



Centre for Theology and Religious Studies
Bachelor Thesis
Spring Semester 2007

Internet: A New Space for Civil Society?

A case study on the relationship between civil society and the Internet
in China

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Abstract

Freedom of expression and information is often upheld as a crucial component of a vital democracy. The decline of censorship is thus seen as a movement towards democratisation. The emergence of widespread use of the Internet has given new wind to the discussion about the relation between freedom of information and democracy. Information technology is seen as a tool for both strengthening established democracies and for opening up non-democratic societies. Civil society is seen as another democracy enhancing institution.

The overall purpose of this thesis is to assess the relationship between civil society and the Internet in China, from a democratic viewpoint. What are the potential democratic benefits of the relationship?

The main conclusions drawn from this study is that in regards to the relationship between civil society and the Internet it still seems to be too soon to tell and further studies need to be conducted. At the moment semi-civil society and Internet-Based communities both practice self-censorship in order to survive. However, this is not to say that they will not have a strong voice in the future.

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1 Introduction

1.1 Background

Freedom of expression and information is often upheld as a crucial component of a vital democracy. The decline of censorship is thus seen as a movement towards democratisation. The emergence of widespread use of the Internet has given new wind to the discussion about the relation between freedom of information and democracy. Information technology is seen as a tool for both strengthening established democracies and for opening up non-democratic societies.

In 1987 the first e-mail was sent overseas from China. Since then the number of Internet users has grown rapidly.¹ Optimists look at the technological developments in China hoping it will bring about a democratisation process. The same kind of optimism was present at the end of the cold war. At that time focus was put on the development of a strong civil society, drawing on the developments in the former communist countries where social movements were rising up against authoritarian states. The notion of civil society experienced a revival during this time. The revival was underpinned by the rejection of totalitarianism in support of the belief that individuals should be free to act autonomously and not be subjected to widespread state control.²

With the spread of new technology, especially the Internet, new discussions of what role civil society might play in democratisation processes are arising. What democratic potential does the Internet possess? How may civil society organisations use the Internet to spread their agenda?

1.2 Aim of Study and Research Questions

The overall aim of this thesis is to look at the relation between the Internet and civil society in China, from a democratic viewpoint. In order to do so, my first task is to locate civil society in China. Second, I will look at how civil society relates to, and makes use of the Internet.

¹ Hughes & Wacker (2003) p. 1

² He (2002) p. 205

What democratic potential could the Internet in relation with civil society encompass? In what way could the relation affect political participation? When I use the term democratic potential, I do not refer to the development of a full fletch electoral democracy in China. Rather, the focus is to look at how the Internet and civil society could enhance political participation in the form of, for example, freedom of expression or access to information. A further elaboration of what I refer to with democratic potential and political participation will be made in chapter 2.

The core research questions guiding this study are:

- What is the status of Chinese civil society?
- How does civil society in China relate to the spread of the Internet?
- What is the democratic potential of the relation between civil society and the Internet?

1.3 Method and Material

There have been many studies conducted on the relation between civil society and democratisation, and a vast collection of theories exists. However, there is no universal consensus on the topic.

On the relation between the Internet and civil society in China there are fewer studies, although, I find that there is enough litterature to support the purpose of this thesis. The earlier studies regarding the impact the Internet has on societies were more speculative since the technology had not spread to the extent that is has today. Now, there have been more empirical studies conducted, which should portray a more accurate picture. In studying the politics of contemporary China, it is imperative to take in account the social impact of information and communication technologies in order to get a complete understanding.³

This study will be conducted as a qualitative case study. The choice in method is motivated by, firstly, its ability to give an in depth understanding of a certain topic. In this case, the relation between civil society and the Internet in China.

To conduct the study, I outlined a theoretical framework used in approaching the empirical part of the study. I have relied primarily on secondary material. In searching for information, I have used books, articles and information from the Internet,

³ Hughes & Wacker (2003) p. 1

1.4 Disposition

In chapter 2 I will present the theoretical framework. Theories regarding civil society and its relation to democratisation and to the state will be presented. Further, theories regarding the democratic potential of the Internet will be outlined. In chapter 3, I will look at the current development of civil society and the Internet in China. In chapter 4, conclusions of the study will be found.

2 Theoretical framework

The main objective of this study, as stated above, is to investigate if it is possible to distinguish a connection between the Internet and civil society in China, from a democratic viewpoint. In this chapter I will outline the theoretical framework, but firstly, I will define the concepts political participation and democratic potential.

In this study I will not focus on the possibility of a complete democratic system developing in China. Rather I will focus on the democratic potential that civil society and Internet holds for political participation. Political participation is commonly understood as the degree to which citizens make use of the democratic rights they are constitutionally entitled to. One frequently used measure of political participation is electoral turn-outs.⁴ In China, this approach can perhaps be applied to the direct elections of village committees leaders, which have been taking place since 1987.⁵ However, since Chinese citizens cannot democratically change their government on a national level, some modification of the concept must be made⁶. In order to broaden the scope of this study, political participation will not be restricted to direct elections. Rather, political participation will also include indirect means of participation, such as, expressing a political opinion, accumulating information about politics and, engaging in political discussion. Hence, making use of freedom of expression and access to information. Democratic potential can thus be ascribed to anything which enables and enhances political participation, as defined for this study.

