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Broadcasting policy, creative compliance, and the myth of civil society in China

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ABSTRACT: This paper looks at arguments framing civil society debates and questions the usefulness of civil society models in understanding how media policy is made and implemented in China. The key argument is that viewing the state-society relationship in China through a Western optic obviates the distinctive differences between the autonomous civil society of liberal-democracies and Chinese social relations. This does not mean that civil society is a redundant concept. It can be usefully applied to describe economically driven political and social change in China. However, its capacity to explain how cultural and media policy is formulated is limited.

In this paper I address the manner in which cultural and media policy is made and implemented in China. In particular I want to situate my discussion against the normative tradition that views civil society and the associated idea of public sphere activity as mechanisms that enable forms of public debate, which in turn influence the formulation of policy (Habermas, 1989). I argue that while civil society might succeed as a descriptive device to indicate an increasing separation of government and society in China, the idea that interest groups significantly influence the formulation of cultural and media policy is a case of misplaced optimism about the nature of social change. And while there does exist some evidence of a critical public sphere in China within the general ambit of the policy of allowing 'a hundred schools of thought to contend', such contending has little real impact upon the formulation of cultural and media policy.

Whereas citizens in liberal democracies seek to influence the formulation of policy by the force of ideas, by interest group activities, and ultimately through the ballot box, this cannot be said of China. Under the Chinese socialist tradition, we find a different mode of political participation in which the balance shifts towards interpretation of policy. This allows Communist Party officials to function as translators of the administrative language of policy and to grant dispensations to cultural producers. Rather than seeing this solely as evidence of the fragmentation of central control I will

argue that it represents a combination of institutionalized social practices and emerging entrepreneurialism.

My starting point is a broad outline of why emergent civil society presents such appeal for commentators, scholars, and journalists. I then examine some problematic attempts to massage the concepts of civil society and public sphere in order to explain an anti-hegemonic political community. Following this, I move on to discuss a 1994 television serial, *Chicken Feathers* (*Yi di jimao*), which characterizes the nature of people's participation in political life in contemporary Chinese society as a dual-tier process of bargaining with authority. The key point of the narrative is that there are two modes of political participation (*da yu xiao*): the sphere of official 'big' politics and the sphere of everyday life, or 'small' politics. In describing the reciprocity of social relationships (*guanxi*) in urban China, *Chicken Feathers* demonstrates the necessity of cultivating strategies to seek personal outcomes. The production and distribution of the television serial is a case in point. A non-mainstream production, capable of being read as a critique of socialism, it nevertheless circumvented the official gatekeepers. Finally, in the conclusion of the paper I suggest that while cultural producers and intellectuals do not play any substantive role in policy formulation, they do have the capacity to influence policy *interpretation* and *implementation*.

Speaking of civil society . . .

Broadly speaking there are two kinds of approaches used by scholars seeking to demystify the complex nature of China's reforms during the past two decades. The approach that is favoured by many scholars in China (including government officials) is to claim the distinctiveness of China's economic modernization program as 'socialism with Chinese characteristics'. In reality, by claiming a special case for Chinese modernization, the 'with Chinese characteristics' mantra has the effect of adding to the mystification. Nevertheless, it has its uses: it can be a diplomatically expedient way of avoiding issues such as democratization, civil rights, and constitutional reform. The 'with Chinese characteristics' model can also include reasons why China doesn't conform (initial stage of socialism, Chinese values etc).

A second strategy that many scholars adopt is to graft Western theoretical categories or models on to Chinese realities. One of these is civil society. Another is the public sphere. Both these conceptual models have come into popular usage within China and have been taken up by scholars and journalists in the Western hemisphere writing about China's reforms (see He, 1992; 1995; 1999; Ma, 1993). However, definitional clarity becomes the first victim in the haste to conceptualise. Civil society - in the Western tradition - is bound up with visions of the 'good society'. For instance, the key element of liberal civil society is a normative separation between state and society (He, 1992). This reveals itself in the capacity of people to form associations, to participate freely in civic debates, and to influence social and political decisions. Civil society also implies governance through legal procedures rather than statist decree. However, in much emerging literature on authoritarian and patrimonial regimes, civil society is seen as a bright shining emblem, representing for some an inevitable transition to democratic forms of governance. When applied to China, however, the reality of emerging civil society has in fact more to do with economic entrepreneurialism than popular resistance to the Communist regime, or for that matter acceptance of constitutional processes, citizenship ideals, and the rule of law.

