



China's Media Regulations and Its Political Right to Enforce: Conflict with Foreign Correspondents

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ABSTRACT

This study examines China's media regulation policy on foreign correspondents who demand their rights to freedom of the press in China. Their claims seem to despise the country's laws and regulations, in which China also has its right to enforce them. This paper determines whether the U.S. norm of freedom of the press has to be treated as superior to China's own media policy, in addition to examining how China's own political factors and cultural values affect the enforcement of media policy on foreign correspondents.

Keywords: *China, Media, Regulation, Foreign correspondent, U.S. ambassador, Crackdown, Propaganda*

1. INTRODUCTION

The U.S. Ambassador to China, Jon Huntsman, made a public announcement to criticize the Chinese government's legitimate law enforcement on a protest in Beijing on February 28, 2011, saying, "I am disappointed that the Chinese public security authorities could not protect the safety and property of foreign journalists doing their jobs," according to a UPI report. The ambassador also referred to the enforcement as "unacceptable and deeply disturbing." His remarks raise a couple of questions, 1) why did the most powerful country's ambassador not hide his personal animosity against the Chinese law officers? and 2) why would something have gone wrong with the process of protecting foreign journalists unless they had violated rules?

The Tunisian Revolution, which was applauded as a successful and revolutionary civil resistance by western media, served as an inevitable vortex of representing pent-up passion of people living under oppressed surroundings in January 2011. The aftermath of the revolution has noticeably influenced Yemenis, Algerians, Egyptians and Libyans where citizens call for a new regime. Now the revolution is better known as the Jasmine Revolution after a Tunisian journalist coined the term on his blog and western journalists began to apply it to other countries' protests (Reporters Without Borders, 2011). Such phenomena that stir global unrest have also been taken seriously by the Chinese government.

President Hu Jintao of the People's Republic of China showed his concerns about the issues which affect all international people's livelihood in terms of soaring oil prices, encouraging terrorism, discouraging global economic growth, and threatening China's national security. At a conference on February 19, President Hu called on his cabinet and the Communist party members to carefully monitor possible domestic uprising that could occur by online calls for gatherings (Reuters, 2011). His main concern was not to intensify censorship, but to improve social harmonization. He emphasized that China needed to focus on solving "prominent problems which

might harm the harmony and stability of the society to guide public opinion" (Xinhua News Agency, 2011). However, not surprisingly, a prelude to holding demonstrations in a dozen Chinese cities surfaced the next day of the president's announcement. Although no one knew who organized demonstrations, of which plans were posted on U.S. based Chinese-language website Boxun.com, some Chinese activists who called for a Jasmine Revolution through the website urged protesters to gather in busy and crowded sites of 13 cities, and shout, "We want food, we want work, we want housing, we want fairness," since rising food and housing prices to average Chinese were urgent issues to be addressed (the Associated Press, 2011). The first demonstrations in those cities led police to take away 100 activists across China on February 20, 2011.

A week from the first protest, the second demonstrations were planned but blocked by Chinese authorities. For example, the busiest shopping mall Wangfujing in Beijing where protesters were supposed to rally in front of a McDonald's restaurant was filled with police and security agents. Because of the tight security there was no uproar between protesters and the authorities, but struggles between foreign correspondents and the authorities broke out. According to a UPI report, some foreign reporters based in Beijing and Shanghai were warned by local police not to cover the protests on February 27, 2011; if they did not obey, the reporters might have their visas revoked. More particularly, Chinese officials – after the first protest – had asked foreign correspondents to apply for advance permission to report from specific sites in Beijing and Shanghai in which there is a higher likelihood of holding civil protests that could generate media frenzy and with it tougher law enforcement (Guardian 2011).

The concern became valid. Foreign correspondents outnumbered protesters at the mall and with their over-heatedly competitive tendency to cover the few protesters; they ignored the Chinese authorities' guidance and instruction to stay out of the press perimeter. Police who attempted to discipline those with no

permission had to stop their media activities physically. Such enforcement ended up with nine journalists beaten and 16 detained while covering the mall protest and one U.S. journalist suffered from a broken rib (Guardian 2011). That was why the U.S. ambassador was furious although he did not seem to care about those reporters might have crossed the boundary of Chinese guidance. He also stated:

I call on the Chinese government to hold the perpetrators accountable for harassing and assaulting innocent individuals and ask that they respect the rights of foreign journalists to report in China. I also urge China to respect internationally recognized conventions that guarantee freedom of the press and freedom of expression (UPI 2011).