2.1 Civil society

2.1.1 Historical context

The notion of civil society is deeply grounded in the tradition of political thought. The concept can be traced back to ancient Greece. However, the modern European definition of

⁴ Robertson (2004) p. 388

⁵ Tan, Qingshan, (2004) "Building institutional rules and procedures: Village election in China" *Policy Sciences*, vol. 37:1, p. 1-22

⁶ Freedom House (2006) Country Report

civil society emerged during the eighteenth century along with the rise of capitalism and liberalism. This was a time when a new relationship between society and the state was developing. Those in control of capitalist production wanted access to political power. Their demand for influence over state affairs constituted a space between the closed realm of family and business and the larger realm of the state. Thus, a new public sphere took shape where members of the bourgeoisie and their partners negotiated a common identity and political purpose. Civil society was meant to mediate between state and society.⁷

Today, civil society is often seen as an outlet for political activity and debate. Michael Frolic distinguishes three key events in the historical creation of civil society seen as political development, in modern Europe. First, the separation of the church and the state, which led to the separation of state and society. Second, the rise of the capitalist economy, this created a space based on the need for the protection of private property. Third, the creation of the modern bureaucratic state, in which civil society is used to mediate political participation and change.⁸

During the 1980s the notion civil society was revived, one major component contributing to the revival was the failure of the communist states and the uprise of social movements in Eastern Europe. Gordon White comments that in the optimism regarding the notion of civil society the term has been used in simplistic and vague ways. This contributes to wishful thinking and takes away from the practical utility.⁹

2.1.2 Definitions

Today, there is a vast collection of literature on theories of civil society and its definition available. In this chapter I will distinguish the main features of the debate.

The revival of the concept during the 1970s and 1980s has contributed to the confusion surrounding the definitions of civil society. One general problem is that civil society is used both as an analytical tool and as a normative ideal. As an analytical concept it is used to analyze social organisation in society. Focus is often given to organisations, how they are structured and what role they play for the citizens morale and participation in a democratic political system. The normative concept is an ethical ideal of what civil society should look

⁷ Brook and Frolic (1997) p. 8

⁸ Frolic (1997) p. 53

⁹ White (2004) p.6

like in a democracy.¹⁰

In many of the definitions available civil society is seen as a counterbalance to the state and civil society organisations are thus seen as autonomous from the state. Larry Diamond defines civil society as; “the realm of organized social life that is open, voluntary, self-generating, at least partially self-supporting, autonomous from the state, and bound by a legal order or a set of shared rules.” A distinction is made between civil society and society at large, civil society is made up by citizens acting collectively to express their opinions in a public sphere. In Diamond's opinion, civil society organisations separate themselves from other groups in society in five ways. (1) Civil society focuses on the public good rather than the private. (2) Civil society relates to the state but it is not aimed at governing it. Thus, a political party is based in political society and not in civil society. (3) Civil society is pluralistic and diverse. (4) Civil society does not strive for representing the entire set of interests of a person or community. (5) Civil society is separate from the civic community, which he means is more clearly democracy enhancing.¹¹

Jean L. Cohen and Andrew Arato are in agreement with Diamond in that civil society does not include political parties. They identify civil society as; “a sphere of social interaction between economy and state, composed above all by the intimate sphere (especially the family).” In their definition they also include, the sphere of associations, social movements, and forms of public communication. They distinguish civil society from political society of parties, political organisations and political publics and an economic society of organisations of production, firms and partnerships. Economic and political society often emerges from civil society, shares some organisation forms and communication, and are institutionalised through rights continuous with the rights that secure modern civil society. However, unlike civil society organisations, the actors in political and economic society are directly involved with state power and economic production, which they strive to control and manage. The political aspect of civil society is not related to a search of power, but to generate influence through democratic associations and open discussions in the public sphere. Arato and Cohen emphasises that in a liberal democracy civil society is not in opposition to the state or economy. Civil society should be seen as a part of mediating through which civil society can gain influence over political-administrative and economic processes. The relation between

¹⁰ Boussard (1998) pp. 149

¹¹ Diamond (1999) p. 221

civil society and the state and economy thus only turns antagonistic when the mediating fails.¹²

