

The Tug-of-War between Regulatory Interventions and Market Demands in the Chinese Television Industry

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Abstract

In the People's Republic of China, the media industry has become increasingly commercialized over the past three decades, but like many other areas of the economy, it remains subject to the tensions between state and market priorities. In some aspects, market interests may seem to be in the ascendancy. Many programs and program formats, which for various political and social reasons would have been taboo just 20 years ago, have been produced to meet market-led objectives. Nevertheless, through the State Administration of Radio, Film and Television, the authorities monitor and regulate media products to ensure that they do not stray beyond the parameters of acceptable political discourse. The state, therefore, remains the ultimate arbiter of what content reaches the audience.

This article examines the relationship between state and market priorities in the case of television drama. Historical dramas in particular provide an explicit example of a program format which is popular with audiences (and therefore revenue generating), but which is also profoundly affected by the political requirement to protect the past and present legitimacy of the Communist Party. The authorities adopt an adaptive–reactive approach, which combines formal regulation with ad hoc interventions to create an atmosphere of uncertainty and self-censorship among media producers. The analysis connects debates over controversial programs to the various rules and regulations which have been issued in response, which in turn shape the production of new content. The institutional dynamics through which conflicting political and economic objectives have been negotiated in the media industry are reflective of a wider tug-of-war between state and market forces in China.

Introduction

Television programs in the People's Republic of China (PRC) are produced in a tense environment in which state, market, and consumer forces each play a role, but where state control, supervision, and intervention ultimately determine what content is shown. Following the adoption of the 'reform and opening' policy in 1978, the television sector, like most other markets, was gradually liberalized. But Deng Xiaoping's dual strategy of liberalization was limited to the economic sphere and did not include the political sphere. This led to the increasingly contradictory policy goals of fostering market media growth using mass appeal content, while at the same time retaining control

over program content to ensure political ‘correctness’. In this article,¹ the case of television program regulation, especially television dramas, is used to illustrate how regulatory bodies intervene in production processes to attain these goals.

It is difficult, however, to obtain information on policy principles and priorities in the PRC. Despite reform and opening, institutions in the Chinese party-state still operate in a rather opaque way and publicly available information in the sensitive area of media regulation is scarce. To ascertain the rationale underlying the regulation of television drama and to identify the ways in which contradictory policy goals have been balanced, the analysis aims to ‘reverse engineer’ policy decisions. This is done by examining promulgated regulations published by the institutions responsible for reviewing and approving content over a span of several years. Connections are then drawn between these regulations and disputes over television programs occurring a few months (or in some cases a few years) earlier. This methodological approach is necessarily speculative to some degree, but still provides useful information with regard to several case studies of regulations issued over the past decade. Before proceeding, the theoretical framework will be discussed and a brief overview of the development of the television market in China since 1978 will be provided.

Theoretical Framework

Theories concerning the political economy of media deal with the relationships between key stakeholders in policy formation and give different emphasis to the role of institutions, public participation, the influence of commercial and neoliberal paradigms, and the connections between individual actors (politicians, journalists, lobbyists). However, some of the available theories are not applicable or only partly applicable to the Chinese case.

Pluralist theorists, for example, see competition between various stakeholders at the core of media policy-making—governments, corporations, interest groups, ‘pressure groups’, and supranational institutions, compete for influence in the process. The broader public is also included in this democratic process. When an ever-growing number of stakeholders is allowed to participate, and if they are relatively equal in terms of power and influence, their conflicting goals may be negotiated such that no subgroup dominates policy-making (Freedman, 2006, pp. 909–910). In China, however, this model is not really applicable. Although new stakeholders have joined the game as a result of market opening, they still have a much smaller impact on the Chinese policy-making process than their counterparts in other societies. Corporate lobbyists, trade associations, international and supranational bodies, pressure groups, as well as NGOs have little room for action. The undisputed dominance of the state and party leaves little room for pluralist arguments.

In open societies, policy-making also has to happen, at least on the surface, with public participation. Aeron Davis argues that under the public pressure for transparency, politicians and journalists alike work with new media tools to gather information extremely fast so that they seem well informed. Consequently however, politicians and journalists increasingly operate on the basis of pseudo-expertise since they have no time to adequately process information (Davis, 2010, pp. 51–66). In China, by contrast, politicians and regulators have all the time they need for policy-making since there is little need to explain or justify policies publicly. Decisions are merely announced and journalists² report on them, rather than scrutinize them. The policy-making process includes many experts within the regulatory bodies and the industry as a whole, but their work is done mostly outside of the public eye. A comprehensive analysis of the working conditions and communication habits of policy-makers in China is therefore impossible.

Other theorists stress the role of commercialism. Scott W. Fitzgerald makes a convincing case for the global trend toward commercialization of public media institutions and the influence of commercial conglomerates on national governments in the process of media policy formulation (Fitzgerald, 2012, pp. 137–188, 145). In China, however, commercialization has only been partially realized—state funding has been reduced and operations have been commercialized, but state ownership and control over content have been retained. State interventionism is an anathema to transnational media conglomerates as well as supranational bodies such as the EU and WTO. However, the Chinese state keeps these players in check to prevent foreign entities from gaining too much influence in the domestic market.

Theories that emphasize a neoliberal market approach to understanding media regulation and the role of private capital are also only partly relevant in the Chinese case. Peter Thompson's skepticism against giving 'analytic priority to neoliberalism' (Thompson, 2011, pp. 2–3) is applicable here. In China, neoliberal thinking coexists with contradictory state-centrist concepts. Neoliberal strategies have gained ground in successive phases of market deregulation, but a growing number of regulations in the last few years show that the role of the state is increasing rather than decreasing. A high proportion of influential organizations in the Chinese media market are fully or partially state-owned. Private contenders in the marketplace have a limited capacity to operate against state-backed contenders.

Dwayne Winseck offers a useful overview of different schools within the wider political economy of media field:

- (1) conservative and liberal neoclassical economics;
- (2) radical media political economy, with two main versions, the monopoly capital and digital capitalism schools;
- (3) Schumpeterian institutional political economy and two recent offshoots, the creative industries and network political economy schools; and
- lastly (4) the cultural industries school. (Winseck, 2011, p. 3)

Within this taxonomy, this article is inclined towards the Schumpeterian institutionalist political economy perspective with a strong analytical focus on the state (Winseck, 2011, pp. 25–27). The analysis is primarily on the meso-level since it deals with institutional stakeholders in media policy, such as state and party regulatory bodies, media business associations, and production and distribution companies. In the case of China, media policy-making is dominated by state and party institutions, with a secondary role played by corporate interests and business associations. Only a marginal role can be attributed to voices in the public realm, such as academics, intellectuals, and netizens.

Marketization of the Chinese Television Industry

Soon after Deng Xiaoping implemented the 'reform and opening' policy in the late 1970s, many sectors of the economy began to develop rapidly—including the television industry. Entertainment became an increasingly important means of attracting audiences. New local content productions saw the adoption of international program formats to advance the domestic television industry. Television dramas were the most important category in this endeavor and have remained so, both in terms of ratings and in terms of their airtime share (see Figure 1).

During the late 1970s and early 1980s, productions from Hong Kong and Taiwan (and to a lesser degree from the West and Japan) formed the bulk of television drama entertainment. However, this soon changed. For the first part of the reform era, production formats from Hong

Kong and Taiwan were the model for domestic productions, but the latter quickly gained a growing market share. Since China and Taiwan joined the WTO in 2001, the media industries of the PRC (concentrated in Beijing and Shanghai) on one side, and Hong Kong and Taiwan on the other, have become ever more integrated in terms of creative personnel, production, and sources of funding.