However, the motif of resistance is a powerful one. Quite clearly, while the civil society model works on one level as a descriptive account of the transition from the politics-in-command socialism of revolutionary Maoism to the market economy reforms of Deng Xiaoping, proponents too readily assume equivalence with the kind of popular movements typified by the Eastern European experience in which cultural activities served to orchestrate opposition to authority (Downing, 1996). The civil society model thus turns on a state-society polarity in which cultural despotism gives way to intermediate spaces in which cultural activity is able to proceed without excessive interference from central authorities. This framework is underscored by the opening up of possibilities for personal autonomy and associational life, which have been the outcomes of reform policies. As Vivienne Shue (1994) notes, the widespread emergence of civil associations has succeeded in allowing influential social forces to take shape more independently outside the state apparatus.

Civil society or whose public sphere?

In order to ascertain whether civil society is a useful methodological tool to understand the complexities of Chinese cultural and media policy I will briefly summarise some of its key points – although I don't intend here to represent its origins in relation to the separation of the church and state in the West (de Ruggiero, 1981) or enter into a debate as to whether forms of civil society existed in either imperial or pre-Communist China (see Shils, 1996; Huang, 1993). As mentioned above, there is extensive literature on both civil society and the public sphere within China, mostly framed in the neo-Gramscian context of civil society as a vehicle to destabilise the power bloc – in this case the Communist Party of China (CCP). There are, moreover, according to He Baogang, a number of inconsistencies in the way that it is used in China (as indeed there are in the Western literature). For instance, there is a lack of attention paid to the question of what form civil society might take in China.

In order to broach the question of how media policy is made and implemented I want to distinguish between the concept of civil society and processes of civil society. By the latter I mean the formal and informal mechanisms or procedures by which interest groups and individuals seek to influence policy formulation. Charles Taylor's (1990) discussion on the three different senses of civil society is pertinent here. He notes that civil society exists in a minimal sense where there are free associations not under the tutelage of the state. Second, a stronger sense of civil society ensues 'where society can structure and co-ordinate its actions through such associations'. Thirdly, and most importantly in the context of our discussion, a public dimension of civil society is strongest 'where the ensemble of associations can significantly determine or inflect the course of state policy' (98).

Civil society, whether that of the economist approach, or that advocated by new Social Movements, is generally viewed by its supporters to be a good thing. A society in which power is monopolized by the state or by the state in association with powerful interests is evidence of a society in which people are lacking in civil freedoms. The problem, however, is that all of Taylor's three conditions for the existence of civil society are not met in China. Associations of many kinds exist, but these are always monitored in some way by Communist Party officials. As I will show, however, this does not mean that the Communist Party controls all aspects of associational activity. Party bureaucrats have significant social capital and the capacity to loosely interpret

policy from above in return for favours (see Yang, 1996).

Debates about civil society in China, often informed by transitional politics in Eastern European post-soviet regimes and events across the Taiwan Strait, have intensified with the economic restructuring of Chinese society. To explain the cultural terrain of contemporary China in terms of counter-hegemonies and popular resistances, however, is drawing a long bow, notwithstanding the events of May/June 1989. Furthermore, none of the civil society models on offer do much to explain the relationship between cultural policy and the production, circulation and consumption of cultural forms in China.