2.1.3 The state and civil society

As indicated above, the state is something that is never far from civil society although in the definitions civil society is seen as separate from it. However, the demand for civil society organisations to be autonomous from the state in many ways presupposes a democratic system. With the state in non-democratic regimes not giving its citizens the right to change their government through democratic elections, the state is often seen as the oppressor and civil society, while claiming democratic rights, is seen as the voice for freedom. In an authoritarian dictatorship such as China it is hard to analyse the emergence of civil society if it is strictly restricted to groups and organisations that are completely autonomous from the state. However, this does not mean that civil society theories are lost on China. Brook and Frolic find that there is a need to put further focus on the state in the analysis of civil society. In the Chinese case they find it imperative to see the state as an active factor. In practice, institutions of civil society are ruled under the states mechanisms of social control and they often have established relationship with government institutions.¹³ The state, which civil society is supposedly working against, in a sense enables it by providing the legal and the political setting for the sphere to exist and endure. This gives the state great power to define which kind of civil society organisations that are allowed according to the law. In a liberal democracy civil society actors can challenge the political setting in coherence with the law, but the situation is not the same in a non-democratic society.¹⁴

The lack of an autonomous civil society in an authoritarian society is often seen as symptomatic of the governments widespread suppression. However, Foster puts forward that according to empirical evidence, the significance of state incorporated associations are more varying than the conventional perspective shows. Close co-operation with the state is sometimes seen as an advantage by societal participants, some associations even seek to be co-opted by an authoritarian state. During the last two decades a lot of the studies conducted on associations in states with authoritarian systems has focused on the role associations play

¹² Cohen & Arato. (1995) pp ix

¹³ Brook and Frolic (1997) p. 11

¹⁴ Chandhoke (2004) p. 152

in the movement towards democratisation and in “people-centered” development. Associations are often seen as the true representatives of the peoples will and as the foundation for civil society, thereby being part of a constant conflict with the authoritarian states. According to Foster, the “conflict perspective” is too narrow and takes away from the variety of forms and meanings that incorporated associations can play. Foster defines incorporated associations as “associations that are structurally or operationally connected with the state in some significant way.” The connection can include personnel, financial agreements, and operational procedures. There is always some kind of authority exercised by the state over the associational action. The associations can see partial integration with the state both as a short-term strategy to achieve certain organizational goals. It can also be a more long-term strategy where the organisation seeks to become embedded within the state system in order to strengthen itself as an organisation.¹⁵ White makes a distinction between civil society as an ideal type with qualities such as separation, autonomy and voluntary associations and the empirical reality of civil society which includes organisations that embodies the ideal qualities in varying degrees. In reality the boundaries between state and civil society are often less clear. The state may be an important actor in shaping civil society, as well as the other way around. The autonomy of civil society is not a question of either-or, rather a question of degrees.¹⁶

2.1.4 Civil Society and democratisation

In the literature regarding civil society the democratic value that it holds is frequently emphasised.

Civil society is assumed to advance democracy in two ways; by assisting to generate a transition from authoritarian rule to electoral democracy, and by deepening and consolidating democracy when it is established.¹⁷ In the movement towards democracy White distinguishes four ways in which civil society can play an important role. Firstly, an expanding civil society can change power relations between state and society by shifting the power towards society. With this shift contributing to a “balanced opposition”, which is identified as

¹⁵ Foster (2001) “Associations in the embrace of an authoritarian state: State domination of society”. *Studies in Comparative International Development*, vol 35:4, p. 84-109.

¹⁶ White (2004) pp. 11

¹⁷ Diamond (1999) pp 233

characteristic of established democracies. Second, a strong civil society can play an important role in holding politicians and administrators accountable. Third, civil society can be a means of communication between state and society, thereby being an alternative way of representation. Fourth, civil society can play an essential part in shaping the framework of the political sphere in accordance with democratic lines.¹⁸ However, not all civil society organisations have the same potential to enhance and strengthen democracy. Diamond points out five features of a democratic civil society: self-government, goals and methods, organizational institutionalism, pluralism, and density. An organisation that rejects the rule of law or the authority of the democratic state should, in Diamond's opinion, not be considered a part of civil society. Although these organisations are not a part of civil society they can still harm democratic goals by weakening and radicalising more democratic elements. The most basic democratic role of civil society is providing "the basis for the limitation of state power".¹⁹ Caroline Boussard emphasises that it is a lot more common that civil society is mobilised after an authoritarian regime is weakened by an economic crisis or internal conflicts, rather than civil society being the factor that takes down the regime. Civil society is rarely a initiator of the democratisation process, although it can still play a crucial role during the transition.²⁰

2.2 Internet

The internet was originally created and launched in 1969 to enable the exchange of packets of bits between computers. Initially it remained restricted to the exchange of scientific data between scientists and secure information within government. Then, electronic mail and bulletin boards became more popular among those with access to it. It was first during the 1990s that the internet became a popular means of communication. Since then internet has spread rapidly and it has undoubtedly changed the way people communicate.²¹ The number of internet users in China was estimated at 137 million in January 2007, which is 10,4% of the total population. In 1998 the number of internet users in China was estimated at 542,000.²² Due to this major development, social scientists have begun exploring the political and social implications of internet usage. As a channel for communication internet is assumed to