This growth of domestic program production can be seen when we compare production numbers from the 1980s with the first decade of this century. Between 1984 and 1989, a total of approximately 6,000 episodes of television dramas were produced domestically (Zeng, 2009, p. 2). Between 2001 and 2008 approximately 120,000 episodes of more than 5000 dramas were produced, which represented an annual production of more than 14,000 drama episodes (Xiao, 2009). This means that domestic production has grown twenty-fold over the last 30 years. China can now count itself among the four biggest producers of television drama in the world, although the export potential of domestic programs is still limited to the Chinese-speaking market and China's East Asian neighbors.

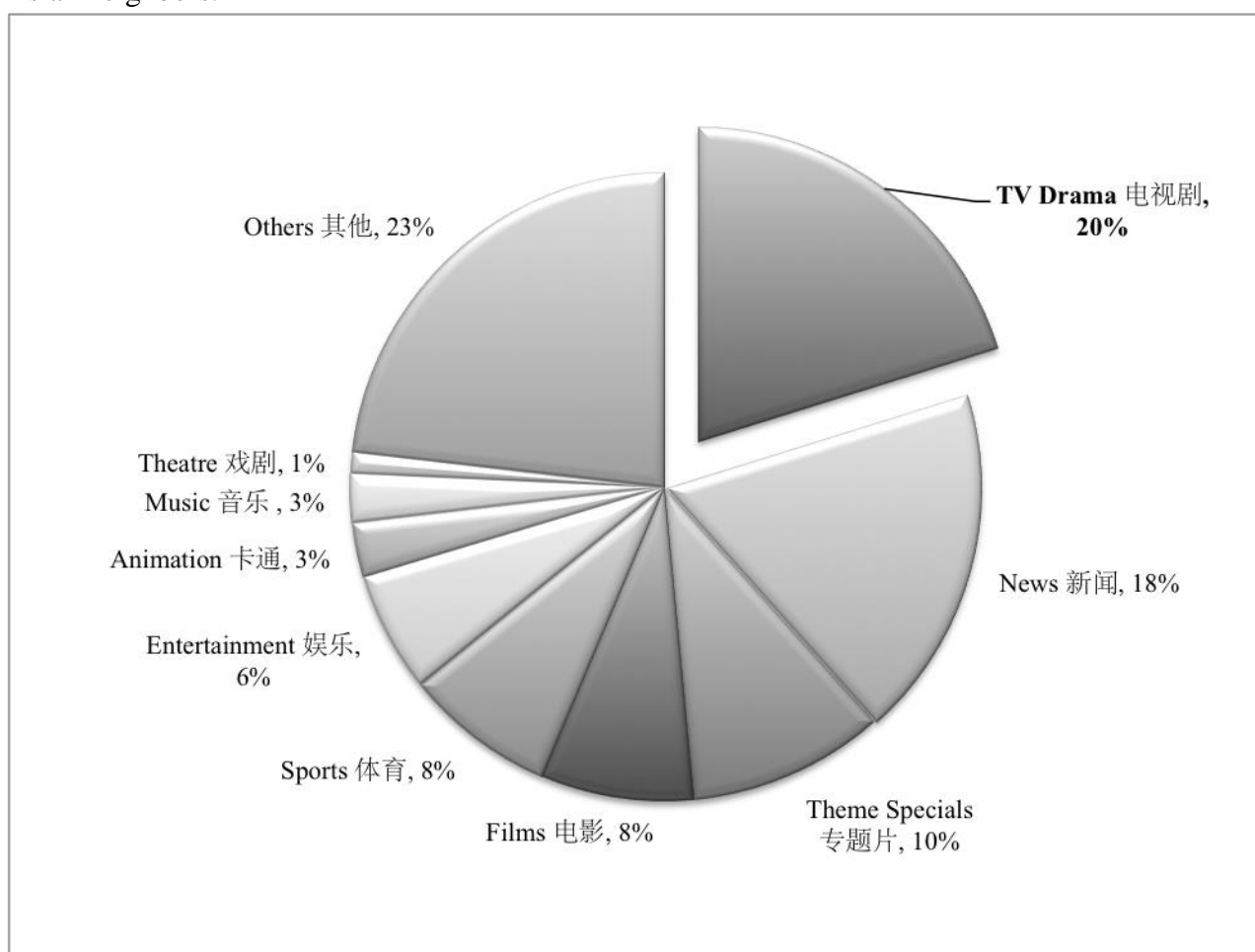


Figure 1. Television dramas as a proportion of Chinese television programs

Fitzgerald has identified three waves of media policy reforms. The first wave of marketization in the media and communication sectors, marking a shift away from the public service model common to many post-war Western countries, started in the United States in the early 1980s. Under neoliberal pressure from the US, a second such wave occurred in Western Europe, Japan, and Australia soon after. A third wave subsequently affected 'transitional and mixed economies', such as the emerging markets in East Asia (including China), from the early 1990s onward (Fitzgerald, 2012, p. 148).

The experiments with deregulation and market liberalization in the media sectors of Western countries led to the establishment of a neoliberal corporate system with global ramifications. China, however, chose a somewhat different path. While adopting some elements of marketization, the Chinese authorities still strongly reject other elements, especially pluralistic ones. Central state and party institutions still effectively govern media policy. This selective adoption of market principles, while retaining central state interventionist principles, frequently leads to conflicts and paradoxes.

Yu Haiqing calls the Chinese case a ‘hybrid political-economic structure that is non-liberal, anti-liberal and neoliberal, all in one’. He notes that the Chinese media and communication industries are influenced by neoliberal strategies which seemingly conflict with “socialist legacies, traditional values, post-socialist dilemmas, and prosumer desires” (Yu, 2011, p. 33). Yu Haiqing goes on to state:

This is the paradox of neoliberalism, or rather ‘disingenuous neoliberalism’, in China: a passion for intervention in the name of non-intervention, all in the name of ‘serving the people’ under the rubric of ‘socialism with Chinese characteristics’. The market is not all free. It dances with the magic wands of both global capitalism and the Chinese authoritarian state. (Yu, 2011, p. 33)

Conflicting Policy Goals of Market Growth and Content Control

Given the rapid growth of the television market, the authorities identified a need to limit the influx of foreign programs to support the fledgling domestic television industry. They also sought to rigidly regulate the domestic industry to exert more control over program content. Within the concept of China’s ‘democratic centralism’, all mass media were (and to some extent still are) deemed to be the ‘throat and mouth’ (*houshe* 喉舌) of the Communist Party of China (CPC). The mass media is thus tasked to ensure the dissemination of propaganda. Since 1978, that has meant propaganda conducive to the establishment of ‘Socialism with Chinese characteristics’. Hence, the Chinese authorities play an ambiguous role of fostering growth while sometimes banning profitable programs and entire program formats if they are deemed ‘harmful’ to ‘socialist Chinese society’. Zhao Yuezhi defines these contradictory policy goals in the following way:

The restructuring and rationalization of China’s national media system under market logic has predominantly taken the form of bureaucratic monopoly capitalism. Under this system, media organizations under the control of the Party state, which had previously single-mindedly pursued ideological and cultural objectives, are now more or less in line with the capitalist system, assuming the twin objectives of capital accumulation and ideological legitimization. (Zhao, 2003, p. 63)

Yu Haiqing sees ‘the history of Chinese media reforms (as) that of experimenting with a two-track system in media and communication’. The news and current affairs sector is kept under tight state control while the entertainment business has become market-oriented:

While the market power and imperative are unleashed and harnessed to stimulate domestic media and communication industries, the party logic dominates how media are managed and who controls the backbone of China’s media and communication infrastructure. (Yu, 2011, p. 39)

With the move away from a planned economy to a market-oriented economy, the state-dominated Chinese television industry needed to become more profitable. To some degree, China followed the

global trend of television production and distribution becoming more and more profit-oriented and less public service-oriented. Production companies and television stations at the central, provincial, and municipal levels used to be fully subsidized but underwent a transition in which subsidies were reduced. Stations were then expected to develop business models with program formats that would generate revenues through the sale of advertising slots (see Figure 2).

