

# THE DOT.COM(MUNIST) REVOLUTION: WILL THE INTERNET BRING DEMOCRACY TO CHINA?

S. David Cooper\*

## INTRODUCTION

There is a new revolution beginning to stir in the last great country still enamored with the communist ideal. China is one of the world's largest countries by land mass and its largest country by population, and it has waded into the deep, unknown waters of the Internet. China's leaders are taking a huge risk. In a country that could claim virtually any information as a "state secret," the greatest tool ever invented for the promotion of free speech seems like a disaster waiting to happen. Some may think that China has signed a deal with the devil—sold its soul for the financial rewards promised by the Internet. If a free market society is the devil and communism is China's soul, then they may be right.

This paper is not intended to be a technical dissertation on the Internet. For a good discussion of the history of the Internet and how it works, see Scott Feir's comment, *Regulations Restricting Internet Access: Attempted Repair of Rupture in China's Great Wall Restraining the Free Exchange of Ideas*.<sup>1</sup> This paper will, however, review the challenges faced by China in its decision to pursue Internet technology and markets. It will also investigate the possible effects that an Internet society will have on the future of communism in China. The first part will address the benefits to China of pursuing Internet connections. It will address competition with the West and China's resultant challenges with the country's morale. The second part of the paper will discuss the potential pitfalls that await China as a result of the In-

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\* J.D., University of Miami School of Law; B.S., University of Central Florida; Currently pursuing L.L.M. in Real Property Development at the University of Miami School of Law.

1. Scott E. Feir, *Regulations Restricting Internet Access: Attempted Repair of Rupture in China's Great Wall Restraining the Free Exchange of Ideas*, 6 PAC. RIM L. & POL'Y J. 361 (1997).

ternet. The most dangerous of these pitfalls is the Internet's ability to give a more powerful voice to even one lone dissenter. The third part of the paper will address China's efforts to control the Internet and the likelihood of China's success. Finally, the paper will look to the factors established by Leslie Holmes and Adam Przeworski in their books *Post-Communism: An Introduction*<sup>2</sup> and *Sustainable Democracy*<sup>3</sup> to determine if communism could collapse in China and if so, could democracy survive?

Hopefully, by the end of this paper the reader will have an understanding of the issues surrounding a Chinese Internet as well as a little food for thought regarding China's future.

### BENEFITS OF A CHINESE INTERNET

Chinese intellectuals and elites have been watching Western-influenced Asian countries for the past half century. They have struggled through Mao Zedong's disastrous economic policies, policies that left many of China's people impoverished and starving. They have watched as Japan became a major world economic power. They watch now as South Korea becomes more and more powerful. Closer to Chinese hearts and minds, they have watched as the people of Hong Kong and Taiwan have become rich under a Western-style economy. The Chinese feel strongly that they could and should have been just as developed. After Mao's death, Deng Xiaoping led China into an era of prosperity not known in the previous 30 years. In the past 20 years, China has had a rapid increase in the standard of living and has pulled 200 million of its citizens out of poverty. The Chinese have a strong desire to be seen as equals to the West. The Communist Party officials want to stave off any unrest by continually bettering the lives of China's citizens.

Faced with the world's largest population, and one that is ever-increasing, China must find a way to provide for its people. China has over 1.2 billion people scattered across its vast geography.<sup>4</sup> Most of the population are gathered in the plains, deltas and hills of the east. Many people, however, are spread throughout the mountains, high plateaus and deserts of the west.<sup>5</sup> This rough terrain and lack of roads make traditional trade difficult in the outer provinces. China's economy has been described as a

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2. LESLIE HOLMES, *POST-COMMUNISM: AN INTRODUCTION* (1997).

3. ADAM PRZEWORSKI, *SUSTAINABLE DEMOCRACY* (1995).

4. See *CIA World Fact Book*, <http://www.odci.gov/cia/publications/factbook/geos/ch.html>.

5. See Jennifer 8. Lee, *Tracking the Web Across China*, N.Y. TIMES, Mar. 29, 2000, § H, at 6.

three-in-one economy.<sup>6</sup> First, more than 80% of China's people live in an 18<sup>th</sup> century agrarian society.<sup>7</sup> In many rural villages, especially in the west, roads are mere trails traveled by mule-drawn carts and commerce is done in open-air markets.<sup>8</sup> Other than the obvious political changes, life in these areas has changed little in the past few centuries. Second, China also has a large 20<sup>th</sup> Century industrial society.<sup>9</sup> These industries are reminiscent of ones found in Detroit, Pittsburgh and other "blue-collar" towns. Third, China has only a very small 21<sup>st</sup>-century advanced technology industry.<sup>10</sup> It is on the advanced technology sector that China has placed its hopes for its economic future. A major part of that sector is the Internet.