A feature of the civil society debate in contemporary China, both on the part of Western commentators and critics writing within China, is the associated imagery of a functioning sphere of oppositional discourse.[i] The notion of the public sphere emerges phoenix-like as a harbinger of pluralism. Again, the public sphere is a good thing, and Jurgen Habermas' 1999 tour of Chinese universities has done much to promote its acceptance. Notwithstanding this, the tendency to link civil society discourse with the idea of a public sphere to describe a counter-hegemonic space between official culture and cultural works supported by the market is also flawed. As several commentators have pointed out, examples of supposed public sphere activity during the Tiananmen Square period (1989) such as the Beijing Stone Group's think-tank, the Social Development Research Institute (SERI), publications such as *Economics Weekly (Jingji zhoubao)* and the Shanghai *World Economic Herald* hardly constituted autonomy from the state. These institutions were formally attached and funded by official bodies as well as receiving support through sponsorships (Ding, 1994). While a space for civic discourse might exist in the Chinese mass media (see Kluver & Powers, 1999), its effectiveness as a counter-hegemonic force is reduced by its institutionalized nature and dependency on official sanction.

However, this is not to deny the fact that liberalisation, economic reform and the ascension of moderates to power in the Chinese politburo contributed to an expanded capacity for non-official views to be expressed in China. The Communist's Party's policy of 'allowing a hundred schools of thought to contend' has invigorated the proposition that there might be cause to celebrate a kind of public sphere, albeit limited. For instance, it is quite commonplace to hear people proclaim that they can say anything publicly as long as it is not a direct criticism of the government. Likewise, we can suggest that the proliferation of information pipelines and access to new channels of communication (including the internet and foreign media) along with the class differentiation of society (middle classes, intellectuals, peasants) mean that people choose their sources of information, and recognise different modes of address or different 'public spheres'.

So, not quite a public sphere, not quite civil society. Should we then resort to the prefix *quasi* to overcome conceptual hurdles? A *quasi*-civil society? A *quasi*-public sphere? A *quasi*-civil culture? Unfortunately, this massaging of concepts does not diminish the necessity of arriving at a workable model that accommodates the tensions and compromise between official cultural policy and the activities of producers. This has become even more problematic with the expansion of private investment in culture. One of the consequences of the commercialization of culture in the past two decades has been an attempt to re-envisage the relations between state

and society from the evidence of popular cultural activities. For example, in the introduction to an anthology of writings on popular culture, the editors contend that popular culture can be defined in relation to 'the most salient problem in modern China - the tension between state and society' (Link et. Al., 1989). Again the state-society opposition is staked out and the notion of a 'space' or 'sphere' of resistance is celebrated - this time between culture that is imposed by officials and culture that is organised from the experiences of the population - a culture *of* the people rather than a culture *for* the people. As the title, *Unofficial Culture: Popular Culture and Thought in the People's Republic*, suggests, there are varieties of culture that are unofficial and by implication more authentic than the artificially imposed official ideology. 'Unofficial culture' viewed as an organic form of culture is thus presented as an anti-hegemonic groundswell.

Whilst the increasing availability of unofficial forms of culture provides evidence to support the claim that the dominant cultural formation is progressively unravelling, this should not obscure the fact that emergent forms of culture, subcultures and revived traditional forms, are still subject to administration by government, whether the administration comes in the form of laws and statutes from the Ministry of Culture or regulations imposed by local or provincial cultural authorities. In addition, as the case in East Central Europe suggests, liberalisation does not mean capitalism but rather 'a new economic system constructed from elements of the old, imported ideas, and indigenous innovations' (Eyal et al., 1997: 68).

Media and the Chinese public

Another factor that need to be considered in an evaluation of the broadcasting policy environment is the sacredness of media and journalism work within the high church of Chinese politics. This has provided a number of studies of the Chinese 'propaganda state' and the role of ideology or 'thought-work' (see Lynch, 1999). To many observers of China's political machinations, broadcasting policy is an instrument by which the Chinese Communist Party seeks to maintain and preserve its existence. According to this view, the regime's longevity is due to its success in regulating the flow and content of information. The majority of accounts of China's cultural regulations and policies that have been available in first world academies have therefore tended to measure China's heavily structured and regulated cultural sphere against a kind of idealized liberal democratic model. This dichotomous purview is a legacy of the Cold War period, which allowed oppositions such as East-West, North-South and the First, Second and Third Worlds to organize discourse.