This revenue generation can only be achieved by catering to the preferences of the audience since the main currency in this new business model is the value of advertising time-slots, which are directly linked to the ratings of the respective programs (see Figure 3).

By introducing pay-TV in the form of cable services in place of the formerly free television broadcasts of the early 2000s, it was possible to add yet another revenue stream. On top of the advertising revenues, state-owned television stations could now charge twice for the same product—to the companies that advertise and then the audience (Zhao, 2003). This, however, exacerbates the aforementioned marketization–political control dilemma that the authorities face, since the preferences of the audience had to be taken into greater consideration.

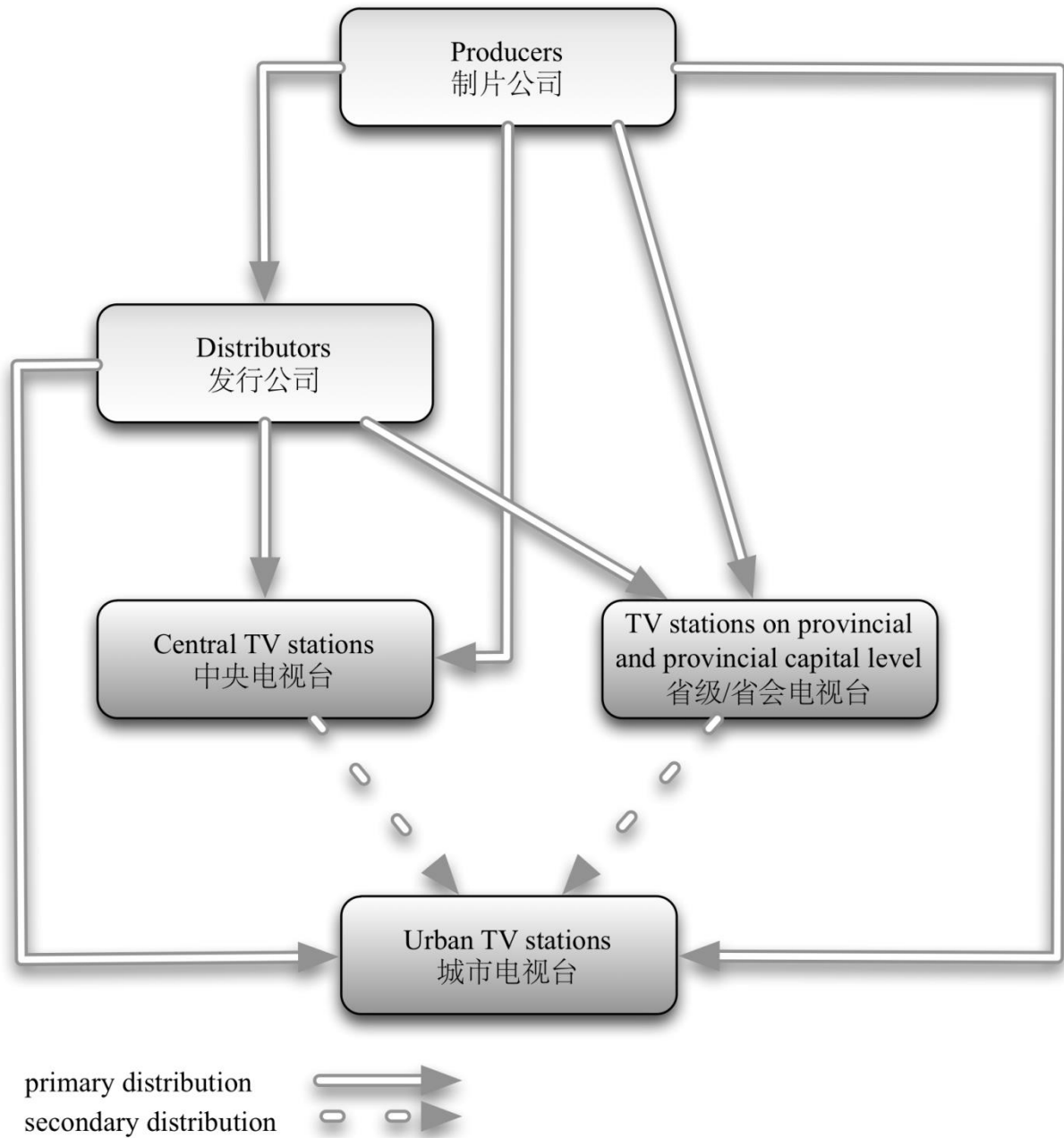


Figure 2. Distribution model of television programs in China

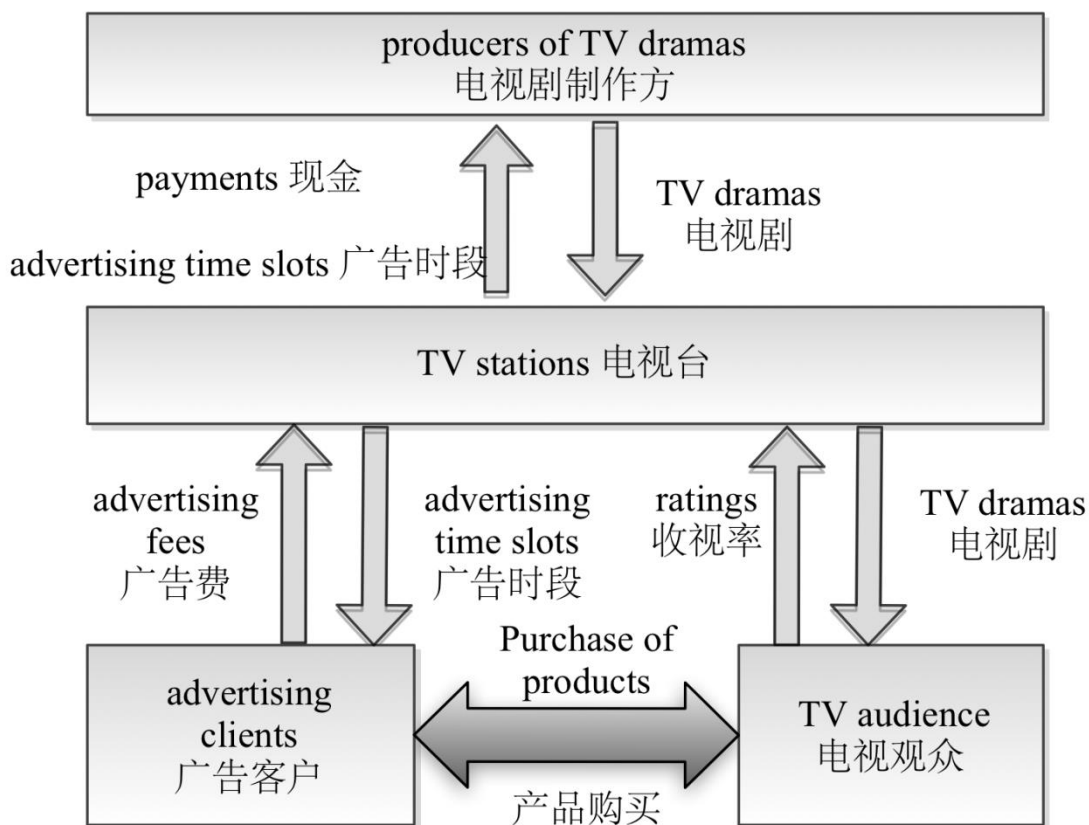


Figure 3. Business model of television production in China

A conflict of interests may arise when the audience prefers content which does not coincide with the preferences of the authorities, i.e., when it favors entertainment over propaganda. While content deemed harmful to society (such as the portrayal of excessive violence, sex and promiscuity, gambling, and other ‘vices’) is targeted by ‘moral guardians’ in many Western countries, in China there is another set of ‘taboo’ subjects— those that threaten the political stability of the one-party-state by questioning the legitimacy of party rule, even if obliquely. Consequently, the marketization of the television sector by no means equates to the liberalization of content.

The Chinese authorities devote substantial resources to ‘maintaining stability’ (*weiwen* 维稳) in China. In all aspects of everyday life, from neighborhood watches to routine bag-scans in the subways and the installation of CCTV-systems in all public places, the state keeps a tight lid on possible sources of discontent. The suppression of unfavorable television program content is just one (albeit important) part of this stability system.

As a consequence of this conflict of interests, creative heads in the industry can often devise shows and program formats that are hugely successful with the audience, but unpopular with the authorities. For obvious or sometimes seemingly arbitrary reasons, authorities curb certain formats or ban them altogether. Examples include beauty pageants, talent shows or game shows, or sometimes copies of foreign formats like ‘American Idol’. On the surface, these programs are very much entertainment-oriented and non-political, but the materialistic message in them can be deemed problematic by the media watchdogs. In the latter case, the mere fact that people vote for their favorite candidate in such shows can be categorized as potentially threatening, since people

thereby become accustomed to voting on a provincial or even national scale—a privilege they are obviously denied in the political sphere (with the limited exception of local elections).

Regulating Television Drama

While television is broadly regulated, ‘content control’ is particularly prevalent in television dramas, especially those focusing on famous historical figures. In China, these often combine the portrayal of both actual and fabricated events, rendering the final product into ‘history television programs’ (translated from *lishi dianshiju* 历史电视剧), which might be termed ‘history soap operas’. This extremely popular genre is usually a lengthy serialized production, which creates the possibility for creative staff and academic advisors to address contemporary issues through a historical setting. This ‘temporal shift’ enables the makers of these dramas to discuss taboo subjects which would be too sensitive if shown in a contemporary setting. Obvious examples here are corruption by officials, arbitrary justice, or mismanagement by the political elites. This is not to suggest that all history soap operas are veiled critiques of contemporary society or the political regime, but their potential to be deployed in this way means that they are closely monitored by the authorities, and criticism may be perceived even if it was not intended.