His remarks were merely far-fetched sounds to the Chinese government. The foreign ministry spokesperson Jiang Yu presented the Chinese government's response to the ambassador's requests. Jiang said in a briefing: "Many media organizations haven't encountered any trouble while reporting in China for many years. Why do some journalists always run into trouble? I find it strange." She emphasized, "The journalists should really respect the laws and regulations" (Bloomberg, 2011).

2. RESEARCH QUESTIONS

The agonizing gap between the ambassador from the United States and the spokesperson from the People's Republic of China manifests fundamentally different opinions toward the norms of freedom of the press and brings underlying quests for looking at three issues:

1. When reporters are stationed in foreign countries, do they have to comply with the local countries' media standards and rules or stick with those of their mother countries?
2. Does the U.S. norm of freedom of the press have to be treated as superior to China's own media policy?
3. Is the principle of freedom of the press vindicated if the media system of a certain society with its own political factors and cultural values compels modifications?

Since there have been few articles or books published for advocating the Chinese government's media policy in English, this paper is designed to examine what criticism the Chinese government deserves or unfairly receives in terms of implementing its media regulations. It will also explore why foreign correspondents – mostly Americans – in China are likely to be seen as martyrs of spreading their countries' journalistic values by dismissing China's social and legal systems which created the media regulations. Thus, this paper argues that the U.S. brand of freedom of the press should not necessarily become the dominant standard of global media because there should be no absolute rightness in a variety of cultural and social systems of each nation. In other words, if the U.S. model

of the free press wants to be highly regarded in China, foreign journalists in return must respect China's media law and regulations by admitting that the country privileges "consensual and communal traditions," which are grounded in the collective and social harmony that should not be either misjudged or ridiculed by American and western perspectives (Christians, et al. 2009. p.13).

3. NORMS OF FREEDOM OF THE PRESS RECOGNIZED INTERNATIONALLY OR DOMESTICALLY

As the ambassador demanded that the Chinese government recognize conventions of freedom of the press that has been guaranteed "internationally," the American concept of press freedom is now interpreted as the imperative journalistic norm that all countries need to comply with or at least pretend to mimic in a globalized world. However, it should be pointed out that few could be sure about the norm that freedom of the U.S. press is the fundamental doctrine of media coverage in various regions.

In 1947, after severe censorship by the U.S. government during World War II, the Commission on Freedom of the Press, better known as the Hutchins Commission, defined the proper functions of the press in democratic societies. The commission urged journalists to take on more responsibility in society so that they achieve press freedoms (Commission on Freedom of the Press, 1947). It required five elements for a free press:

Providing a truthful, comprehensive and intelligent account of the day's events; serving as a forum for the exchange of comment and criticism; projecting a representative picture of the constituent groups; presenting the goals and values of the society; providing full access to the day's intelligence. These – even today – appear to be plausible, independent and optimal roles of the press in the world, and the commission recommended that journalism take a leadership role in rebuilding and restructuring a society (Belvins, 1997). However, the genuine reasons for the emphases of journalism and journalists' roles originated in the social atmospheres of threatening First Amendment freedoms by "newly formed totalitarian regimes in key global positions" (Belvins, 1997), and the media industry was pressured to balance between protecting advertisers' profits and maintaining the representative task for people in need. In other words, the commission regarded freedom of the press as being an endangered right, so it had to improvise things to make the press look valuable and inevitable for the sake of the industry. In fact, the U.S. journalists' historically nonnegotiable principle of protecting freedom of the press does not seem to have its pure foundation from a critical perspective.

After the commission, journalism scholars and journalists made a better attempt to comprehensively identify optimal roles of the press in society, considering broader and various values of media system in the world.



Four Theories of the Press by Siebert, Peterson and Schramm (1956) epitomized profound understandings of global media principles, in which each sovereign nation has its own right to operate the media system, cherry-picking one of the four theories of the press: authoritarian, libertarian, social responsibility and Soviet-totalitarian.