However, while the potent image of a 'propaganda state' purging recalcitrant writers and headstrong journalists held sway in the imaginations of Western observers during the Maoist era, this view has become untenable in the context of economic and social liberalisations that have gradually eroded the belief system of official culture. The Cold War approach to understanding the Chinese media is now seen as simplistic. The commercialization of cultural production and liberalisation of expression have provided the momentum for cultural diversity, but this does not mean that cultural activities have ceased to function as elements of government. Culture remains embedded in programs of government, although the manner by which culture is seen to operate, and the kinds of changes that it is envisaged as bringing about have been subject to modification.

Media policy in China is now more programmatic than proscriptive. As in most countries, media policy in China is framed by notions of ‘the public good or 'the public interest'. In this sense it can be viewed as a type of public policy specific to state goals. As well as regulating the flow of information, media policy constitutes part of a broad cultural development agenda that aims to develop the attributes of the Chinese population by raising people's moral and intellectual quality (*suzhi*).

Specific understandings of the public are therefore important in understanding the changing relations between government and culture in China. The idea of the public in Maoist China derived its saliency from a totalizing conception of society, one not dissimilar from theories of structural-functionalism. This was a world in which all relationships were in flux and amenable to resolution. The function of culture was one of strategic normalisation, of adjustment according to a trajectory of political edification. The public: the oppressed masses, was ‘imagined’ by a patrimonial leadership as occupying a single space within the nation-state. Accordingly, the public interest is recognized as the maintenance of collective morality and obligation rather than an individual's constitutional rights. This maintenance program ensures an emphasis on the pedagogic function of cultural and media products.

Moreover, since the establishment of the People’s Republic of China in 1949, there have been three discursive constructions of the public: people (*renmin*), nationals (*guomin*) and citizens (*gongmin*). The first of these terms, ‘the people’ assumed prominence in the mass media and propaganda documents while *guomin* and *gongmin* were rendered in legal documents. It is also important to note that under Mao’s regime the appellation of ‘the people’ was first and foremost associated with the leading classes of the day – the workers, peasants, and soldiers, less so with the intellectual classes. In the view of China’s leaders the people were bound by common interests and needs, and were a community that lacked knowledge.

Perhaps the most appropriate way to describe the relationship between the state and the production and dissemination of culture under Maoism is an 'engineer state' model (Keane, 1999). That is, the Communist Party endeavoured to engineer a culture, by controlling all facets of its production and distribution. Moreover, aside from the Yanan Forum of 1942 during which Communist intellectuals debated questions of national form and the role of cultural production (Holm, 1991), there is little evidence of cultural policy consultation during the Maoist period. In terms of political participation more generally, large formal mechanisms existed such as the National People's Congress by which Party members could make their concerns felt**,** as well as numerous Party branch sub-committees. However, political participation in any meaningful sense was limited as party members were unlikely to dispute sensitive cultural policies.

The monopolization by the Chinese Communist Party of the mass media and the emphasis on propaganda work (*sixiang gongzuo*) during the Maoist era led many scholars to typify the Chinese state as totalitarian (in the sense that it was a society in which ordinary citizens were unable to participate in policy formation and to influence public debate). While there is some utility in this model by way of direct contrast with avowedly open systems in which all citizens are able to vote for their political representatives and express opinions in the mainstream press, the totalitarian model is best seen in the context of cold war hostilities. It has less credibility in

contemporary China as the public role of culture has changed during the reforms and political liberalisations of the past two decades.

The demise of the explanatory power of the totalitarian model was aided by new insights into life in Maoist China provided by expatriate scholars. It was discovered that there are limits to the state management of information and political controls even under systems of strict supervision (Nathan, 1989). Furthermore studies of economic, energy, and agricultural policy during the 1980s concluded that there was in fact significant participation in policy-making (Lieberthal & Oskenberg, 1988). Interest group theory was thus promoted as a way of describing the process by which various interest groups influenced policy formation. However, the question remains as to why people in China have generally failed to organise themselves into pressure groups to influence policy (Shi, 1997).