In several high-profile cases, history soaps have triggered fierce discussions in China’s emerging public sphere including academic journals, newspapers, television shows, blogs, and internet forums. Discussion of these issues such as the need for democratization in China, have often led the authorities to react quickly and harshly. For example, the television drama ‘River Elegy’ (*Heshang* 河殇), broadcast in 1988, questioned the core values of the ‘yellow’ Chinese culture vis-à-vis the Western ‘blue’ culture and was banned, as much because of the debate it triggered as because of its actual content. More recently, however, the controls have been somewhat loosened. The 2003 history soap ‘Towards the Republic’ (*Zouxiang Gonghe* 走向共和), which gave a controversial reappraisal of late-Qing leaders Yuan Shikai, Li Hongzhang, and Empress Dowager Cixi, was initially merely edited heavily by the censors. Only much later was it cut altogether from television schedules.³

The cost of investment in television productions is considerable and rising in line with the overall economic development and inflation in China. Consequently, producers can rarely afford to make a television drama on a sensitive topic which may later get banned. This outcome closes off revenue through the advertising fees from direct and secondary distribution on television stations, and from online broadcasts or the DVD market. Content producers in China therefore have to develop a keen sense of what can and cannot be shown on television. They walk a fine line between satisfying their audience and risking intervention by the authorities.

Institutions of Television Program Regulation in China

The three pillars of political power in China: party, state, and military each have dedicated departments which participate to some degree in the regulation of television program content. The ‘examination of content’ or ‘content management’ is a process in which guidelines are given from above within a three-tier system, operating at central, provincial, and local levels. Accordingly, producers have to obtain approval of their programs through this system, submitting their scripts first to provincial-level examination and re-examination committees, and then, after initial approval,

to dedicated committees in the main agency charged with the administration of media in China—the State Administration for Radio, Film and Television (SARFT).

This opaque institution plays the principal role in the regulation or censorship of television programs, working along broadly defined criteria. The detailed regulations it issues illustrates the overall importance to authorities of television, especially television drama. A flurry of new guidelines in recent years has highlighted the growing tensions between ideological and market imperatives.

Whenever the portrayal of leadership figures and events of ‘revolutionary history’ (i.e., the very sensitive topic of Communist Party history) is involved, the review process is especially complex. In these cases, a ‘Leading Working Group’ (*lingdao xiaozu* 领导小组) comprised of experts from the state agency SARFT and of party staff under the direct leadership of the Central Committee of the CPC, work to ensure that the portrayal is in line with the party’s vision of how these people and events are supposed to be presented to Chinese audiences. Likewise, whenever military actions of the People’s Liberation Army (PLA) are portrayed, the corresponding review bodies within the military are involved in the examination process.

I have illustrated the inspection and approval process for television programs in Figure 4.⁴ This identifies the three-tier structure and multiple layers of review, and demonstrates the level of interconnection between state, party, and military institutions of content management, as well as the central role of SARFT within this system.

Figure 4 shows clearly that television program content is under heavy scrutiny. ‘Television drama production units’ have to obtain and renew ‘production licenses’ either for a single project or for several projects within a defined time period (Law Library, 1990). The production project application then has to pass the provincial and central levels of examination before production can even begin. One important element not present in this figure is ad hoc intervention outside the normal regulatory process. The guidelines governing the review process of television production state that ‘other relevant government offices’ (*youguan bumen* 有关部门) and ‘concerned individuals’ can intervene on a case-by-case basis. The regulations do not specify who these authorities and individuals actually are, suggesting that this may be a catch-all regulation to permit extra-regulatory intervention as and when desired by the authorities.