Authoritarian is to support the policies and actions of the government and its authorities in power. The authoritarian view was prevalent in England during the 17th century and it has been embraced in many authoritarian countries, including China where media ownership is public. Libertarian is to protect citizens' rights and freedoms, which are expected to bring the society liberal government; the right of free press is fundamental for individuals to inform, entertain and check on government as ownership is primarily private. England and the United States used to be influenced by it until the late 19th century. Social responsibility attempts to limit unlimited power of the press by stressing that the media needs to balance between its coverage and social responsibility. For example, reporters need to refrain from reporting criminal or terror methods in detail. Social responsibility, a combination of authoritarian and libertarian, has been the normative guideline for U.S. journalists since the 20th century, and it tends to provide more sociably argumentative issues with a form of in-depth analysis, although interests of advertisers and publishers are less likely to be damaged. Soviet-totalitarian developed by the Soviet Union, partly rooted in Nazi fascism, aims to contribute to the Soviet socialist system with public ownership.

However, it is noted that *Four Theories of the Press* is outdated because the book values basic concepts drawn from Western liberalism, which favors the U.S. model during World War II (Nerone, 1995). Thus the theories are contemporarily replaced by normative theory that views the media system of a certain society as a necessity that contains economical, political factors and cultural values of the society (Severin & Tankard, 2001).

Since the media system and democracy are challenged by the wave of international changes, ranging from communication technology development to globalization, press practices need a new basis to describe the factual role of the media in society (Christians et al, 2009). The normative theory of press provides both legal and historical perspectives, and emphasizes "long-term change and deep structures in both mentality and sociology" (Nerone, 1995, p.3). It is referred to as a review of examining influence from government and media structure, including areas of social trends and changes (Yang, 2010). In addition, media are understood as social institutions in the normative theory (Yang, 2010). The concept suggests that media's role in China be defined by its government, social institutions, and the audiences to function as "social harmony maker" even if media management could suffer the lack of advertising, and message repetition would risk losing audiences. Clearly, such view represents an independent Chinese media model contrary to the U.S. model, which regards

the ambassador's internationally recognized journalism conventions as part of a universal branch from American journalism norms that guarantee freedom of the press (Nerone, 1995).

Another problem of the ambassador's remarks was his misconception on rights of foreign journalists in China. In the United States, the press enjoys super powers secured by the First Amendment. Yet it is unnecessary that the U.S. constitution equally applies to another sovereign nation. It seems reasonable if the ambassador underscored the right of diplomatic immunity for the detained journalists, the Chinese government would afford an equivalent to foreign journalists' rights to freedom of the press in China. Unfortunately, the Chinese government has no obligation to endow them with diplomatic immunity. Even so, it will not be recognized as the international convention. More important, the Supreme Court of the United States ruled in 1937 that "a newspaper has no special immunity from the application of general laws" (*Associated Press v. National Labor Relations Board*, 301 U.S. 103). It is apparently ludicrous in requesting the special immunity for foreign journalists from the Chinese government that even the United States abolished.

It is worth noting that unsatisfied foreign reporters with China's regulations need to recognize where they reside in the matter of jurisdiction. There is an irrefutable expression why foreign correspondents need to obey the Chinese media laws and regulations: When in Rome, do as the Romans do. Like American, foreign reporters – although they are highly regarded as journalism professionals with appropriate-journalistic-moral grounds based on the western perspective – live in China, in which the government upholds its own laws and regulations on the media system. It is a must for foreign reporters to abide by Chinese laws. In fact, even the U.S. State Department praises the stabilized, rationalized, and universal process of making laws of China (Department of the State Web, 2011):

The government's efforts to promote rule of law are significant and ongoing. After the Cultural Revolution, China's leaders aimed to develop a legal system to restrain abuses of official authority and revolutionary excesses ... The Chinese constitution and laws provide for fundamental human rights, including due process... In addition to other judicial reforms, the Constitution was amended in 2004 to include the protection of individual human rights and legally obtained private property.

The statement does not recommend that there be excuses to disrespect the Chinese guidance.

For the subject of media freedom, the Chinese constitution apparently guarantees freedom of speech, assembly, association and publication in Article 35. The article, of course, contains some provisions to distinguish freedom of the press from freedom of the abuse; the article



supports the former. Although the article and provisions function as media guidance for those who are in the media business in China whether Chinese citizens or legal aliens, foreign correspondents and organizations tend to clash with these laws. Freedom House, a human rights non-governmental organization (NGO) based in Washington, D.C., represents foreign correspondents' complaints on its website that "There is no press law or additional legislative provision offering meaningful legal protection for journalists or punishment for those who attack them. Instead, vague provisions in the criminal code and state-secrets legislation are routinely used to imprison journalists" (2010). Another organization, Reporters Without Borders, a French-based NGO for freedom of the press, placed China 171 on a press freedom ranking out of 178 countries behind Libya (160), Tunisia (164), Cuba (166), and Yemen (170) with the caveat that "China still censors and jails dissidents and continues to languish" (Reporters Without Border. Org, 2011). Foreign organizations like reporters seem to be determined to condemn China by the already-biased western perspectives.