China hopes that it can succeed where the Soviet Union failed. It hopes to combine its communist political system with a free market capitalist economic system. According to President Jiang Zemin, China's economic goal is to be a strong and prosperous modernized country with a higher degree of democracy and civilization.<sup>11</sup> In order to reach this level of prosperity and to satisfy an ever-increasing and demanding population, China's economy must grow at a rate not seen in the West since the industrial revolution.<sup>12</sup> "[T]he government is fully aware that it cannot maintain its current level of economic growth—some 7 percent this year—without technology."<sup>13</sup> Although only 14% of Chinese have even heard of the Internet,<sup>14</sup> the number of Internet subscribers in China is exploding. In October, 1997 there were a reported 620,000 Internet subscribers.<sup>15</sup> By July 1998, that number had increased to as much as 1 million,<sup>16</sup> and by November of that year, to 1.2 million.<sup>17</sup> By the end of 1999, there

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6. See William Rees-Mogg, *China Embraces Its Latest Revolution*, <http://www.times-archive.co.uk/news/pages/tim/00/03/27/timopnope01002.html> (Mar. 27, 2000).

7. See *id.*

8. See Lee, *supra* note 5.

9. See Rees-Mogg, *supra* note 6.

10. See *id.*

11. Jeremy Page, *China to Give Greater Democracy, Rights and Freedoms in 21st Century* <http://www.yahoo.com> (Mar. 21, 2000).

12. See Kari Huus, *China: Revolution at 50: Beijing's View of the World*, [http://www.msnbc.com/modules/china\\_at\\_50/](http://www.msnbc.com/modules/china_at_50/).

13. Matt Richtel, *China Embraces the Internet—But Not as a Forum for Dissent* <http://www.nytimes.com/library/tech/98/07/cyber/articles/01china.html> (July 1, 1998).

14. See *E-Commerce in China: Horse-Drawn Buggies on The Information Highway?* <http://www.asiasource.org> (Dec. 30, 1999).

15. See Erik Eckholm, *China Cracks Down on Dissent in Cyberspace*, N.Y. TIMES, Dec. 31, 1997, § A, at 3.

16. See Richtel, *supra* note 13.

17. See Erik Eckholm, *Trial Will Test China's Grip on the Internet*, N.Y. TIMES, Nov. 16, 1998, § A, at 8.

were an estimated 8.9 million Internet subscriptions.<sup>18</sup> In March 2000, there were 9.8 million.<sup>19</sup> Since each Internet account is shared by as many as 10 to 20 people, it is difficult to determine the exact number of Internet users in China, but as of January 2000, there were 35.6 million Chinese e-mail accounts.<sup>20</sup> The number of users is expected to grow to over 100 million by 2003.<sup>21</sup> Although that is still a mere 8% of the population, it is a larger number of people than are currently connected to the Internet in the United States.<sup>22</sup> Four years ago, China opened its first *wang ba*, or Internet bar. Now *wang bas* have sprung up all across the country from Beijing to Shanghai to even the rural outreaches of Tibet.<sup>23</sup> One can therefore see the reason for the immense interest by both Chinese and foreign businesses and governments.

China is very interested in improving trade relations with the West. It is attempting to join the World Trade Organization and is seeking permanent normal trade relations with the United States.<sup>24</sup> Part of the negotiations for permanent normal trade relations calls for a landmark opening of China's markets to U.S. goods.<sup>25</sup> Everything from agriculture to high-tech computers would be included in this deal.<sup>26</sup> Zeng Qiang has been named one of China's brightest young stars.<sup>27</sup> As founder of Sparkice I-Com Ltd., Zeng is one of many who have big plans for a Chinese Internet. Zeng hopes "to sell the products of a million Chinese companies to wholesalers, retailers, factories and individuals abroad."<sup>28</sup> He expects to earn revenues of billions of dollars per year.<sup>29</sup> As the former Soviet Union discovered, competition with the U.S. is expensive.<sup>30</sup> It is precisely this type of foreign investment that Communist Party officials hope will invigorate the Chinese economy and finance China's modernization.

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18. See Mark Landler, *Rolling With China's Web Punches*, N.Y. TIMES, Jan. 31, 2000, § C, at 10.

19. See Rees-Mogg, *supra* note 6.

20. See Elisabeth Rosenthal, *China Issues Rules to Limit E-Mail and Web Content*, <http://www.nytimes.com/library/tech/00/01/biztech/articles/27china.html> (Jan. 27, 2000).

21. See Rees-Mogg, *supra* note 6.

22. See *id.*

23. See Lee, *supra* note 5.

24. See Joseph Kahn, *China Indicates an Air of Restraint Toward Taiwan*, <http://www.nytimes.com/library/world/asia/040200china-taiwan.html> (Apr. 1, 2000).

