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China's Crackdown and America's Response: Supporting Liberty in Distant Places

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As the “Jasmine Revolution” continues to unravel traditional power structures in the Middle East, Chinese authorities have been cracking down on dissidents and activists on a scale not seen in over a decade. On the eve of the next round of Strategic and Economic Dialogue talks, and with much less experienced Asia team members for the U.S.—many of whom have no China experience—there will be great pressure to overlook these harsh measures. But doing so would not help the dissidents but instead betray American ideals.

Reasons for the Crackdown. Western media has noted the arrest of Ai Weiwei, an internationally recognized artist. But other reports indicate that a host of activists, human rights lawyers, and dissidents have been detained. Reports suggest that at least 20, and perhaps between 50 and a hundred people have been arrested or have otherwise disappeared.¹

Part of this effort is almost certainly in reaction to developments in the Middle East. Very clearly, the Chinese authorities are worried that the winds of popular discontent and demands for political reform will blow through China. This is likely exacerbated by possible similarities in the domestic situation in China and parts of the Middle East. These include increasing frustration with corruption and growing disparities between urban and rural populations. Both of these are likely factors in the mounting number of “mass incidents” reported throughout China, now likely exceeding 100,000 a year.

Less widely recognized is the issue of urban unemployment. In the Middle East, there is a large population of underemployed, educated youth in the cities. Officially, this is much less of a problem in China, where urban unemployment at the end of 2010 was only 4.1 percent. Yet Chinese articles nonetheless document a similar phenomenon of underemployed and unemployed youths congregating in cities such as Beijing, Nanjing, and Chongqing. Often referred to as “ants,” they are believed to number anywhere from a million to 3 million.² Like the urban youth in Tunisia and Egypt, they constitute potential tinder for any kind of popular movement against government controls—educated yet dissatisfied.

The current crackdown may be further motivated by the upcoming plenary meeting of the Chinese Communist Party (CCP). It is reported that this meeting may determine the makeup of the next Politburo Standing Committee, the true Chinese leadership. Instability in the streets not only may disrupt the plenum but would potentially also introduce unpredictable factors into the various factions’ maneuvering for power and advantage. For all the involved parties, there is likely to be great interest in limiting the potential for embarrassing incidents.

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Don't Get Your Hopes Up. Several recent Chinese publications provide additional food for thought regarding this crackdown. The Twelfth Five Year Plan (2011–2015) shows that Beijing will spend more on internal security forces than on the military.³ In addition, the 2010 Chinese defense white paper, which was released only last week, prominently notes that a major task of the Chinese military is to “maintain social harmony and stability.”⁴ The People's Armed Police, part of the Chinese armed forces, is given this task on a day-to-day basis, but it is important to remember that the People's Liberation Army is the armed wing of the CCP. There should be no doubt that, if necessary, the Party will use every available means to enforce its will.

Meanwhile, *Global Times*, part of the *People's Daily* newspaper system published by the CCP, editorialized that Ai Weiwei's arrest was not for his dissidence but for his violation of Chinese laws.⁵ The editorial highlights a growing trend in Chinese suppression of dissidents: the aggressive use of the law as a rationalization for punishment. As one Chinese official warned foreign journalists who were assaulted by police, for those who seek to make trouble for China, the law is not a shield and offers no protection.⁶

This attitude of rule *by* law rather than rule *of* law should disabuse those optimists who had looked

to Wen Jiabao's speeches as presaging some kind of fundamental political reform or even the stirrings of democracy. That even high-profile dissidents can be legally punished simply for pushing the limits highlights how concepts of “legal warfare” apply not only internationally but domestically.

