity that most online anti-corruption platforms enjoy indicates, perhaps the most desirable piece of such evidence would be the punishment of corrupt officials that netizens read about online and encounter in everyday life.

Individual officials share netizens' concerns with privacy, but for different reasons. Officials, in general, fear the reputational damage that comes from public criticism and accusations of corruption, and if they are corrupt, they fear being caught. Online privacy works against their privacy, and so it is in their interest to support any initiatives that chip away at online privacy and thus help to deter social media corruption reporters. The degree to which individual official interests influence policy may become apparent after the social credit score is introduced.

While officials have an interest in protecting their own privacy, the regime as a whole differs in the interests it pursues. The social credit score, and the immense effort expended toward maintaining a steady supply of corruption reports, appear to clash with

many individual officials' interests. The latter point should not be made too strongly, however, as it is not clear to what degree official corruption tipoff platforms are meant for the gathering of information about corrupt officials, rather than about the corruption reporters themselves. The relationship between the regime's interests vis-à-vis privacy and netizens' interests, is far more straightforward. While netizens want privacy and anonymity, the regime wants the opposite: surveillance with an aim to deterring anti-government speech and behaviour, and gathering copious amounts of data on the population. The deterrent aspect of surveillance theoretically strips netizens of their power in numbers: the potential consequences of dissident online behaviour would eliminate any self-interest-based incentive to engage in that behaviour.

Now that the interests of the relevant parties are clear, we can assess, based on the outcome of the events described above, which parties have the power to manipulate policy to serve their interests. Netizens, it is clear, do not have this power. The passage of China's numerous regulations against HFS, rumormongering and online anonymity demonstrates that far too few officials, if any, have considered free online expression (and even catching as many individual corrupt officials as possible) important enough to allow netizens free reign of the Internet.

It is possible that officials' concern for their own reputational integrity may have impacted the character of Internet legislation, but this is a difficult hypothesis to verify. While it was certainly in officials' interest that laws were passed penalizing any accusations directed at given officials online, it was also in the public security regime's interest that this action be taken. The continued creation of corruption report platforms seems less ambiguous in its purpose: gathering information that aids in the maintenance

of social stability. It is difficult to imagine that gathering this information would be of much benefit to individual officials' struggle to protect their reputations.

If we treat the above events as a game, then who won? The answer is not so clear-cut as it initially seems. The regime has banned social media corruption criticism, and the facilitation of this criticism. Its efforts to censor this behaviour are growing in sophistication, incorporating technologies such AI. It seems likely that the regime will be able to eliminate dissident online speech almost entirely. In this sense, the central authorities and individual officials have won and the netizens have lost. However, the inadequacy of the regime's corruption tipoff platforms illustrates a limit to its power over citizens. It has failed to extract a steady stream of information about corrupt officials from the public without spending significant time and energy creating new platforms to attract hopeful netizens. As stated previously, this strategy is unlikely to work forever. If corruption report platforms cease to attract any attention, there will be little the government can do about it. Coercing netizens into reporting corruption is not an option, as it would create an incentive for netizens to lie about corruption. Detecting which reports were made based on a genuine belief in the accused official's corruption and which were not would likely prove to be a daunting task. Thus it would be hard to provide netizens with any incentive not to lie. Paying netizens for each corruption report would be problematic for the same reason. Thus, in taking away netizens' power on social media and the threat it posed, the regime sacrificed its long-term ability to gather the most information possible on corrupt officials. That gathering such information is important to the regime (and more difficult to gather than other crowdsourced information) is clear from the fact that corruption report websites are the only category of

public feedback website that the regime has created, other than general petition sites and miscellaneous others, such as the SPC's feedback platforms. The next section will discuss the possible implications of this strategy.