The struggle between big and small: a model for consideration

To understand this we need to understand the problematic of 'big and small' *(da yu xiao)*. In 1994 the Beijing Television Art Centre produced a critically acclaimed 8-part serial, *Chicken Feathers (Yi di jimao)*, that depicted the power relationships endemic to Chinese society. Directed by Feng Xiaogang, a young director who had a leading hand in a number of successful television serials including *Beijingers in New York (Beijing ren zai Niu Yue* (1993)) and *Stories from an Editorial Office (Bianji bu de gushi* (1991)), *Chicken Feathers* examined how ideas about self and identity are constructed in urban China in the 1990s. The central themes of this rather bleak canvas revolved around the question of agency; in particular how ideas about peoples' place in society and their relationships to authority are fashioned by the quotidian practices of everyday life as much as by political discourses. [ii]

In this short serial (eight episodes) a scientific work unit functions as a metonym for the Chinese state apparatus. The screenplay gives the viewer a composite picture of life in urban China. The main protagonist, Xiao Lin (played by Chen Daoming), graduates from university and finds himself at the bottom of the power hierarchy in the work unit. Very soon after his lover, Li Jing (Xu Fan) falls pregnant. From this point onwards it seems that the couple's expectations about the kind of life they will lead come into contact with the institutionalized bureaucracy of everyday life. Xiao Lin discovers that in the culture of the work unit everything has to be negotiated, alliances need to be established, and favours need to be repaid. The present and the future are both determined by the past. Reciprocity and retribution are the determining factors both within the work unit and in the sphere of everyday life.

According to director, Feng Xiaogang, the serial described the working life, and the family life of an ordinary person. In direct contrast to the serial's depiction of the mundane ritual of daily life, the opening credits work to create a sense of grandeur. A monologue of a department head tediously haranguing his subordinates about work quotas is overlaid with images of world-shattering events and world leaders capturing headlines. Xinhua News archival footage portrays historical events and great personages, including Nelson Mandela's inauguration as President of South Africa, the fragmentation of the Soviet Union, Clinton occupying the White House, and the plight of African refugees. The intended effect, according to Feng Xiaogang and author Liu Zhenyun, is to convey the contradictions of 'big' and 'small'.

> These are all great events and persons but for Xiao Lin life is more mundane: things like getting a house, his wife getting a better job, getting his child into a suitable kindergarten - these things are of more importance; and so “big and small” (*da yu xiao)* depend on where one stands. *Chicken Feathers* is about finding important meanings in so-called small things *(xiao shi*). Everyday life on the surface is as smooth as water but in reality, under this surface, life is a constant struggle. Even a small victory is of importance and makes people feel that they can go on. In this sense the series is a positive one.
>
> (Keane & Tao 1999)

Throughout the narrative, the events of the work unit, combined with the vicissitudes of daily existence conspire to diminish Xiao Lin’s sense of belonging within the structure of the work unit. One day he meets an old friend who is selling fish in a vegetable market. His friend offers him a chance to work part-time. Initially worried about the loss of face, Xiao Lin decides to try his hand. Ironically, selling fish proves to be a less complicated and more meaningful existence than the institutionalized rung-climbing associated with the work unit.

The two spheres of interaction identified in this series are the official (vertically structured and remote), and the world of networks (horizontal and negotiable). Both are rule bound. In a different historical context – that of post-Stalinist Soviet Union - Seweryn Bialer (1980) has identified two domains of political participation: 'high politics' and 'low politics’ (see Shi, 1997). The domain of 'high politics' included the principal issues of society and the decisions of the political leadership couched in abstract official language. 'Low politics', on the other hand, was articulated in the day-to-day life of ordinary people. As *Chicken Feathers* powerfully illustrates, the two domains exist in parallel in Chinese society as they did under Soviet authoritarianism. These two forms of political culture represent different understanding of the notion of participation. The more abstract realm of high politics is an example of politics *from above*, whereas the engagement with bureaucracy exemplified in *Chicken Feathers* demonstrates people’s capacity to influence decision-making to achieve personal outcomes. The two seldom intersect, and the more people participate in low politics the more they become apathetic to high politics.