¹⁸ White (2004). p. 13

¹⁹ Diamond (1999) pp 227

²⁰ Boussard (1998) p. 162

²¹ Ferdinand (2000) p. 1

²² China Internet Network Information Centre, CNNIC, (2007) Statistical Survey Report on The Internet Development in China

hold greater potential to make an impact on political activity than the telephone or television because it offers the possibility of direct two-way interaction between citizens and politicians. Some even argue that the information highway will create an arena for a reinvented civil society. Public debate used to take place in town halls, local churches and village squares. Mass communication, with its one way flow of information, replaced the public forums, leaving citizens isolated. Information communication technologies, ICT, enables a reform in the communication flow with one-to-one, on-to-many and many-to-many interactivity. In this setting, alternative ideas would be able to enter the mainstream.²³

2.2.1 Communication and politics

Communication is a crucial part of politics. Without communication politics is at a standstill, especially in a democratic society. Expressing one's opinion, no matter how, is a way of participating in politics. In political communication most often includes four main actors; the public, the print and broadcast media, the government and interest groups. The media is an important institution for citizens to accrue information about politics since most citizens will rarely have a chance to get a one-to-one contact with politicians or attend major political events. With politics depending strongly on communication, new communication technology will ultimately affect politics in some way. Thus, the media plays an essential part in political communication. Traditional media works through one sender communicating with many receivers. Internet possesses the potential to alter the flow of communication. All it takes is an Internet account and some computer skills and anybody can be a "broadcaster".²⁴

Banarjee, points out that the views on the media in Western and industrialised countries differs from the Asian experience. In large parts of Asia, China included, the media is seen as tool for creating national unity and identity. In line with this view many Asian government exercise control of the media. This is commonly done through two key mechanisms, both applied by China. First, through enforcing laws and regulation on content. Secondly, by becoming a major shareholder in commercial media.²⁵

2.2.2 Internet and democracy

²³ Wheeler (1998) p. 224

²⁴ Hill & Hughes (1998) p22

²⁵ Banarjee (2004) p. 48

The political use of new communications technologies, such as the internet and the World Wide Web, is being given increasing attention. Most scholars agree that communication and political communication are changing in relation to the new forms of media.²⁶

Information communication technology (ICT) may enhance the spread of information in several different ways. Wheeler identifies three important ones. First, computers increases the quantity of data to be stored, retrieved and transmitted. Second, broadcasting through mass participants technologies such can be enhanced. Lastly, ICT provides interactive flows of communication among individuals and organisations. ²⁷ The Internet also enables anyone, with access to a computer, to not only find information but with the right knowledge to set up their own website. According to Clarke, this is the most significant of all technological changes in relation to democratic potential of the media.²⁸

In the discussion many have started using terms like virtual democracy, teledemocracy, electronic democracy and cyberdemocracy. Hacker and van Dijk defines digital democracy as “a collection of attempts to practise democracy without the limits of time, space and other physical conditions, using ICT or CMC instead, as an addition, not replacement for traditional “analogue” political practise.” ²⁹ The list of benefits that internet creates for democracy can be made very long. Hague and Loader distinguish seven key features of interactive media that are claimed to have impacts on democracy;

- 1) Interactivity – users may communicate on a many-to-many reciprocal basis.
- 2) Global network – communication is not bound by nation-state boundaries.
- 3) Free speech – net users may express their opinions with limited state censorship.
- 4) Free association – net users may join virtual communities of common interest.
- 5) Construction and dissemination of information – net users may produce and share information that is not subject to official review or sanction.
- 6) Challenge to professional and official perspectives – state and professional information may be challenged.
- 7) Breakdown of nation-state identity – users may begin to adopt global and local identities.³⁰

²⁶ Hacker and van Dijk (2000) p. 3

²⁷ Wheeler (1998) p. 219.

²⁸ Clarke (2004) p. 18

²⁹ Hacker and van Dijk (2000) p. 1

³⁰ Hague and Loader (1999) p. 6

Hacker and van Dijk makes a similar list and also adds that citizens will get a stronger voice in agenda setting towards the government and that it enables politics to respond more directly to citizens concerns as ICT and CMC makes a new kind of political market research possible.³¹ For the purpose of this study, I find that, adding up the list that Hague and Loader puts forward, with Hacker and van Dijk is representative for the democratic potential ascribed to the internet. These are, however, very simplified statements and the reality is a lot more complex. It is important to keep in mind that the internet is a tool that can be used to influence democratic processes but it is not a force on its own. Hagen puts forward that against simplistic views that the internet will rescue democracy, most scholars agree that ICT will not change a political system as such. Research shows that political, cultural, economic, and social factors shape the forms and extent of political use of computer technology. ICT may boost social behaviour and trends but it does not change political institutions and processes by mere existence.³²

In order for the Internet to fulfill its democratic potential, public access is an essential prerequisite. Only when a large majority of citizens have access to the Internet can it be said to have a significant political impact. However, it is not possible to restrict the argument only in terms of numbers. In some cases numbers do not matter as much as the determination of the political groups or parties. Access not only requires a Internet connection, in addition people need some skills and training. In Asia, lack of electricity in rural areas poses significant challenges to the spread of the Internet. Linguistic barriers poses another problem, where a diversity of local languages and dialects are spoken and only limited numbers speak English.³³