The organizations and reporters make an effort to ignore that China has its punishment system for those who violate its laws and regulations. The legal system was not designed temporarily or impulsively for foreign correspondents. The Chinese Foreign Minister Yang Jiechi pointed out the fairness of the nation's legal system, saying, "China is a country under the rule of law. It has always followed relevant laws and regulations in managing the matters related to foreign journalists in China." And he added, "We will continue to provide convenience for foreign journalists in conducting reporting activities here. At the same time, we hope that the foreign journalists will abide by the Chinese laws and regulations" (AOL News, 2011). Again, the legal jurisdiction of foreign reporters stays in China, not their native countries; fundamentally, the government issues working visa for foreign journalists based on the unwritten and universal mutual agreements: They will comply with the Chinese regulations.

There is no difference between China and the United States in protecting national security. *The Progressive* magazine of the U.S. was sued by the government (the Department of Energy) in 1979 because the magazine was going to publish an article about the secret of the hydrogen bomb, which violated the bomb secret clause of the Atomic Energy Act of 1954. In *United States of America v. Progressive, Inc.* (467 F. Supp.990), the district court ruled a temporary injunction that granted publication suspension. The Chinese government does the same job of preventing harmful media content that can put the country and people in danger under the name of national security protection. In other words, foreign correspondents are subject to China's national security law as the U.S. court upheld.

4. THE BRIEF HISTORY OF CHINESE MEDIA AND THE CENTRAL PROPAGANDA DEPARTMENT

Some argue that China's media environment still remains restricted for both its domestic and foreign news reporters, although the country hosted the 2008 Olympic Games successfully, and has enjoyed its fast-growing economy, which plays a pivotal role in bolstering the entire global economy. Since the end of the Cold War era, China has emerged as one of the two super-global powers along with the United States. Based on affluent human resources, the government-driven economic policy over the last three decades, Chinese reformer Deng Xiaoping's introduction and application of a free-market economy, China is now the world's second largest economy by GDP after the United States (Bloomberg 2010). As leader of the Communist Party of China, Deng in 1978 consolidated political power and implemented his export-oriented economic model by emphasizing the pragmatic approach to opening the country's economy, noting, "It doesn't matter if the cat is black or white; so long as it catches the mouse, it is a good cat" (Scotton & Hachten, 2010, p.144). Deng's passion for economic development was readdressed in 1992 when he called on the Chinese – regardless of their social status or beliefs – to privilege making-money in routine life instead of exhausting efforts and time in arguing ideological discourses (Scotton & Hachten, 2010).

Such splendid growth has been derived from strong leadership of the Chinese government, which plans and constructs its people's social and economic goals through media messages that are commonly known as a form of information dissemination for receivers. It, however, is more likely said that media messages in China are treated as "political propaganda," rather than simpler information sharing (Liu, 1971, p. 65). Based on the notion, the government technically and systemically does not have power over the media control. Instead, the Communist Party of China or the Chinese Communist Party (CCP) is in charge of regulating the Chinese media through one of its internal divisions, called the Central Propaganda Department of CCP (Brady, 2006). To understand such system, the Chinese ruling structure needs to be explained. Although all legal power in the country is divided among the CCP, the state, and the People's Liberation Army evenly by the Chinese constitution, the CCP directs a unitary government, centralizing the state, military and the media (Folsom et al, 1992). More importantly, the CCP's current leader or general secretary is Hu Jintao, who is also known as the president of China to foreign countries (Washington Post, 2011). Hence, it is understood that the CCP is the most powerful ruling body of the structure and Hu is bestowed upon the absolute power in China.

Under the CCP's supervision, the Central Propaganda Department is responsible for enforcing media regulations in China. Founded in 1977, the department has



overseen and guided all of the country's mass media such as the Internet, television, newspapers, magazines, radio, film, and any kind of publishing industries in the name of instructing the media about what is or what is not to be reported and produced for the sake of the CCP (Brady, 2006). It means that its responding perimeter includes journalists.