Figure 5 shows that a considerable number of television dramas submitted for pre-production approval are rejected. From this, it can also be surmised that the producers either have to redesign their television drama and then resubmit or abandon the project altogether—an expensive process whatever the outcome. In spite of the rigidity of the censorship process, there is nevertheless an overall upward trend in the productions of television dramas in China.⁵

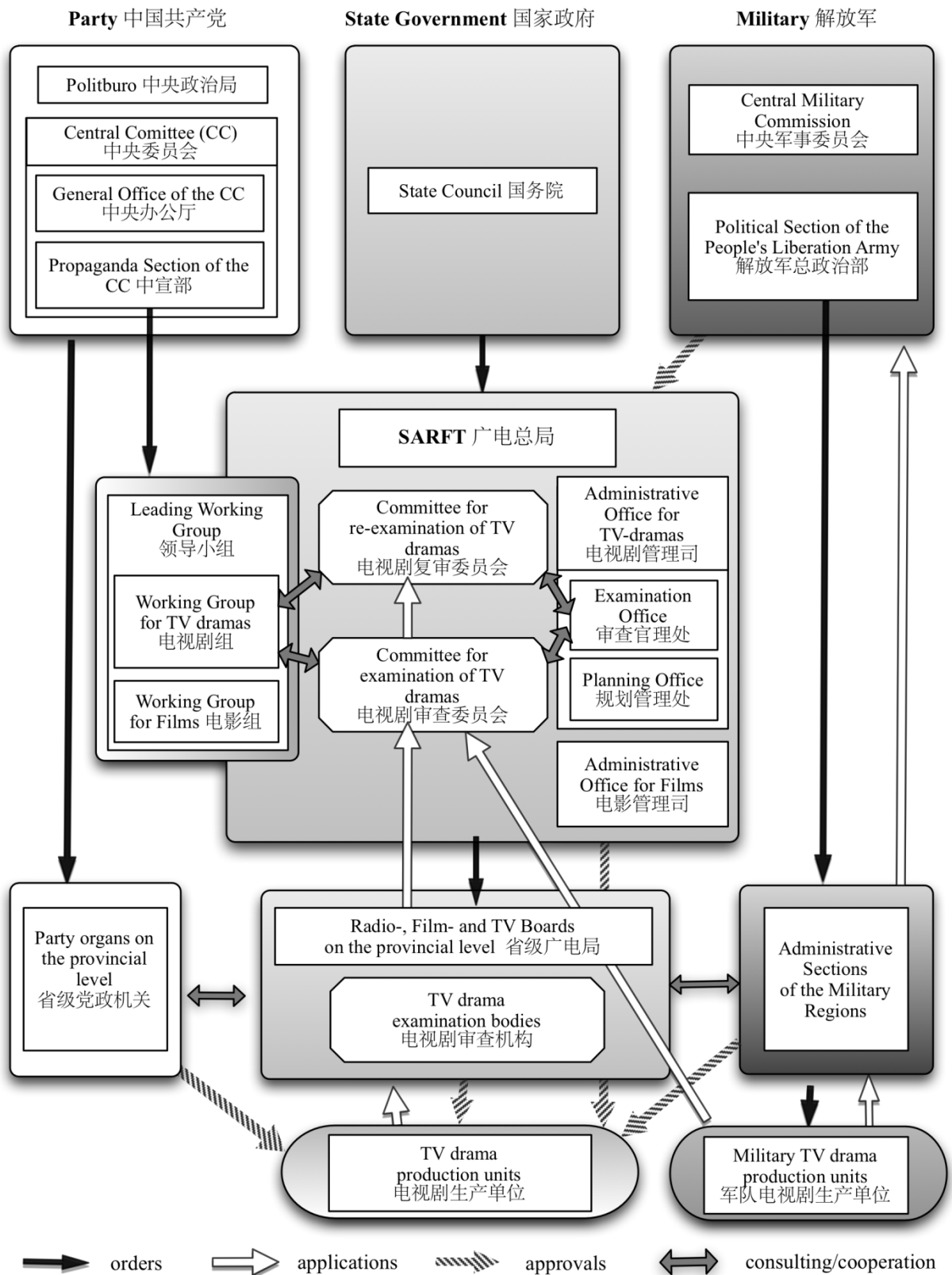


Figure 4. Approval process of television programs in China

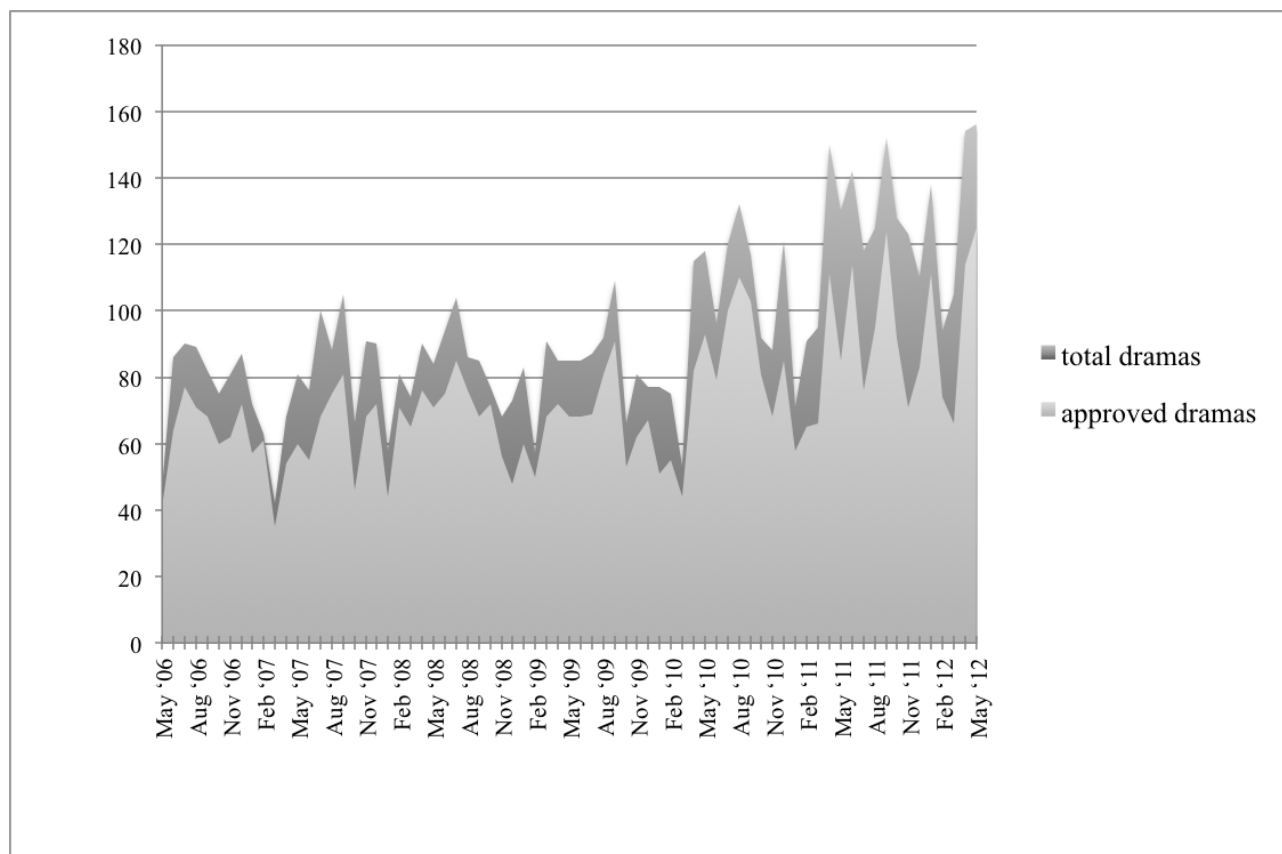


Figure 5. Approval of television dramas in China 2006–2012

‘Reverse Engineering’ of Television Regulations

SARFT’s decisions and internal guidelines for reviewing and censoring TV content are for the most part hidden from public view. The organization refers to a list of prohibited topics but they are only vaguely formulated. SARFT’s 1990 regulation (1990/817) contains a list of forbidden content. This includes obvious topics such as the glorification of murder, pornography, and racism, but it also refers to all content of an ‘anti-communist, anti-socialist and anti-Chinese’ or ‘secessionist’ nature, as well as anything ‘supporting Western notions of human rights, democracy, freedom and equality’, ‘superstition’, ‘content that divulges state secrets’, and any content that violates the Chinese constitution and other laws. This blacklist has been kept more or less the same with some notable additions. SARFT regulation 2004/40, for instance, prohibits content that ‘instigates hatred or discrimination among ethnic groups’. This can be seen as a direct reference to Uighur secessionist activities in Xinjiang province, the suppression of which has been justified by creating a link to Islam (the religion of most Uighurs) and the September 11th terrorist acts in New York in 2001.⁶

Since the media policies of SARFT are opaque, the analysis here ‘reverse engineers’ television censorship in China by connecting disputes over shows or trends in Chinese media with the introduction of relevant guidelines or changes in the institutions entrusted with television regulations. By doing so, it is possible to derive some insight into the focus and intentions of SARFT when it confronts trends in the Chinese television market. When such a dispute attracts the attention of the authorities, there is an immediate response in the form of bureaucratic intervention in the distribution or production of television programs. A disputed program or program format

might undergo extra screening by ‘the review boards’ discussed above, and may result in episodes being shortened or cut altogether. The ultimate weapon of the censor, the outright banning of the program, might also be deployed, cutting off the production companies from all further revenue from advertisements during broadcast and re-broadcast and income from the secondary (DVD) market. In such cases, SARFT and the other ‘relevant institutions’ may draft new guidelines intended to prevent similar disputes from arising in the future. These ad hoc interventions usually preclude more formal regulatory steps.

In 2003, for instance, the disputes surrounding representations of historical figures which were not in line with the orthodox party interpretation in the television drama *Zouxiang Gonghe*, triggered an important change in the responsibilities of the joint review/censorship board at the juncture of party and state institutions. This board was the ‘leading working group’, with a subcommittee specifically in charge of television drama examination. This group was formerly in charge of screening program content involving ‘topics of the history of the Great Revolution’, i.e., party leaders and revolutionary history. In the aftermath of this specific dispute, however, SARFT regulation 2003/756 renamed the ‘working group’ and put them in charge of ‘topics of the Great Revolution and Great History’, with ‘Great History’ being a catch-all category which could be applied to the portrayal of any event or leader of China’s national past. By expanding the purview of the leading group’s oversight powers, SARFT could intervene to strengthen the review/censorship process whenever a drama dealt with an important leadership figure.