The great gaining in the form of access to information and freedom of speech also presupposes that no restrictions are imposed upon the use of the internet. However, Taylor C. Boas and Shanthi Kalathil, comment that the state plays an essential role in the development of the internet in authoritarian regimes and in conditioning the ways it is used by societal, economic, and political actors. It is also possible for the state to direct the development in a way that serves state-defined goals and priorities. Thereby, the state can may extend the reach of its activity. By setting the physical and policy framework for the internet, the state has the

³¹ Hacker and van Dijk (2000) p. 4

³² Hagen (2000) p. 55

³³ Hill & Hughes (1998) pp.55

ability to shape the setting in which Internet use occurs. Thereby, non state actors may not have the same impact as envisioned. Public internet users might avoid politically sensitive material online and entrepreneurs may refrain from challenging censorship policies because it is more profitable to cooperate with the authorities. In the same way as activists and interests group can use the internet to keep updated with what the government is planning and doing, governments can use the internet to check up on activists..³⁴

3 China

3.1 Civil Society in China

3.1.1 Historical context

Contemporary China is heir to a civilization that dates back at last 2,500 years. Thus, in one way, China could be said to have the longest sustained history of civic discourse of any nation in the world. From another perspective, China has only started to build a true civil society since the death of Mao in 1976. Chinese society, prior to the 20th century, was an imperial one, organised from the emperor downward, whereas, civil society is generally perceived as built from the grassroots citizenry upward. From the end of the Imperial system in 1911, up to the founding of the People's Republic of China (PRC) in 1949 was plagued with civil war, fragmentation and Japanese occupation. During that time little progression was made towards the creation of civil society in the modern understanding.³⁵

Since taking the state power in 1949, the Chinese Communist Party has successfully hindered autonomous organisations in Chinese society. Associational life was dominated by the Party and Party-led organisations were promoted as the vehicles for mobilising social action and public opinion,³⁶ Under Mao China was a party-state in that there was no distinction between the ruling party and the government. China was shook by two major political events during Mao's rule; the Hundred Flowers Movement (1956-7) and the Cultural Revolution (1966-9). In the Hundred Flowers Movement, Mao opened up for criticism of the Party in an attempt to “improve the work of the Party”. When the criticism came to a crucial point, Mao launched the rectification movement, which suppressed and sometimes imprisoned those perceived as “incorrigible enemies of the people”. The Cultural Revolution was launched by Mao as a part of his doctrine of class struggle. A policy that meant that urban professionals and students

³⁴ Kalathil and Boas (2003) p. 136

³⁵ Kluver (1999) p. 1

³⁶ Frolic (1997) pp. 36

were to “learn from the peasants” was initiated. Mao's purpose with the Cultural Revolution was at least in part to strengthen his own power and eliminate rivals within the Party, for example Deng Xiaoping. However, he justified the policy with claiming that cadres of the Party had grown to protect their own class interest, thus, not truly representing the masses. During the Maoist period political dissidents were severely punished, either through imprisonment or execution.³⁷

After the death of Mao in 1976 China embarked upon a new era with Deng Xiaoping as its leader. Economic, political and legal reforms were initiated. The economic reforms entailed a decrease in central control. There were also some extensions made in the legal rights, including some guarantees for individual rights. A movement in the direction of distinguishing the Party and the government was made. It was not a distinction of state and society, although, it did open up some spaces in the flow of political power. With the reforms, there was new potential for the growth of a civil or semi-civil society. New breeding ground for autonomous social bases could be found in private business, foreign joint venture, cultural institutions and foreign links (overseas Chinese especially). The economic reforms reduced the state's far ranging influence, and individual autonomy increased through the decline of political intervention of social life. The liberalised economics of diversified forms of ownership further increased individual autonomy.³⁸ Even though Deng was willing to reform the economy, his willingness to reform the political system was lesser. This unwillingness culminated in the events at Tiananmen square in 1989, when students demonstrated and government officials called in the People's Liberation Army to suppress the protesters. Hundreds of students were killed and many leaders were imprisoned.³⁹

3.1.2 Regulations on Associational life

In the aftermath of the events in June 1989 the first formal national system of regulation of social organisations was introduced, as the Chinese government saw the need to monitor and control the growth of organisations.⁴⁰ Quisha Ma characterises two distinct stages in the official policy regarding non-governmental organisations (NGO:s). From 1976 up until the onset of the 1989 students' democratic movement, associative activities outside the state

³⁷ Kluver (1999) p. 15, Chan (1996) p. 162

³⁸ He (1997) p. 22

³⁹ Heisey (1999) p. 223

⁴⁰ Gough (2004) p.4

system was allowed. During this time the creation of social organisations (SO:s) was almost unregulated. The events in June 1989 signaled the political potential of organised groups in China, and it made the CCP rethink its NGO policy. The Division of Social Organizations (DSO) was created under the Ministry of Affairs (MOCA).⁴¹ Since then a new series of regulating documents have been created. In 1998 “Regulations on Registration Administration of Associations” was adopted by the State Council. The same year, regulations for registration of private non-enterprise units was also adopted by the State Council; “Interim Regulations on Registration Administration of Private Non-enterprise Units).⁴² In 2004 a new Regulations of Foundation was passed.