Liu Yunshan who heads the department was not reluctant to reveal his compelling-authoritative role of guiding journalists in favor of the party's security by saying that one of the primary tasks of journalists is to make the people in China loyal to the CCP (Brady, 2006). His remark epitomizes the twenty-first century's media policy in China that the Chinese media and journalists must play by the CCP rules, which propagate positive national images. The department's main job description expands guidance on foreign media companies and their reporters who stay in the country. The department's branch office, the Office of Foreign Propaganda, has the primary functions to supervise foreign journalists' activities, manage China's international news, act as liaison with foreign media (Brady, 2006).

The department determines outlines of national news content, whether it should be reported or buried through its guidance. After its seniors' routine meeting for content selection that generates irresistible direction for the media, the department synthesizes the selected content and specifies instructions for "handling sensitive topics or specific news stories, and distributes these instructions" to the media, including the three major state-run media companies: Xinhua News Agency, CCTV, and People's Daily (Esarey, 2006, p.3). CCTV, as the only national network has a network of 19 channels with about one billion viewers, is guided and packaged largely "to show the country's happy, harmonious moments" (Scotton & Hachten, 2010, p.104). Similarly, *People's Daily* as the CCP's main newspaper contains a large number of articles applauding political figures' activities and ideas. However, the paper's influence significantly fell with the decrease in circulation, caused by the rise of the Internet (Scotton & Hachten, 2010). By contrast, Xinhua as the official press agency of the government becomes the most influential news agency. It delivers its news across more than 130 countries in six languages: Chinese, English, Russian, Arabic, French and Spanish; in particular, Xinhua is the CCP's designated channel for political statements (Scotton & Hachten, 2010).

The department, in general, facilitates its role with directives. It enforces an extremely sensitive regulation of reporting issues such as the Tibetan independence movement, diplomacy with Taiwan, natural disasters, corruption of officials, criticism of party leaders, and the Falun Gong Spiritual group (CFR. Org, 2006). If a journalist fails to follow its guidelines, he or she has to face either a dismissal or prison term. In the worst case, news organizations that cover these taboo issues mentioned by the department have to face closure (CFR. Org, 2006). This system is operated by rules.

The department does not solely caution the media with legal enforcement. After the department allowed the media industry to attract commercial advertisements for profit in the 1980s (Esarey, 2006), the media industry became heavily commercialized (Fact.Org, 2007). For example, with the advent of popular Internet use since 2000, several lucrative areas of Chinese media such as sports, entertainment and finance remain lucrative and competitive. Taking advantage of the vigorous market competition, the department has taken on a more effective means of leadership in which lucrative contracts or moneymaking sources are taken away from delinquent media that digresses from the department's guideline (Brady, 2006). In other words, financial incentives become another means of assisting journalists' self-decision of reporting certain issues.

There should be more complex explanations about the success of guidance over commercial news media beyond financial incentives and law enforcement. In order to understand the department's effective enforcement, it is important to examine a brief history of China's leaders who outlined the media direction for the department. Deng from 1978 until 1992 served as the paramount leader of China, emphasizing revolution and openness toward a market economy, did not privilege media control, but the outbreak of the Tiananmen Square Protests in 1989 gave the department a reason for strengthening its media surveillance. While Deng's successor Jiang Zemin relaxed the controls in the 1990s, the current president Hu prefers more careful regulations because of the growing impact of the Internet, which spread chaotic images of the country overwhelmed by several catastrophes: Severe Acute Respiratory Syndrome (SARS), Avian bird flue, the AIDS epidemic, and numerous natural disasters between 2003 and 2006 (Southerland, 2007). Thus, foreign journalists who expected freer coverage of the taboo issues should expect "stricter controls under Hu than was the case under his predecessor Jiang" (Southerland, 2007).

The president and the department, however, do not ignore domestic and foreign requests for wider coverage as China has been enriched by the trend of free-global trade, liberalization, capitalism, commercialism and globalization. The department began to introduce new media policies, streamlining only two suggestions (Brady, 2006):

1. High profile CCP events and political leaders' activities must be covered as primary news.
2. Ongoing promotion of the government's policies and ideological line must be privileged in news.

