

# Testimony before the U.S.-China Economic and Security Review Commission

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“Media Response to the Appearance of Charter 08”

Charter 08 is a citizens’ manifesto that calls for constitutional democracy, human rights, rule of law and republican government that observes a tri-partite separation of powers. It was the first public statement in the history of the People’s Republic of China to call for an end to one-party rule. Its drafters were inspired by the example of Charter 77 in Czechoslovakia, but their writing also shows influences from the U.S. Constitution, the French Declaration of the Rights of Man, the democratic movement in Taiwan in the 1980s, and the Truth and Reconciliation Commission in South Africa. The Charter was announced on December 9, 2009, the eve of the 60<sup>th</sup> anniversary of the United Nations’ promulgation of the Universal Declaration of Human Rights.

After it was unveiled, the Charter received considerable notice around the world from governments, human rights organizations, and newspaper editorial boards. It drew praise from prominent political, religious, and literary leaders including Vaclav Havel, the Dalai Lama, Nadine Gordimer, Seamus Heaney, Wole Soyinka, Yu Ying-shih, Ha Jin, Zheng Yi, and many others. More than eight thousand people inside China have signed the Charter, and countless others have read it but feared to consider signing.

Attention from the world’s media--outside of China--has been considerable. Inside China, the topic has been banned from the state-controlled media except for some minor and indirect instances in which the state itself has chosen to comment. On the Chinese Internet, the state has sought to suppress discussion of the Charter, and in this has been largely, although not entirely, successful. I will summarize below the “minor and indirect” ways in which the state media have mentioned the Charter. But the more important story, which needs to be put first, is the matter of the state’s silence.

It is not a natural silence but a tense one, enforced on media workers by state policy. We know that the media silence is not mere oversight or indifference because there is powerful evidence that Charter 08 has drawn the attention of China’s rulers, who have taken measures to repress it. Specifically:

--In the days after the announcement of the Charter, teams of police descended on the homes of Zhang Zuhua, Liu Xiaobo, Wang Debang and other organizers of Charter 08 and

confiscated books, computers, bank accounts, notebooks, and papers. These have not been returned.

--Liu Xiaobo was physically detained on December 8, 2008, held at an unknown location, and on June 23, 2009 officially charged with “inciting subversion of state power.” These acts by the state should not be viewed as aimed at Liu alone. Since Liu was one of the more famous signatories of Charter 08, the public show of detaining him and then charging him with a “crime” that can lead to imprisonment of up to 15 years has clearly been an attempt to intimidate anyone else who signed Charter 08 and anyone who might be considering signing it. This effect was not achieved through “media” in the narrow sense, but certainly can be viewed as a form of broadcast.

--Police approached other Charter 08 signatories individually for “chats”. On the surface, these “chats” were not hostile. Police usually sought to persuade and cajole. They often provided tea and snacks. Their efforts can be seen as a “good-cop” accompaniment to the “bad-cop” threat that Liu Xiaobo’s arrest provided. The police sought to uncover information about the Charter’s organization: “Who asked you to sign?”, “Where did you first see the Charter?”, “Why did you sign?”, etc. They also “counseled” people on “their own best interests”: “Why risk your future?” “Don’t you see that dissidents have bad lives?” “Can’t you see that those people are only using you?” “Have you considered the taint you are bringing to your family members?” “Don’t you want to withdraw your signature and just say you made a mistake?” And so on.<sup>1</sup> In the estimate of Charter 08’s organizers, every one of the 303 original signers of the Charter was targeted for this kind of political chat with the police.

--All but the most carefully crafted mention of Charter 08 has been banned from newspapers, radio, and television. On the Internet, which is by far the most difficult medium to control, a purge of the term “Charter 08” went into effect around mid-January, 2009. In the days before the purge, a search on google.cn for “Charter 08” yielded about 300,000 entries. Afterwards, the same tag and related items came up empty. Websites related to the Charter were closed and comments expunged from chat rooms. Netizens have sought, with some success, to circumvent the Web filters by using near-homonyms, for example *lin2bal* ‘lymph’ for *ling2bal* ‘08’ and *xian4zhang3* ‘county magistrate’ for *xian4zhang1* ‘charter’.