A further dimension to the problem of 'big' and 'small' is illustrated by the actual production and distribution of the film in China. As might be gleaned from the above, *Chicken Feathers* is anything but a celebration of socialism or Chinese values. Zha Jianying (1995) relates an anecdote of when she accompanied director Feng Xiaogang and writer Liu Zhenyun to the official launch of the serial in Tianjin. Great attention was taken to placate Party officials, a sumptuous banquet was provided, and both Feng and Liu endeavoured to convince the officials that Chicken Feathers was in fact a 'mainstream melody production' (*zhuxuanlü zuopin*), that is a work that reflected socialist progress. Nevertheless, the serial was prohibited in Beijing, finding its way onto the small screen in less politically sensitive Shanghai.

Chicken Feathers illustrates an institutionalized mode of political conduct that extends from high to low. It also helps construct a more useful model of how broadcasting is managed in China, bearing in mind the distinctive relationship between state and society in China. As the serial reminds us, understanding political culture in contemporary China is not simply a matter of juxtaposing an authoritarian system of social administration against Western liberal democratic traditions. Political scientists have been quick to point out that there are many kinds of democracies, as

much as there are many variations in the socialist project. However, in order to prepare the ground for a more nuanced understanding of the relationship between government and the cultural sphere, we might agree that regulation of cultural output is necessary in all societies, but that the *extent* of regulation differs, as well as the *mechanisms* by which it functions. Under liberal forms of democracy, regulation provides the conditions for a more open flow of information by facilitating the marketplace of ideas; in more authoritarian polities regulation limits the flow of information, thereby directing production of certain approved forms of culture. Accordingly, governments may choose to act 'at a distance' or may seek to limit the autonomy of cultural producers.

The example of *Chicken Feathers* suggests that in China the ability to influence associates and officials is a more useful strategy than political lobbying which may have lead to one's group being identified as troublesome. Understanding the network system therefore provides more clues as to how political participation occurs. From this understanding it is possible to map out a grid of reciprocity extending both vertically and horizontally. Cheng Xiaoneng (1999) has talked of a social contract in contemporary China: both the regime and the population contribute something the other needs for their own survival. The corollary of this is that this cannot be a 'social contract' if the populace cannot influence how benefits are bestowed (113).

Broadcasting policy in perspective
I want to turn now to the question of public policy administration as a way of arriving at a new conceptual model to explain broadcasting policy practices. The key issue is that civil processes such as the rule of law and contract are only loosely administered in China. According to a guide to public administration published in Australia – in a 'liberal' civil society - the policy process or cycle can be identified as follows: *identifying issues, policy analysis, policy instruments, consultation, coordination, decision, implementation*, and *evaluation* (Bridgeman & Davis 1998, 24). A more simplified version of this is agenda-setting, decision-making, and policy implementation (Shi, 1997).

In countries such as the U.S., U.K., and Australia the emphasis is on influencing broadcasting policy formulation through the lobbying practices of groups such as the National Association of Broadcasters (N.A.B.), the Producers Alliance for Cinema and Television (P.A.C.T.), and the Federation of Australian Commercial Television Stations (F.A.C.T.S.). If we are to talk about interest articulation in China, however, we find that it occurs at different levels of government and at different stages of the policy process.[iii] Producers will out of political expediency make their own arrangements with officials in the different levels of broadcasting bureaus.

To take the analysis further, it can be argued that the policy process in China is predicated on a different mode of governmental communication (Shi, 1997). In the Western tradition policy is underscored by law: policy is formulated as rules and legal regulations that are precise and specific. The important point here is that using law to convey government policies deprives bureaucrats of the possibility of interpreting policies according to their own interests at the policy implementation stage. It is also difficult for ordinary people to pursue their interests at this stage. This means that attempts to influence decisions are directed at the policy formulation stage, hence the emphasis on interest group activity and prepared submissions to regulatory

commissions. And while it can be argued that there is always the possibility of avoiding the letter of the law, generally the danger of being taken to court acts as a deterrent.