5. DIRECTIVES FOR FOREIGN CORRESPONDENTS

With the fast growing economy and the successful hosting of the 2008 Olympic games, China enjoys sustainable laws and regulations on the media industry. It also has been reasonable when it comes to accommodating foreign correspondents in the country as



respected global professionals. Given the criticism of postponing SARS outbreak news in 2003 and other domestic mishaps until 2006, the department reshuffled its media policies on foreign correspondents from absolute muzzle on the matter of domestic catastrophes to selective allowance with advance permission.

On June 2006, startled by constant disasters from 2003, the Chinese government drafted legislation to prevent newspapers from covering natural disasters, health crises and social turmoil without permission from local officials (Washington Post, 2006). The draft law would allow the department to fine reporters who violate the advice up to \$12,000. The objective of the new regulation was clear-cut in discouraging reports on domestic emergencies that could stir social uproar, so that the government could preclude further citizens' unrest. However, confronting the 2008 Summer Olympics, the department ordered by the CCP decided to apply the fine system to those who were making-up or spreading false information (CFR. Org, 2010).

The government introduced a friendly policy for foreign correspondents in 2007. Chinese Premier Wen Jiabao signed a decree that "allowed foreign journalists to report without permits before and during the Beijing Games" (CFR. Org, 2010). The decree included free interview with any Chinese individual and organization with consent of the interviewees, meaning that foreign correspondents for the first time in Chinese history could travel to nearly any region – despite some exclusive areas such as Tibet – without seeking interview permissions. The new freedom came into effect on January 1, 2007 and was supposed to last until October 27, 2008. Indeed, the government's pro foreign correspondent policy made the free travel policy permanent for foreign correspondents. About 700 foreign reporters welcomed the policy (China Daily, 2009).

2008 was a challenging year for the Chinese government and the department. One unfortunate mishap, one catastrophic disaster and one cheerful event occurred in a row throughout the year: the Tibetan protest, the Sichuan earthquake, and the Olympic games. The department expected all media to abide by guidelines and President Hu asked journalists to serve socialism and the party (The State Department, 2009). In order to streamline and stabilize the coverage on these big events, the department distributed regular guidance to media outlets, but one guidance a few days before the Olympics was leaked by the Hong-Kong based *South China Morning Post*, which claimed that the department had issued a 21-point directive, "The Propaganda Bureau's 21-point Plan" of how to deal with certain reports with positive views (China Digital Times, 2008). Some were:

1. Be careful with religious and ethnic subjects.
2. We have to put special emphasis on ethnic equality.
3. As for the Pro-Tibetan independence and East Turkistan movements, no coverage is allowed.
4. In case of emergency involving foreign tourists, please follow the official line.

5. Be positive on [security measures](#).
6. Be very careful with [stock market](#) coverage during the Games.

As the lists, containing common and general concerns about media coverage that western media would have the similar guidance, revealed, the directive was not bound to strengthening media censorship; rather, it was used for suggestions to inform media outlets with exemplary guidelines. In general, 2008 was remembered as a breakthrough for making some steps forward on media freedom in China as the government allowed foreign correspondents to travel and interview freely without permission as well as released more official data, especially on environmental matters, and increased access to government officials, according to the Foreign Correspondent's Club of China (The US State Department 2008).

Not only was the department firm on the off-limits issues to foreign reporters regardless of the on-going-foreign press-friendly policies, but also it maintained authority to guide all media programming and content in 2009. Those taboo issues were clearly unchangeable and untouchable to foreign reporters and some more requests were added with respect to the political atmosphere because 2009 contained salient and sensitive anniversaries: the 60th anniversary of Chinese Communist Party rule, the 20th anniversary of Tiananmen Square revolution/crackdown, the 10th anniversary of the party's suppression/ban on the Falun Gong spiritual/rebellious movement, and the 50th anniversary of the Dalai Lama's exile/flight from Tibet (FreedomHouse. Org, 2010). The department issued directives guiding coverage of the sensitive topics occasionally according to the International Federation of Journalists (2010). The directives were crafted to prevent social unrest, conflict, and discord in complying with the underlying political ideal, which aspired the media to play a pivotal role in propagating the party's socialist ideals and positively serving people in China. Needless to say, both domestic and foreign journalists were obliged to follow them although American journalists classified the directives as a means of the pitiable "throat and tongue" of the party, government, and people (Ma, 2009, p.382). Such cynicism ironically proves that China and its media are consistently faithful to the nation's foundation idealism depicted as communist, socialist but also authoritarian. The idealism, which the Chinese media are determined to support, promotes socialist loyalty and soothes tensions for sustainable developments (Washington Post, 2007). In other words, it should be noted that the U.S. correspondents' criticism of China's media system manifests that their naïve faithfulness to democracy – merely one of the ruling systems in the world – discourages the open mindset of accepting diversity of different governmental systems. From the year 2010 until February 2011 when the U.S. ambassador's rants against the Chinese government were issued, the department never stopped confronting new social threats that require media