In sum, there is ample evidence that Charter 08 has not only drawn the attention of China’s rulers but moved them to take a variety of actions. It follows that the silence within the state-controlled media cannot be viewed as an oversight, but must be the result of policy. This, in turn, raises the important question of why China’s rulers think that silence is their best option. Why not attack Charter 08? Why not tear it apart, allowing no rebuttal? After all, the publicity machine of the Party-state does have experience doing this sort of thing.

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<sup>1</sup>My evidence is from personal communication from people in China. The only people who have been willing to publish their “tea chats,” as far as I know, are Tang Xiaozhao, whose several chat-transcripts can be found under “Persian Xiaozhao” on China Digital Times, and another person called Sina blogger yxmermxy, whose account is at <http://chinadigitaltimes.net/2009/blogger-midnight-tea-with-the-public-security-bureau>.

There is no direct evidence for answering the question “Why not attack?”, but there are good grounds for surmise. First, Charter 08 is not easy to rebut. It is written in a cool, rational tone, cites its affinity with the Chinese constitution and with United Nations documents, and favors values like justice, equality, and truth. An effort to denounce it could easily backfire. Moreover there is precedent for such backfire in the Party-state’s experience with calls for democracy. In fall of 1986, Fang Lizhi, then Vice President of the Chinese University of Science and Democracy in Hefei, Anhui Province, gave speeches in support of human rights and democracy. Students loved his speeches and brought their enthusiasm to the streets. In January 1987 Fang was dismissed from his university position and expelled from the Communist Party. His speeches were then used as evidence in a nationwide campaign against “bourgeois liberalization,” but this campaign had the unintended consequence of spreading Fang’s ideas to campuses in many other parts of China. The propaganda machine presented the speeches as “negative teaching materials,” but students, attracted by Fang’s ideas, read them differently. In order to rebut Charter 08, China’s rulers would have to quote from it—and that, from their point of view, could lead to more harm than good.

There is a broader and deeper issue, too, in the vulnerability that any authoritarian regime faces when it argues against democracy, which is this: even as it criticizes democracy, it needs to pretend that it is, in fact, democratic. In their rhetoric, such regimes always “represent the people,” “serve the people,” are “based in the masses,” and so on. Lenin, Stalin, and Mao called their governing system “democratic centralism”; Mao established the People’s Republic of China, the National People’s Congress, the People’s Post Office, the People’s Airline, the people’s currency, and so on. Kim Il-sung founded the Democratic People’s Republic of Korea, and we have today the Democratic Republic of the Congo. To try to maintain this sort of rhetoric at one level while denouncing democratic initiatives at another inevitably generates insecurity and a lack of inner confidence. (It is worth noting that the problem does not exist the other way around. Leaders of democracies do not need to pretend that they are, in fact, authoritarian, and do not feel obliged to name their states things like the Authoritarian State of Japan or the Dictatorship of India. The United Kingdom is a quaint exception, but clearly anachronistic.)

In short, when China’s rulers choose to argue publicly against Charter 08, they need to do so on a playing field that is tilted against them. Their own rhetoric is the cause of this tilt, but that does not change the fact that it is there.

I referred above to “minor and indirect” comment on Charter 08 that has appeared in the state-run media. There are three examples. I call them “indirect” because none of the three names Charter 08. (This is not unusual in Chinese Communist rhetoric. In 1966 Mao Zedong launched a huge national campaign against “the leading person taking the capitalist road” without naming Liu Shaoqi.)

On January 16, 2009, Jia Qinglin, chair of the Chinese People’s Political Consultative Conference (CPPCC), published a statement in the authoritative political journal *Qiushi* (Seek truth) entitled “Hold High the Great Banner of Socialism with Chinese Characteristics to Continuously Advance the Cause of the CPPCC”. Most of his article is a review of the “glorious history of the creation of an extraordinary performance” of the Communist Party since 1949 and

serves as a preparatory statement for the 60th anniversary of the People's Republic later this year. But the timing of the statement's appearance—a bit more than a month after the appearance of Charter 08 and at the very juncture when the term “Charter 08” was purged from the Internet—suggests rebuttal of the Charter, as does the statement's rejection of the idea in Charter 08 that seems to have upset China's rulers the most, namely the challenge to one-party rule. Jia stresses the Communist system's “representation of the will of all of the people of the nation,” and, near the end of his piece, seems to address Charter 08 directly:

we must always uphold the correct political orientation [and] build strong defensive battle-lines against the interference of incorrect thinking about Western-style two-party or multi-party systems, bi-cameral systems or tri-partite divisions of power.