On the other hand, the mode of political communication in China is documentation. This is manifested in written documents, reports, oral communications, and speeches. These are often imprecise and vague in language. And in contradistinction to law, documents are not required to be open to the general population (Shi, 1997). Broadcasting policy – particularly that relating to the regulation of content - is subsequently formulated in document form by leading groups drawn from the Propaganda Department, the Ministry of Culture, China Central Television, the Ministry of Information Industries (MII) and the State Administration of Radio, Film and Television (SARFT).[iv] For instance a leading group charged with the solemn task of ensuring the maintenance of Chinese socialist spiritual civilization within the sphere of broadcasting and journalism was instituted in May 1997. Its members included propaganda heads, politburo members, the director of CCTV, and vice-ministers of the Ministry of Culture and the then Ministry of Radio, Film and Television.

Whereas the MII has emerged as a super-ministry coordinating China's entry in the global information economy, the SARFT remains the bureau that regulates content and manages China's broadcasting industries. In the process of making policy related to the management of broadcasting industries expert opinion may be solicited from senior intellectuals within media institutions such as the Beijing Broadcasting Institute or the Journalism Department of the Chinese People's University. Policy is communicated in the first instance in the form of guidelines, which in the tradition of socialism makes good use of lofty slogans. Policy is then monitored by Party officials within the local bureaus of the State Administration of Radio, Film and Television (SARFT), and disseminated to heads of television and radio stations.

The question remains as to what role intellectuals and other interested industry players have in the formulation of policy. The Chinese television industry provides some clues as to assessing the contestation of broadcasting policy within the vagaries of the Chinese policy process. This is largely due to the sheer size of China's television industry and the difficulties associated in managing and policing its operation. Under the system of central control of communication that prevailed until the mid-1980s television stations enjoyed little autonomy in programming. Deregulation of the television industry passed significant decision-making authority over to local administrators and officials. Many of the decisions that were subsequently made were commercially driven and done in an ad hoc fashion without referral to high level authority. Redl and Simons (2001) have argued that continued government control over what are essentially commercial media operations has meant that each executive branch fights for its own interests rather than working together for combined solutions. In a sense this can be seen as part of a larger scenario of the fragmentation of authority (Lynch, 1999); alternatively it can be seen as the process of institutionalized bargaining or 'turf battles' associated with 'small' politics (see Ure and Liang, 2000).

The policy communication system that predominates in relation to television is that of documentation. For instance, *Television Research (Dianshi yanjiu)* the scholarly

journal published by the national broadcaster, CCTV, invariably leads off with an article by a political heavyweight: often the text of speeches by President Jiang Zemin, the Director of the Propaganda Department, or the Minister of Culture. These speeches or articles are delivered in an abstruse form utilising terminology such as the 'two fors' *fangzhen* (direction) (art for socialism and the people) and 'the double hundred' *zhengce* (policy) (allowing a hundred flowers to bloom, a hundred schools of thought to contend). Other policy rhetoric incorporates dialectical relationships, for instance, the 'two hands policy' extols the political wisdom of one hand holding tight (management) counterbalanced by the other hand relaxed (allowing autonomy). Likewise, the policy of diversity (*duoyanghua*) is held in check by 'upholding the mainstream melody' (*zhuxuanlü*). There are also semantic distinctions and different weightings between terms like *fangzhen* (guiding principle), *zhengce* (policy), *guiding* (stipulation), and *guizhang* (regulation).

However, since decisions made by governments have to be implemented to realize goals, formulating a policy begins but does not complete the policy process. The original document is usually followed by an article penned by a vice-minister, as well as a series of articles by editorial staff extemporising on the significance of the document, perhaps adding statistical data about production and consumption. In this way, the role of intellectuals and producers is in making interpretations of policy. Many of these 'interpretations' emanate from conferences and are duly published within media publications such as *Modern Communication* (*Xiandai chuanbo*). Producers and others who read these interpretations might feel justified in taking liberties with the text of the original document.