According to Ma the most questioned NGO regulation is the dual registration system; NGO:s are forced to register with the Ministry of Civil Affairs or local bureaus of civil affairs, however, to do so an SO or NGO must be approved by its professional supervisory agency, normally a GONGO (government organised non-governmental organisation) or an governmental institution. The supervisory agencies are sometimes referred to as “mother-in-law” by NGO leaders because of there oversight of the organisation. There are strict rules determining what types of organizations or governmental institutions that can be “mother-in-law”, they must be situated in a similar sector and on the same administrative level. This system helps the government to control NGO:s legally and politically. It is not uncommon for a small independent NGO to register as a for-profit business firms because they cannot find a “mother-in-law”. However, most “mother-in-law” do not exercise strict control over its NGO, as long as it does not create political problems⁴³

Alongside the registration principle is the principle of non-competition. The principle of non-competition is aimed at exactly what the name gives away. It is constructed to inhibit competition between NGO:s. It means that if an NGO is created in a region where another NGO with similar scope is located, the new organisation can be denied registration. .⁴⁴ In 2002, according to official statistics there were 136.000 social organisations and 82.000 private non-profit corporations registered with the MOCA.⁴⁵

3.1.3 Locating civil society

⁴¹ Ma (2006) p. 62

⁴² Gough (2004) p.4

⁴³ Ma (2006) pp. 62

⁴⁴ Wang (2001) ”The Development of NGOs in China “ *The Nonprofit Review*, *voll:1*, p 53-63

⁴⁵ Gough (2004) p. 11

Many scholars agree that some kind of civil society is in place in China, although the definitions vary. The idealised version as civil society seen as autonomous from the state is still not strong in China. However, Frolic identifies a state-led civil society; created by the state. It is created by the government, in principal to help it govern. With “state-led civil society”, Frolic, refers to organisations created by the state which works as support mechanisms to it. State-led civil society is based on numerous assumptions:

First, the new associations are not against the state but a part of it. Second, they serve as training grounds for the development of civic consciousness. Third, they function as intermediaries between state and society. Fourth, state-led civil society is not riven by conflict between its civil society components and the state. It is a marriage of convenience rather than a catalyst for citizen resistance. Finally, mutual perception of strength and weakness plays a key role. Elements in the state perceive the need for change and regard social organizations as functionally useful, without threatening the state's hegemony.⁴⁶

Ma also finds that Chinese NGO:s do not match the level of autonomy seen in other countries but stresses the fact that autonomy must be understood in the Chinese context. The restrictions imposed on the organisations confronts them with the issue of either conforming with the regulations or going against the government. Many organisation choose to conform in order to survive. Ma therefore suggest that instead of focusing on the lack of autonomy in Chinese NGO:s, scholars should investigate the progress they have made and what role they play in China's development.⁴⁷

In line with the thoughts of Frolic and Ma, He identifies a semi-civil society in China, where the Chinese autonomous organisations are neither completely dependent on the state nor completely autonomous. He puts forward that the concept of semi-civil society is not to say that there is a low level of development of associational life in China, rather it shows a strategy used by members of associations. The notion is helpful in understanding the actual development of civil society in China. What is present in China is a “complex mixture of elements of civil society with continued state domination.” Civil society is not yet developed enough to constitute a powerful counterbalance against but the development of civil

⁴⁶ Frolic (1997) p 58

⁴⁷ Ma (2006) pp.95

institutions is well under way. ⁴⁸ Ma concludes that civic associations are facilitating the creation of civil society in China but also recognises that Chinese NGO:s do not yet have a substantial political voice. ⁴⁹

3.2 Internet in China

Since access to Internet was made public in China in 1994, the Internet has spread rapidly. As mentioned in chapter 2, according to figures produced by semi-official China Internet Network Information Centre (CNNIC) of January 2007 there are 137 million Internet users in China (approximately 10.4 % of population). An Internet user, according to CNNIC, is a Chinese citizen over the age of 6 who uses the Internet at least one hour per week. ⁵⁰ The usage is not spread equally across the country. The digital divide, defined as “the difference in Internet adoption rates across the social segments of a society” is apparent in China, the divide is most significant in relation to age and education. At the end of 2003 almost half of the people (49%) with college education were using the Internet. The number for those without college was only 6%. Demographic patterns indicates that the users tends to be young men of college age. In relation to their proportion of the population, older citizens represent a significantly smaller percentage. ⁵¹ Further, geographic location also contributes to the divide. The ten most developed provinces have three times more Internet users than the ten least developed. Discounting the factors of age, geography and education Internet rates are similar for men and women. ⁵² Guobin Yang puts forward that the profile of Internet users limits any attempt to over-generalize the social impact of the Internet in China. However, the relative young age of Internet users gives hope that the impact of Internet is likely to grow. ⁵³ The Internet in China has created a dilemma for the government. While wanting to preserve the economic benefits of openness to global information, the government also wants to guard