Jia states his point powerfully but arbitrarily, but does not attempt to explain why he believes that the thinking that he warns against is incorrect. His comment on Charter 08 is buried deep in his speech, and the state-run media did not draw special attention to it.

More attention, and more of an attempt to construct an argument, arrived on February 9, 2009 in an article in *The People's Daily* called “Our Country Absolutely Must Not Go for a Multi-Party System”. Written under the pen name of Fang Ning, this piece should be viewed as the main attempt by China's rulers to respond to Charter 08. It makes essentially three arguments:

1. Democracy in Western countries is false democracy. All political parties in bourgeois societies serve the vested interests of “big capital,” and “regardless of which party holds power, in fact big corporations control state power.” The piece quotes figures from the United States' Elections Commission on the cost of running for the U.S. Senate as evidence that money controls politics in the United States.

2. Democracy feeds division and China needs unity. Multi-party systems lead to “ruthless, unprincipled fighting” that destroy social harmony. The chaos that multi-party democracy causes has already hurt many (unnamed) developing countries, adding fuel to the flames of their social conflicts and causing splits and even civil wars.

3. The record of Communist rule in China is glorious and needs no alternative. It is the best way “to mollify and resolve contradictions among the people,” especially now, when “socialist modernization” and “the great revival of the Chinese nation” both hang in the balance.

The Fang Ning piece does not quote from Charter 08, and does not address many of the points in the Charter, including those about human rights, the rule of law, the theory that political power resides with the people, or, perhaps most notably, the record of Party-caused violence and suffering in the history of the People's Republic. It concentrates on the single issue of one-Party versus multi-party systems.

The piece was disseminated widely, but it is hard to estimate how persuasive it might have been to the Chinese reading public. It begins in a heavy style of classical Marxism, e.g., “economics is the basis of politics, politics is the concentrated manifestation of economics, and the basic relations of capitalism and the property system fundamentally determine the forms and

functioning of political power”. Most Chinese readers are likely to be turned off by what they see as an old Party-hack style and look for something else to read; and those who do read on, and are sophisticated enough to decode the jargon, are probably also intelligent enough to see the intrinsic weaknesses of the arguments. But one never knows.

A third public response to Charter 08 came on March 12, 2009, when Wu Bangguo, Chair of the National People’s Congress, stated that:

The system of the National People’s Congress accords with the specific national characteristics of China. It guarantees that the people are masters of their own house, and in that sense is fundamentally different from governmental bodies in capitalist Western countries. We [in China] must not waver in our determination to go our own way.

Wu’s statement, like Jia Qinglin’s, was quoted in the media but not highlighted; did not refer to Charter 08 by name; did not quote from it; and addressed only one issue, that of unitary power versus separation of powers. Both statements implied that Charter 08 was defending only “capitalism,” not democracy or human rights.

On the Internet, there were a number of much more detailed attacks on Charter 08, but they were written under pseudonyms and it is impossible to gauge how much official sponsorship they might have had. It is also hard to guess how much exposure or influence they have had. A particularly virulent piece called “The New Trend of the Western Mountains’ Meeting Group: a Critique of ‘Charter 08’,” written under the pen name of Mamen Liefu (“The Several Sages of Marxism”) goes well beyond what appears in the official media, i.e., names Charter 08, quotes whole paragraphs from it, and addresses sensitive issues like the Great Leap famine (Did it exist? If so it was caused by bad weather) and the June Fourth massacre (If anyone died there they got what they deserved). It embraces a Maoist worldview in which even Deng Xiaoping and Jiang Zemin are criticized (although not by name) for giving too much to capitalism. Charter 08, it says, springs from a “black clique” who are tools of capitalism; its “universal values” are a sham; the 1949 victory was won with guns and guns are the way to handle Charter 08, with no mercy! Etc. Although it is impossible to know the origins of this kind of verbiage, it is noteworthy that the state chose not to suppress it. It is possible that China’s rulers tolerate it in order to “define a flank,” so that their own position seems centrist.

In any case, the overall approach of the state media to Charter 08 has been to try to discredit it without drawing too much attention to it and without seriously engaging its ideas. The key battle, from the point of view of China’s rulers, has been not to refute the ideas (which is difficult) but to repress their spread (which seems more feasible).

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