Continued debate over historical topics prompted another major change in how television dramas were reviewed in 2006. SARFT regulation 2006/15 changed the licensing procedures, which now focus on the epoch portrayed in order to use more specialized reviewers and help them identify unwelcome program content. Under these regulations, the project applications for productions are now pre-arranged in a peculiar system of categories and sub-categories. They do not follow the genres usually used for television dramas, such as comedy, crime, and family entertainment. Rather, they are politically constructed and are therefore of little use in gathering market information on production, since some categories such as ‘urban topics’, are overfilled, while others such as ‘minority topics’, are almost never used. This only makes sense when seen in the context of censorship. For each sub-category, experts who have specialist subject knowledge are assigned to screen the program for potentially harmful content, which could trigger ‘unwanted discussions’. These categories are closely connected to politically sensitive issues in China, such as the great divide between urban and rural life, or the need to safeguard the portrayal of military or police personnel from any negative interpretations.

Unlike market categories, the historical epoch portrayed is the main category for project applications. Interestingly, SARFT differs from the established periodization of Chinese history in orthodox PRC historiography by marking 1911 (the revolution which established the republic) as the beginning of modern times in China—not 1840 (the Opium War and foreign imperialism). While several thousand years of Chinese history are packed into the section ‘ancient history’ (*gudai* 古代), the twentieth century is sub-divided into sections for ‘modern history’ (*jindai* 近代) 1911–1949, ‘recent history’ (*xiandai* 现代) 1949–1978 and ‘contemporary history’ (*dangdai* 当代), for dramas about events from 1978 up to the present. Historical topics of the late Qing period, which often generated disputes, are now assigned to the ancient history section. This puts them in a category which is already limited because, in 2004, SARFT reduced the number of history dramas of this category allowed on prime-time television. As a result, it is now much harder to obtain a

license even to make programs on these topics. This is significant because these periods are closely connected to the political history of modern China.

The distinction drawn between the Chinese terms *jindai* and *xiandai*, which can both be translated as ‘modern history’, is also noteworthy as it enables SARFT to treat as a special category the first 30 years of Communist rule in which major setbacks, such as the disastrous ‘Great Leap Forward’ (1959–1961) and the ‘Cultural Revolution’ (1966–1976) occurred. This is a period of Chinese history which is full of potential landmine topics which cannot be discussed too openly in China. Obviously, Chinese television producers mainly steer clear of this historical epoch (see Figure 6).

Analysis of the monthly report of project applications between 2006 and 2012 published on the SARFT website found that television producers avoid the *xiandai*-category and favor the *jindai*-category, which includes relatively unproblematic events, such as the Anti-Japanese War and the civil war against Chiang Kai-shek’s Nationalists. It is also apparent that the ‘Great History and Great Revolution’ (*zhongda* 重大) section is very small (see Figure 7)⁷.

SARFT implemented measures to reduce the *gudai*-section in 2006, had some effect for a while until the production numbers of aforementioned categories rebounded. Similar measures were implemented in 2010 and were effective since the *gudai*-share is considerably smaller now (see Figure 7). The huge surge in *jindai*-productions can also be explained by several important anniversaries, such as the 60th anniversary of the founding of the People’s Republic in 2009, the 100th anniversary of the republican revolution in 2011 and the 90th anniversary of the establishment of the Communist Party in 2011.