Conclusion

The broadcasting policy process in China can thus be seen as falling heavily on the implementation stage. This is in contradistinction to that prevailing in liberal civil societies in which interest group politics utilise 'due processes' to influence policy formation. However, this does not mean that the Chinese government does not promulgate extensive rules and regulations pertaining to the broadcasting sector. Policy is disseminated from the top down, it is extemporised on, interpreted and discussed. It becomes more specific in relation to technical matters in the process, but at the same time it becomes more open to defiance and abuse. The further away from Beijing the more we find evidence of 'edge-ball' activities or creative compliance.[v]

But questions remain as to how long China's broadcasting sector will continue along this path. China's accession to the WTO has committed the government to enforcing legal and constitutional reform, and allowing foreign media companies more access to China’s audio-visual markets. The once hermetically sealed sphere of domestic policy-making is now challenged by the internationalization of media governance as copyright protection regimes (TRIPS) and multilateral and bilateral trade agreements impact upon cultural sovereignty (Keane and Donald, 2001; Redl and Simons, 2001). In the context of the globalization of business regulation and the securing of direct foreign investment the MII will assume a leading policy-making role that will entail dealing with international broadcasting organizations and corporations such as the Federal Communications Commission (F.C.C), the Motion Picture Association of America (M.P.A.A.), and Rupert Murdoch’s News Corporation. The SARFT, meanwhile will continue to censor audio-visual content and manage the existing broadcasting infrastructure. As China’s broadcasting networks continue to consolidate

we can also expect more alliances to be formed between stations seeking to utilize legal mechanisms such as copyright to secure their broadcasting royalties. In the future we may well find a shift away from creative compliance practices towards the political strategies of interest group activity.

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[i] The literature on civil society and the public sphere is extensive. A good bibliography is available in Ma, “The Chinese discourse on civil society”, pp. 180-182. X.L. Ding, for example, finds the alternative conceptualisation of “institutionalized parasitism” more appropriate. See X.L. Ding, *The Decline of Communism in China: Legitimacy Crisis*, Cambridge University Press, 1994, pp. 22-35. For Kenneth Dean civil society and public spheres offer little joy. He views the transition to capitalism as a new social order where “the logic of capitalist relations spreads like a virus through the crumbling walls of the social enclosures of the family, the factory, the prisons, and the hospitals.” Kenneth Dean, “Ritual and space: civil society or popular religion?”, in *Civil Society in China*, eds. Timothy Brook and B. Michael Frolic, M.E. Sharpe, New York, 1997, p. 176. For an analysis of the failure of the civil society/public sphere to theorise transitional regimes in Eastern Europe see Downing, *Internationalizing Media Theory*, pp. 22-27.

[ii] Adapted from the novellas *Yi di jimao* and *Danwei* by Liu Zhenyun, it was originally intended to be directed by Zhang Yuan, the director of *Beijing zazhong* (Beijing Bastards) and *Mama.* After Zhang Yuan’s participation was prohibited by cultural officials, the task of directing was passed to Feng Xiaogang.

[iii] Associations do exist in the Chinese television industry but their function has been more directed towards facilitating business alliances between the various levels of broadcasting. For instance, the City TV Stations Association works with the SARFT to promote greater network cooperation among stations in the provincial capitals and second and third tier cities.

[iv] The Ministry of Information Industry was formed in March 1998 with its main functions being to coordinate state policy on the construction and management of electronic media, the public telecom network, and military telecom networks, as well as allocating and managing radio frequencies. The former Ministry of Film, Radio and Television was downgraded but continues to license and censor content on broadcast networks and to manage the country’s existing broadcast infrastructure.

[v] Edge-ball (*ca bianqiu*) is a term widely used in media and journalism to refer to creative compliance. The meaning comes from the game of ping-pong. Where the ball hits the edge of the table it is a winner.