directives. When Chinese dissident Liu Xiaobo was named as the 2010 Nobel Peace Prize winner in October of 2010, a voice for a release of imprisoned journalists was raised in China; the department distributed a clear message to all media: "It is forbidden to relay information" about the award (IFEX. Org, 2010). The award served as an insult to the government's legal system and its guarantees of free press in Article 35 of the constitution, which "explicitly provides that citizens enjoy freedom of speech and of the press" (HRW. Org, 2009). In 2011, the Tunisian revolution encouraged the department to actively prevent foreign correspondents' criticism of China's media policy. They claimed that China would face the same chaotic protests as some middle Arab nations went through or still go through unless it adopts more lenient media policies. However, their accusation ignored one significant fact: Tunisia, Libya, Yemen, and Egypt suffered and suffer from brutality of long-time ruling dictators. On the other hand, Chinese President Hu who took office in 2003 will step down in 2012 as the constitution dictates (CNN. com, 2010). Thus it is a far-fetched assumption that China is identical to the struggling Arab nations.

6. ENDLESS AND BIASED COMPLAINTS FROM FOREIGN CORRESPONDENTS IN CHINA

It is not uncommon that foreign journalists overstep the department's media guidelines and vilify the government's legitimate enforcement of their predefined laws as severe censorship. Since numerous cases against the department's directives have been reported, this paper enumerates some cases committed by foreign correspondents over the last three years. In March 2008, several months before the Olympics, the Foreign Correspondents Club of China suddenly scolded the department's prohibition on Tibetan coverage by calling for free access to Tibet even though the club has agreed to recognize Tibet as one of "the forbidden zones" (The New York Times, 2008). When the disastrous earthquake hit the Sichuan province in June, an Associated Press reporter and two foreign photographers were dragged away from the area since natural disaster coverage with massive casualties needed media guidelines (Human Rights Watch, 2008). They entered the area without permission, which caused the police to take disciplinary action against illegal attempts.

In 2009, an ethnic riot in Xinjiang invited media attention. The insurgency was caused by religious separatists who believe in Islam. They did not hesitate to use physical threats against police and journalists. The department suggested domestic and foreign journalists to use reports from the Xinhua news agency and CCTV broadcaster instead of entering the dangerous zone independently, which required heavy police protection for journalists' safety and security (The Guardian, 2009). Yet, one case was reported that police had to confiscate foreign reporters' equipment. And it was no longer stunning that

the Foreign Correspondents' Club blamed police that prevented the unrest from spreading across the nation for destroying press freedom (The Guardian, 2009).

There is no doubt that the department has exerted its rights and performed its duties from cases of dissident/activist Liu Xiaobo in 2010 to the Jasmine riots/revolutions of 2011. At present, it is regarded as an evil guest by foreign correspondents. The department, committed to serving as China's equivalent of the United States' Federal Communications Commission, has its prominent objective to protect the interests of the party and the people so that the country prospers in the name of harmony (The Telegraph, 2010). In October 2010, Prime Minister Wen Jiabao interviewed by CNN emphasized his country's efforts for a fair and free society. He said China would make continuous progress passionately for freedom and the people's needs (The AFP, 2010). Thus, the government tells the foreign correspondents to "stop complaining" about its media system (Human Rights Watch, 2008, p. 4). If these foreign correspondents were armed with wisdom of journalism's basic principles – objectivity, fairness, accuracy and openness that most U.S. journalism schools teach – they would find their complaints shameful and absurd. Even if it were assumed that they neither went to American journalism school nor studied journalism at all, they, living in China as aliens, would not be acquitted for not knowing the concept of cultural relativism, which simply says, "Different cultures have different moral standards and different justifications for their standards" (Feinberg, 2007. p. 780). In other words, no outsider has the right to judge another society's customs and ruling principles. In particular, all cultures whether in developing countries or in developed countries have their own values that should be revered by outsiders even though these values conflict the outsider's credence. If, for example, China were the only dominant super power in terms of economy, military, and world politics, all foreign nations without the exception of the United States would not hesitate to adopt China's media policy grounded in the authoritarian theory. It should be noted that the theories of cultural relativism and authoritarianism inspire foreign correspondents in China to have an open mind and attitude toward different media roles in different societies. All China is asking them is to be open-minded to its media policy.