⁴⁸ He (2003) pp. 132

⁴⁹ Ma (2006) p. 207

⁵⁰ Giese (2003) p. 31, China Internet Network Information Centre, CNNIC, (2007) Statistical Survey Report on The Internet Development in China

⁵¹ Harwit and Clark (2006) pp. 30

⁵² Zhu and Wang (2005) ”Diffusion, use, and effect of the internet in China”. *Association for Computing Machinery, Communications of the ACM, vol 48:4, p. 49-53*

⁵³Yang (2003) ”The Internet and Civil Society in China: a preliminary assessment” *Journal of Contemporary China, vol. 12:36, p. 453-475*

against foreign economic domination and the Internet being used for anti-regime activity by domestic or foreign groups. With time China's rules and regulations on the Internet has become more and more comprehensive; from trying to regulate Internet business to imposing restrictions on news sites and chat rooms. Article 5 of the “Computer Information Network on Internet Security, Protection and Management Regulations”, issued in 1997 by the Ministry of Public Security, reads;

No unit or individual may use the Internet to create, replicate, retrieve, or transmit the following kinds of information:

- 1) Inciting to resist or violate the Constitution or laws or the implementation of administrative regulations;
- 2) Inciting to overthrow the government or the socialist system;
- 3) Inciting division of the country, harming national unification;
- 4) Inciting hatred or discrimination among nationalities or harming the unity of the nationalities;
- 5) Making falsehoods or distorting the truth, spreading rumors, destroying the order of society;
- 6) Promoting feudal superstitions, sexually suggestive material, gambling, violence, murder,
- 7) Engaging in terrorism or inciting others to criminal activity; openly insulting other people or distorting the truth to slander people;
- 8) Injuring the reputation of state organs;
- 9) Other activities against the Constitution, laws or administrative regulations.⁵⁴

In regards to infrastructure, all the major networks are state-owned, and in accordance to the Telecommunication Regulations a joint venture involved in the telecommunication infrastructure business should have a Chinese partner that holds at least 51 percent of the shares. Further, all computer networks needs to connect to the Internet through Chinanet, which is the national public information network.⁵⁵ The government support for the official media and large enterprises in the IT sector, in combination with the legal requirements regarding personnel and finances, triggers the marginalisation of smaller providers.⁵⁶ The ultimate goal for the government control over the infrastructure is to control the information that is sent through the networks. The regulations on Bulletin board services (BBS)

⁵⁴ International Centre for Human Rights and Democratic Development, Review of China's Internet Regulations and Domestic Legislation.

⁵⁵ Yongming (2006) pp. 142

⁵⁶ Wacker (2003) p. 68

highlights the concerns that the government struggles with regarding the management of the quantity and flow of information through such forums. To make sure that BBS do not violate the nine regulations of inadmissible information, stated above, articles 13-15 states the requirements on BBS providers as following:

- (a) remove any inadmissible content immediately, keep a record of it, and report it to the relevant authority.
- (b) record the information posted on a BBS; the time it was posted, and the Internet address or domain name of the posting; these records should be backed up, kept for sixty days and shared with the relevant authorities when requested.
- (c) record the times at which users log on , the user's account number and, the Internet address or domain name, the phone number of the caller, and other such information; these records should be backed up, kept for sixty days and shared with the relevant authorities when requested.⁵⁷

Despite censorship, there is still lively activity in popular forums on varying topics. Both hosts and users have an interest in maintaining their forum, thus both parties are likely to exercise some level of self-censorship. Where filters are used, users have strategies to go around them. The government also relies on the Internet companies to restrain users if discussions get too heated.⁵⁸ The physical ability of the state to surveil and punish is not necessarily the most important factor for making people conform with the regulation. In an authoritarian state like China citizens are used to living with censorship, and the awareness of the danger of a random government check might be enough to encourage self-censorship.⁵⁹ However, before a subversive message is deleted, either on state's order or webmasters' self-censorship, there is enough time for some viewers to take notice of it and circulate it.⁶⁰

Some statistics indicate that the Chinese Internet users mostly go online for commercial, educational and personal use, not political. When conducting online browsing, Eric Harwit and Duncan Clark, found little discussion on politics or current events. Out of the most famous Chinese websites, such as Sina.com, none of them had a chatroom labeled politics but

⁵⁷ Yongming (2006) pp.142

⁵⁸ Yang (2003) "The Internet and Civil Society in China: a preliminary assessment" *Journal of Contemporary China*, vol. 12:36, p. 453-475