Implications for the Future

The consequences of the seeming failure of the regime's attempts to gather information about corruption from the public over the Internet will depend crucially on one factor: the use to which the regime puts this information. Let us return to the two possibilities I suggested in chapter 1: public opinion information and information that leads to the punishment of corrupt officials. It is certain, based on CCDI work reports (see chapter 5), that the reports gathered on corruption tipoff websites are used as public opinion data, though what form this data takes is not clear. The tipoff websites' turn, from 2014 on, to focusing on catching officials who display visual hints of corruption such as luxurious jewellery, offers a hint. That the websites adopted this focus strongly implies that part of their purpose is also to increase the number of officials punished for corruption, or at least redirect law and party discipline enforcement authorities to the corrupt officials who are likely to cause the most public outrage. If this is correct, then the corruption report websites and the barrage of legislation against anti-corruption posting and online anonymity serve the same purpose. On balance, will this choice decrease social unrest?

The possible consequences of the tipoff sites' failure are difficult to determine, but a few suggestions can be made. Over time, netizens will become disillusioned with

official online tipoff platforms (if they haven't already). If this happens, unless the authorities roll back their many laws and regulations against rumormongering and the facilitation of rumormongering, the quality of public opinion data on corruption that the government can access may decrease, and may do so drastically.

It is difficult to determine how this dearth of data will affect the regime's relationship with the public. Public opinion surveys indicate widespread support for the CCP, and persuasive studies have been done premised on the assumption that this support is genuine.²⁹⁹ Additionally, official media have been shown to play a part in reducing public perception of the amount of corruption in China.³⁰⁰ Hearing about corruption through the "grapevine," however, significantly increases an individual's perception of corruption's commonness.³⁰¹ It is thus likely that a decrease in corruption discussion online by netizens will cause at least some of the population to think that corruption is less prevalent than they would have otherwise believed. With online discussion of corruption heavily restricted, the "grapevine" is getting a lot shorter.

On the other hand, the repression of online corruption accusations, coupled with the ineffectiveness of corruption tipoff platforms, may contribute to the disillusionment of many people who were once strong supporters of the regime. A 2014 study argued that when exposed for the first time to new online government "participation" platforms increases satisfaction with the government only among the marginalized and uneducated

²⁹⁹ See e.g., Tang, *Populist Authoritarianism*.

³⁰⁰ Jiangnan Zhu, et al., "When Grapevine News Meets Mass Media: Different Information Sources and Popular Perceptions of Government Corruption in Mainland China," *Comparative Political Studies*, Vol. 46, No. 8 (2012): 924.

³⁰¹ *Ibid.*

elements of Chinese society.³⁰² It is possible that most citizens who use anti-corruption websites are poorer and less educated Internet users who feel more positively about the regime. Having spent many years afraid to report corruption to local authorities, these citizens may become disillusioned with the central authorities upon discovering that reporting corruption straight to them is not particularly effective in eradicating corruption. As of 2016, there are 731 million Chinese Internet users, 53.2% of the population.³⁰³ Thus, a significant portion of China's population could potentially be disillusioned following their discovery of corruption tipoff websites. It is also possible that many new Internet users from rural and uneducated backgrounds could retain their support for the central authorities and defend the government online, as part of pro-regime movements such as the "voluntary 50-cent army."³⁰⁴

The most likely future source of dissent, however, comes from those who do not put too much trust in the state media. The urban, educated population, now deprived of an outlet to express their frustration about corruption and left with little power to combat the corruption around them, may become more steadfast and desperate in their dissent and opposition to the government. If so, the authorities would have a difficult time detecting these sentiments because they wouldn't be expressed publicly or through official channels.

³⁰² Rory Truex, "Consultative Authoritarianism and Its Limits," *Comparative Political Studies*, Vol. 50, No. 3 (2014): 352.

³⁰³ Zheng Yangpeng, "China's internet users grew in 2016 by the size of Ukraine's population to 731 million," *South China Morning Post*, January 22, 2017, <http://www.scmp.com/tech/china-tech/article/2064396/chinas-internet-users-grew-2016-size-ukraines-population-731-million> (accessed June 23, 2017).

³⁰⁴ See Rongbin Han, "Defending the Authoritarian Regime Online: China's "Voluntary Fifty-cent Army,"" *The China Quarterly*, Vol. 224 (December 2015): 1006-1025.

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