7. CONCLUSION

The remarks of the U.S. ambassador Jon Huntsman to China, which publicly criticized the Chinese government's law enforcement methods on the foreign correspondents in February of 2011, were considered beyond startling in the diplomatic world, in which the only unwritten taboo for diplomats exists: Never criticize the country that you are stationed unless you are willing to end your diplomatic career. Huntsman seemed to be lauded as a brave and mindful diplomat among Chinese and foreign journalists, but it is imperative in discovering his hidden intention. As the governor of Utah until August



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2009, Huntsman decided to give up the post over the ambassador position in China, less than a year after winning his second term (The Economist, 2011). Again, as the old habits die hard, he – less than one and a half year – sent his resignation letter to the White House in January of 2011, one month before his public criticism of the law enforcement was made. It was discovered that he plans to vie for the 2012 Republican presidential nominee seat as he is expected to return to the United States in April (The Economist, 2011). The determined outgoing ambassador, who is soon to be a Republican politician, needed heavy media attention for his political career, and he could not afford to miss the Jasmine protests to politicize his new career in the United States.

Though Huntsman's remarks triggered critical questions on the Chinese media policies, foreign correspondents (U.S. journalists in particular) in China have been the epicenter of the issues. From their perspective, it seems that reporting events as an occupation is superior to any job, so that the job should be interfered or bothered by no one as well as no organization regardless of demographic or geographic diversity because of its sacred value. Furthermore, they call on the department to make progress on the role of the media in the inevitable democratic political process, but their demands are nothing but to cover desperate struggles and flaws of the United States media system. It presents the many failings of democratic media operations, which cause the increasing scale of media oligopoly, self-censorship in favor of advertisers' interests, concentration on "cross-ownership, and the pressures resulting from the commercialization of journalistic objectives" (Christians et al. 2009. p.226). It is apparent that the U.S. media system is inevitably bound to privilege profit over journalistic standards of the sacred professionalism; meanwhile, China knows the U.S. system should not be necessarily condemned due to the lessons from the four theories and cultural relativism.

China's media policy is one of a sovereign nation and foreign correspondents should be reminded of their status in China. Its media policy is not perfect, but that does not inevitably invite outsider's judgment and criticism. The Chinese media policy will make stable and steady progress toward admiration for both domestic and foreign media employees' professionalism as long as journalists comply with guidelines of China's national ideals. Foreign correspondents in return need to distinguish the systems from where they are from to where they work. This is not primarily because China does have its own media and law systems that ask them to abide by, but because the country deserves admiration of its own governmental systems and principles.

For foreign reporters, it is never too late to realize that they are not diplomats with diplomatic immunity. They – as outsiders – need to refrain from compelling their personal beliefs to others. In short, this paper suggests an optimal way for foreign correspondents in China to maintain and develop a harmonious relationship with the Chinese government; they need to consider the Chinese

media regulations just the same as the Chinese currency Yuan. They never blame China for not using the U.S. dollar or the Euro. Using the same logic, they need not blame China for not using U.S. media laws since the country has its own.

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ABSTRACT This study examines China's media regulation policy on foreign correspondents who demand their rights to freedom of the press in China. Their claims seem to despise the country's laws and regulations, in which China also has its right to enforce them. This paper determines whether the U.S. norm of freedom of the press has to be treated as superior to China's own media policy, in addition to examining how China's own political factors and cultural values affect the enforcement of media policy on foreign correspondents. Saying that Russia pursues an independent foreign policy based both on national interests and respect for international law, the concept states that Moscow's policy is "open, foreseeable" and "shaped by centuries" of Russia's historic role in the development of global civilization. Washington and its allies have been pursuing a "restraining course" against Russia, aiming to "pressure" it both politically and economically, the document says, adding that such policy "undermines regional and global security." It also harms long-term interests of both sides, and goes against a "growing necessity for cooperation" and joint counteraction to global threats. Russia reserves the right to "harsh" retaliatory measures to "unfriendly actions," including measures in toughening its national defense.