As long as the CCP remains in power, there will be little meaningful movement toward democracy. The CCP has little incentive to cede power. Indeed, recent events in the Middle East only underscore, from the Party's perspective, that loss of power ultimately leads to exile and at worst to civil war—a very zero-sum view. Belief that democracy is “just around the corner” is, of course, foolish. But, as Wu Bangguo emphasized at the recent National People's Congress, “We will never simply copy the system of Western countries or introduce a system of multiple parties holding office in rotation.”⁷

Recommendations. The U.S. should:

- **Retain the Tiananmen Square sanctions.** Leaving aside the national security implications of the Tiananmen sanctions, it is important that the leadership in Beijing recognize that its actions have consequences. In particular, when a government turns its guns on its own people, it must know that this will be deemed unacceptable behavior and that it will not change simply with the passage of time. In this regard, Washington

1. Editorial, “China Cracks Down on Dissent,” *Japan Times*, April 8, 2011, at <http://search.japantimes.co.jp/cgi-bin/ed20110408a1.html> (April 8, 2011); Robert Saiget, “Government Critics Under Fire in China Crackdown,” Agence France-Presse, March 30, 2011, at http://www.channelnewsasia.com/stories/afp_asiapacific/view/1119844/1.html (April 8, 2011).
2. Chen Jia, “‘Ant Tribe’ Growing: Survey,” *China Daily*, June 25, 2010, at http://www.chinadaily.com.cn/china/2010-06/25/content_10017274.htm (April 8, 2011).
3. Jeremy Page, “NPC: Internal Security Tops Military in China Spending,” *China Realtime Report*, March 5, 2011, at http://blogs.wsj.com/chinarealtime/2011/03/05/internal-security-tops-military-in-china-spending/?mod=google_news_blog (March 18, 2011).
4. For further discussion of the 2010 Chinese defense white paper, see Dean Cheng, “The Limits of Transparency: China Releases 2010 Defense White Paper,” Heritage Foundation *WebMemo* No. 3215, April 7, 2011, at <http://www.heritage.org/Research/Reports/2011/04/The-Limits-of-Transparency-China-Releases-2010-Defense-White-Paper>; Xinhuanet, “Full Text: China's National Defense in 2010,” March 31, 2011, at http://news.xinhuanet.com/english2010/china/2011-03/31/c_13806851.htm (April 7, 2011).
5. Editorial, “Law Will Not Concede Before Maverick,” *Global Times*, April 6, 2011, at <http://en.huanqiu.com/opinion/editorial/2011-04/641187.html> (April 8, 2011).
6. *The Economist*, “A Spear Not a Shield,” April 4, 2011, at http://www.economist.com/blogs/banyan/2011/04/law_china (April 8, 2011).
7. BBC “China Will Not Have Democracy,” March 9, 2011, at <http://news.bbc.co.uk/2/hi/asia-pacific/7932091.stm> (April 8, 2011).

should also persuade its allies to keep those sanctions in place. Otherwise, they would have little meaning and less impact.

- **Link ideals and individuals.** Supporting human rights is not only a matter of speeches and resolutions—it has individual faces as well. Foreign attention is often the only protection for many dissidents. It is also one of the most powerful means of assuring them that their struggle is not forgotten or ignored. American officials from the President to the Secretary of State to the Ambassador and embassy staff should not shy away from championing dissidents in their official dialogues, private discussions with Chinese officials, and public statements.
- **Support the study of legal warfare as a weapon of future conflict.** Some Western scholars look at China's efforts to create a judicial system—and especially a national code of laws—as somehow presaging a shift from Party rule to the rule of law. But Chinese actions make clear that the law will

be increasingly used as an instrument of justifying various measures by the state, not as a means of ensuring justice. Just as the American military in the 1930s began to prepare for future conflicts by developing naval and land-based aviation, American policymakers today should be supporting efforts at studying the potential for legal warfare, both offensively and defensively. Military lawyers should incorporate the study of foreign—and especially Chinese—laws and legal warfare into their training.

What Does the U.S. Stand For? The exceedingly dim prospects for democratic reform in China does not mean that the United States should abandon its support for it. Support for democracy worldwide is a fundamental American tenet, elemental to American ideals and principles. Both rhetoric and action are necessary.

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