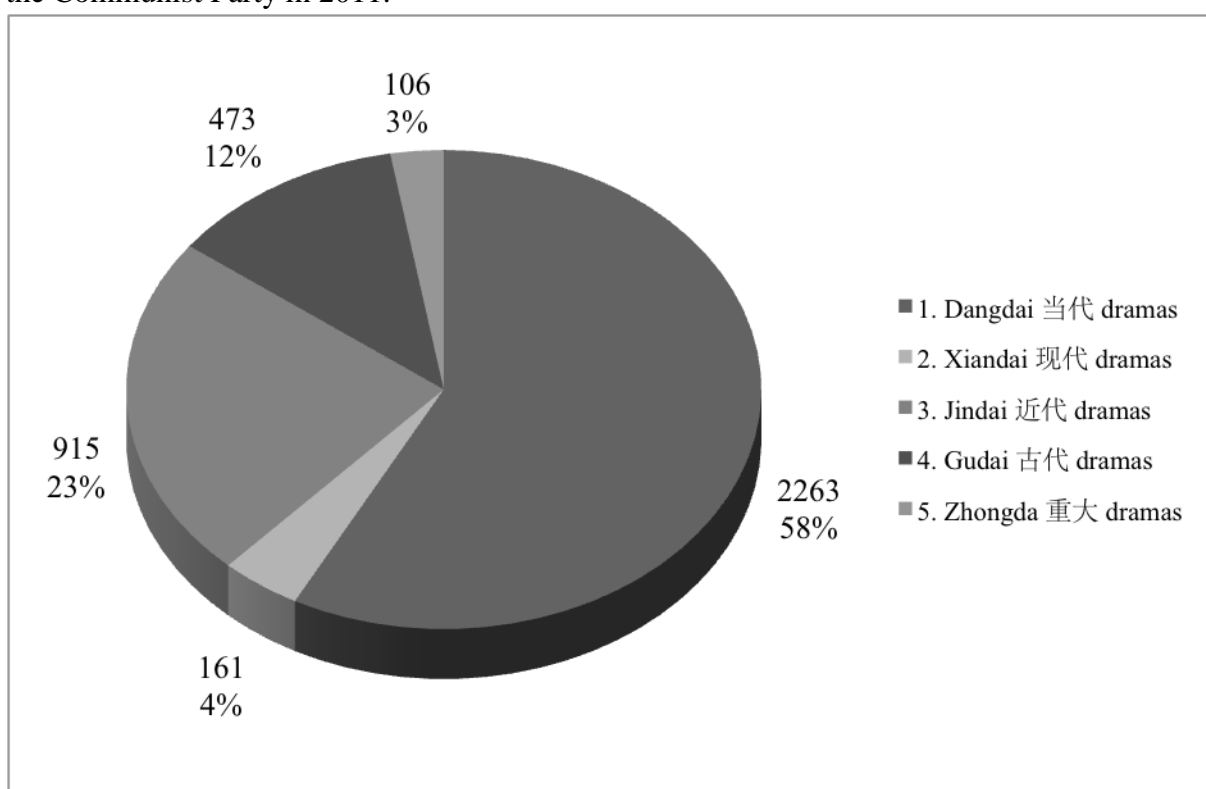


Figure 6. Share of project applications by epoch (2006–2012)

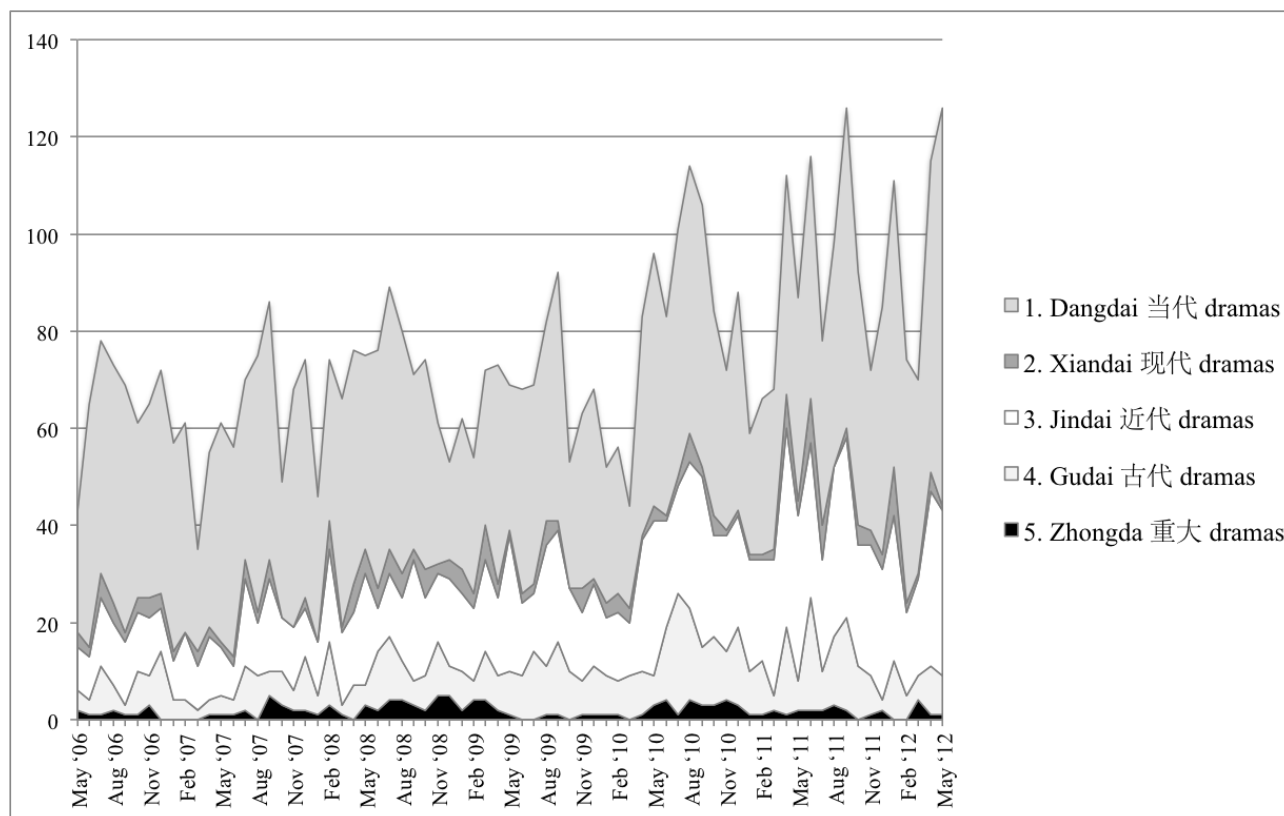


Figure 7. Effects of SARFT regulation 2006/15 until 2012

State Intervention to Protect Socialist Values

SARFT introduced new categories for ‘science fiction’ in 2008 and for ‘mythical topics’ in 2010 because these genres had become very popular. In March 2011, however, the authorities identified dramas about supernatural powers and beings as ‘incorrect’ since they supported ‘superstitions, fatalism and reincarnation’ (SARFT, 2011). Chinese Communist ideology strongly condemned religion and ‘superstitious beliefs’, and religious organizations and practices were banned or only allowed in very limited form under state control. Since the late 1970s and the demise of the ideological zeal which characterized the Mao era, there has been a revival of traditional Chinese religious practices, fortune-telling, and geomancy. They have been allowed to flourish both to accommodate the rising need for meaning in a society that no longer believes in socialist ideals and to keep foreign belief systems and ‘Western values’ at bay. Yet, for some factions in the party, this accommodation of traditional religion and superstition needs to be contained—a goal evident in the March 2011 directive.

In the same way, ‘time-travel shows’, which were hugely popular in the late 2000s, appeared on the radar of the authorities. The genre was castigated for ‘distorting Chinese history’ (SARFT, 2011). The Chinese public reacted quite angrily since it had grown extremely fond of these programs. It is hardly surprising, however, that the authorities might want to avoid opening a Pandora’s box of alternate realities without Communist rule, which depictions of time travel might reveal.

Shows of this category, while not completely banned, are frowned upon. SARFT notified producers that less of this content would appear on television in China. According to Zhang Jizhong (张纪中), one of the most successful TV drama producers in China, producers tend to jump on the

bandwagon of successful formats which leads to the over-production of Chinese TV dramas in a market already oversaturated with these genres. Zhang sees SARFT's interventions merely as a move to alleviate the industry's concerns.⁸

Clearly then, SARFT is an extremely powerful player in the Chinese market place, but it cannot force producers to provide content they do not want to make, either because they are not interested in doing so, or because it is not profitable. In December 2011, for example, SARFT stated its goal of raising the share of *xiandai* topics to 40% by 2013 (Fang, 2011). When we look at Figure 7, however, it is clear that this appeal has so far had little to no effect.