⁵⁹ Wacker (2003) p 65

⁶⁰ Jingyan (2004) p. 161

China.com had an arena for discussing general “news”.⁶¹

3.2.1 Civil society and the use of Internet

The basic prerequisite in order for the Internet to have an impact on civil society or in general, as discussed in chapter 2, is access to the technology. A survey conducted in 2003 on the use of internet by urban civic associations showed that the number of computers in relation to staff was very low. The organisations have an Internet capacity comparable to other developing countries but fall behind organisations in developed countries. Further, the survey shows that their Internet connectivity is high in relation to their low capacity. The survey draws four conclusions:

- 1) Civic associations have a minimal level of Internet capacity. More than 80 percent were connected to the internet and more than half of them have websites.
- 2) Social change organisations, younger organisations and organisations in Beijing are the most frequent users of the Internet, more so than business associations, older organisations and organisations outside of Beijing.
- 3) It is important for the organisations to have a minimal level of Internet capacity but the capacity does not determine the use.
- 4) The Internet is most useful for publicity, information dissemination and networking with peer and international organisations.⁶²

It is not only the use of the Internet by established “physical” organisations that might impact civil society. The spread of internet based communities poses the question of what constitutes civil organisations. Internet based communities live up to the criteria of civil organisations in that they are voluntary and for pursuing common interests. Gao Jingyan points out that the most important question is if Internet-based communities can be considered associations. Associations are generally understood as groups with registered members, a common cause and regular meetings. Based on this criteria he finds that Internet-based communities can be considered civil organisations.⁶³ Taking Internet-based communities in account broadens the scope of civil society but does it lead to greater political impacts? Most scholars agree that

⁶¹ Harwit and Clark (2006) pp. 32

⁶² Yang (2007) “How Do Chinese Civic Associations Respond to the Internet? Findings from a survey”. *China Quarterly*, vol189, p.122-143

⁶³ Jingyan (2004) p. 77

due to the fact that the Internet is a relatively new phenomenon it is too soon to evaluate the extent of political change that can be derived from the Internet. Internet-based communities are not political by nature and it is unclear just how interested the average Chinese Internet users is in political activity online. Wacker concludes that the Internet is not likely to lead to significant social change, although it is not politically irrelevant. The Internet, like other media in China, is constantly testing the limits of toleration. The Internet might still be a stronger source for change than other media but it is most likely to play an essential role if a movement is started in the non-virtual world. ⁶⁴ Harwit and Clark also conclude that the access to foreign information via Internet has had little socially disruptive effect. However, they see a possibility of a turning point if foreign companies are allowed full ownership of web content providers. With the growth of the spread of the Internet to more layers of the Chinese society the Internet might become a more frequently used tool for expressing discontent.⁶⁵

Yang is more optimistic in his perception of the effect Internet has had, and finds that it has created a new type of political action, online critical debate and that citizens are becoming more informed about social and political affairs. Internet can facilitate protest activities in effective ways. From this viewpoint “online protest represents the growth of a contentious civil society in China”⁶⁶

4 Conclusions

The overall purpose of this study was to look at the relationship between civil society and the Internet in China from a democratic viewpoint. Firstly, to look at the status of Chinese civil society. the definitions civil society is seen as autonomous from the state but in the search for civil society in China the concept of autonomy makes the search quite disappointing.

However, if the concept is slightly modified, in accordance with White's opinion that autonomy from the state is not a question of either or rather a question of the degree, it is possible to distinguish what He calls semi-civil society. With this modification, Frolic finds what he refers to as State-led civil society. The organisations are still under government control and have not yet developed to the level of composing a strong counterbalance to the state. Many organisations accept being non-autonomous in order to survive. Although, the

⁶⁴ Wacker (2003) p. 73

⁶⁵ Harwit and Clarke (2006) p. 36

⁶⁶Yang (2003) “The Internet and Civil Society in China: a preliminary assessment” *Journal of Contemporary China*, vol. 12:36, p. 453-475

organisations are not autonomous they still provide some democratic potential with their existence. However, it does not seem very strong at the moment.

On the relationship between civil society and the Internet there are two areas of usage; first, is the use of “physical” organisations creating websites and spreading information, second, the creation of Internet-Based communities. However, the political impact of the two is still not very strong. The vast set of regulations on the use of Internet leads to much self-censorship in order to avoid trouble. Further, statistics and surveys have not been able to conclude the online interest of Chinese Internet users although the statistics currently indicate a tendency towards mostly personal and commercial use. The Internet is still a relatively new phenomenon and although the rates of Chinese Internet use has been growing impressively there is still a great digital divide.

In regards to the democratic potential of the relationship between civil society and the Internet it still seems to be too soon to tell and further studies need to be conducted. At the moment semi-civil society and Internet-Based communities both practice self-censorship in order to survive. However, as mentioned before, there is always a time gap between the posting of a politically challenging message and the removal of it by authorities. In that gap freedom of expression is being put to use and that is definitely a strong democratic potential, which will hopefully grow stronger with time.

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