Another case of seemingly arbitrary intervention by SARFT was the slashing of popular prime-time entertainment programs by two-thirds in January 2012. SARFT shocked Chinese audiences again just one month later when imported television shows watched by millions were cut within the prime-time hours of 7pm to 10pm. Foreign television shows, mostly from Hong Kong, Taiwan, South Korea, and Thailand now had to obtain state approval. Importing any 'TV series that contained vulgar and violent scenes' was prohibited with 'severe punishments' to be meted out to channels that violated the new rules (Sebag-Montefiore, 2012). Under the guise of protecting the 'moral standards' of Chinese audiences, SARFT thereby introduced a protectionist policy aimed at supporting the domestic television drama industry against foreign competition. A secondary goal was to boost the influence of the central state-owned television company, Chinese Central TV (CCTV) compared to provincial television stations which had gained a greater market share by broadcasting the formats affected by the ban. This case demonstrates that the competing corporate interests of state-owned entities on the central and provincial levels can influence media policy-making. The national carrier is easier to control and can be more easily used as a vehicle for central policy messages than the fractured regional (but also state-controlled) competitors (Sebag-Montefiore, 2012).

The above cases illustrate how SARFT works with a set of conflicting policy goals. Controlling culture under the stated principle of upholding moral values and establishing a 'socialist society' is just one of the many tools used by SARFT to achieve its objectives. By claiming to act in the interests of a broader public, the authorities can more easily justify measures that are in effect mainly aimed at maintaining the Communist Party's grip on power. The crackdowns on unwanted program formats also indicate that conservative cadres have grown increasingly suspicious of programs that are popular with the audience and draw advertising while promoting an image of Chinese society that is not shaped by the state.

The central role of the institutional censors has been reasserted in the reshuffling of the media administration since the November 2012 leadership transition. A report from early March 2013 mentions the State Council's plan to combine the 'General Administration of Press and Publication' (GAPP) and SARFT into a new ministerial-level agency, the 'General Administration of Press and Publication, Radio, Film and Television' (Xinhua News, 2013). This administrative transition falls short of the creation of a 'Media Super-Ministry', which would have been the case had the Culture Ministry and the regulation of new media been included. The main tasks for this new press and broadcast administration will be to continue the role of media watchdog, overseeing sensitive content, as well as dealing with copyright issues (Li, 2013).⁹

Conclusion

The intimate connection between the occurrence of disputes over television dramas and the introduction of relevant guidelines reveals the outlook of censors when confronted with trends in the Chinese television market. They wish to restrict or ban content and topics that might translate into a challenge against the stability or legitimacy of the party-state. The peculiar use of categories and sub-categories used by SARFT is clearly censorship-driven, not market-driven. The categories are quite impractical when used to gain market information about what kind of television dramas are produced, but are very helpful when used to quickly identify programs with potentially 'harmful' content. This demonstrates the censorship-oriented mind-set of the regulators. Programs and program formats which, directly or indirectly, are perceived to challenge the political status quo, have drawn immediate responses from the authorities, whether in the form of extra editing of pre-produced television programs, an adjustment of the format, a change in staff, or a complete ban. The specific regulations dealing with the issues at hand, however, are only promulgated later when the regulatory bodies complete the process of deliberation and discussion and find a regulation that fits the intended policy goal.

The adaptive-reactive approach of SARFT often collides with and sometimes accedes to market demand and audience preferences. Almost invariably however, it reasserts the Party's claim to act as the guide for social development. The process of media policy-making is dominated by interventions of state actors that operate with a conflicting mix of tools: neoliberal strategies of commercialization to make state-owned media companies competitive and profitable, subsidy policies for domestic production, protectionism against foreign TV programs and media companies and favoritism for CCTV against private and public provincial contenders, and anti-liberal interventions framed as measures to safeguard traditional values or central authority. As Zhao describes it, "While political leaders have no intention of loosening control, the agents of Chinese bureaucratic media capital are positioned to deepen the logic of capital in media industry" (2003, p. 69).

The media sector in China is thus a hybrid structure that tries to incorporate political ideology, commercialization, and development policies all at the same time. This structural hybridity results in constant tensions between the state and the market, and ongoing competition between the audience and institutional stakeholders. Thus institutions engaged in policy-making have to work with conflicting goals.

This environment of these conflicting state and market priorities exhibits alternate phases of laissez-faire and seemingly arbitrary interventions. There is fluctuating sensitivity to particular content forms in line with official diktats. This not only affects policy-making institutions and processes, but also has significant ramifications for creative writers and producers. Writers and producers must try to anticipate the limits of their artistic license if they do not want to waste time and resources on projects which may be turned down when submitted for examination and approval. The lack of reliable rules and the intentional ambiguity of the censorship process results in a high degree of self-censorship; indeed, producers often avoid certain topics precisely *because* clear limits have not been set out explicitly.

The issue of state-market-tensions, and the self-censorship that so often results, also applies to many other areas of social, economic and/or political life in China. The struggle over television regulation, therefore, is but one example of the bigger tug-of-war between state and market. In this

struggle, the Chinese authorities have to devote a significant proportion of the annual budget to ‘maintain stability’. The resources allocated for domestic security have already surpassed China’s impressive military expenditures with no end to this costly trend in sight (Lim, 2012). These resources might otherwise be used to alleviate the growing imbalances in the country. It remains to be seen if the management of state–market tensions can be sustained in the long run.

Endnotes

1. This article is based on a paper presented at the International Association of Media and Communication Research (IAMCR) conference in Durban in July 2012.
2. Apart from official guidelines, journalists often receive unofficial calls from or are approached by people who represent the authorities. Such people often do not identify themselves and then issue untraceable oral (not written) directives on how the reporting on certain topics is to be handled.
3. For more details on this case study see Niedenführ, M. (2008). Revising and televising the past in East Asia: History soaps in Mainland China. In S. Richter (Ed.), *Contested views of a common past. Revisions of history in contemporary East Asia* (pp. 351–370). Frankfurt, Germany: Campus. For a detailed discussion of the genre of ‘history soap operas’ see Niedenführ, M. (2012). *Geschichte fern und neu sehen: TV-Serien über chinesische Führungsfiguren*. (Neue Chinastudien No. 4), Baden-Baden: Nomos, especially chapters 4 and 5. See also Zhu, Y. (2008). *Television in post-reform China: Serial dramas, confucian leadership and the global television market*. London, UK: Routledge.
4. Ying Zhu (2008). *Television in post-reform China: Serial dramas, Confucian leadership and the global television market*. London and New York: Routledge.
5. Figure 5 was created by comparing the organizational chart of SARFT on its Chinese website with the relevant guidelines and regulations of SARFT.
6. This graph is based on the quantitative analysis of 60 monthly reports that were published on the website of SARFT between 2006 and 2012 following the introduction of SARFT-rule 2006/15 in May 2006. <http://www.chinasarft.gov.cn>.
7. These regulations can be reviewed online in Chinese on Law Library.
8. Figures 6 and 7 are based on quantitative analysis of the monthly reports mentioned above.
9. Interview with Zhang Jizhong by the author conducted on 22 October, 2011.

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