25. See *id.*

26. See *id.*

27. See Erik Eckholm and Elisabeth Rosenthal, *The Bright Young Stars of China's Future*, <http://www.nytimes.com/library/world/asia/092899china-profiles.html> (Sep. 28, 1999).

28. *Id.*

29. *Id.*

30. See HOLMES, *supra* note 2.

Moreover, China fears the "Americanization" of the world.<sup>31</sup> One need look only as far as Japan to see the effects of American culture on an Asian society. China does not want its rich culture and history overcome by fast-food, 24-hour WalMarts and Hollywood films and television. The Communist Party leaders, however, are engineers and technocrats by training. They understand the necessity of technology.<sup>32</sup> Currently, although the Chinese military greatly outnumbers the military of the U.S. and although over 10 million Chinese men come of military age each year,<sup>33</sup> China's military is badly outclassed.<sup>34</sup> China's military and its weapons are not nearly as advanced as the United States'. There are many who feel that even China's recent threats against Taiwan are hollow at best.<sup>35</sup> China has existed for 5,000 years. If it is to survive, it has no other choice than to accept modern technology, including the Internet.

#### PITFALLS OF A CHINESE INTERNET

Acceptance of the technology does not come without problems however. By opening up its communication systems, China has in a sense opened up Pandora's box. China has long since had laws prohibiting divulging "state secrets" and against "pornography," but as of 1996, they officially apply to the Internet.<sup>36</sup> Fortunately for free speech and unfortunately for the Communist government, the communications capabilities of the Internet make enforcing these laws even more difficult. Using a popular Internet search engine to search for the words "sex" and "pictures," this author received 2,106 "matches."<sup>37</sup> China fears that pornography would corrupt the morals of its people, and whether that belief is right or wrong, the ease with which "pornographic" material can be found on the Internet is a problem for China. Stopping "pornography" is difficult. What is pornography to one person may be art to another. In France, it is common to see women and young girls topless at a public beach. In the U.S., Miami's South Beach is the only place this author knows where women are permitted to go topless.<sup>38</sup> China has the difficult task of stopping not only what Westerners would

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31. Huus, *supra* note 12.

32. See Richtel, *supra* note 13.

33. See *CIA World Fact Book*, *supra* note 4.

34. See Huus, *supra* note 12.

35. See *id.*

36. See Jeffrey Parker, *China and the Internet: Pushing the Limits of Tolerance*, <http://is.gseis.ucla.edu/impact/w96/News/News7/0221china.html> (Feb. 21, 1996).

37. On April 11, 2000, this author used [www.yahoo.com](http://www.yahoo.com) for this search.

38. This does not include, of course, beaches or areas specifically designated as "nudist" or "clothing optional."

consider pornography, but also what Chinese would consider pornography.<sup>39</sup> Other crimes, such as fraud and prostitution, as well as the black market, may be facilitated by the Internet. Many U.S. Internet subscribers regularly receive "junk mail" that solicits them to purchase cable de-scramblers or other equipment, or directs them to Internet sites with content which may be illegal in their jurisdiction.

The primary challenge brought by the Internet, however, is to China's internal stability.<sup>40</sup> This threat includes dissidents within China as well as from cyber-terrorists and foreign countries. One of the first objectives in war is to disrupt the communications system of the enemy.<sup>41</sup> While the Internet was developed precisely as a defense to such an attack, "viruses," "Trojan horses," and other hostile programs can be used by both terrorists and organized nations to attack and shut down societies dependent on computer technology. Within the past year or two, hackers have broken into and shutdown popular sites such as Yahoo! and E\*Trade. The recent "Love Bug" virus affected computers around the world and even caused one of the Pentagon's computers to crash.

### *Dissent from without*

Previously, all news was filtered through the Ministry of Information in Beijing. With a connection to the world outside China, however, its citizens can receive news not permitted by the Ministry of Information. The Internet is "fast fraying the Government's monopoly on information."<sup>42</sup> This loss of control over information is a great risk to the communist government. This largely anonymous, mass communications tool is a place where the thoughts and voices of dissent can fester. The use of e-mail and websites by dissidents to spread their message has been rapidly growing.<sup>43</sup> One voice can be "heard" by thousands, even millions. *China News Digest*<sup>44</sup> is a volunteer organization based out of Maryland that bills itself as "The Cyberspace Info Center for Chinese and Friends Worldwide."<sup>45</sup> It reported that traffic to its website doubled from 2,000 hits per day to 4,000 hits per day

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39. Playboy magazine is an example of an item that is widely accepted in the U.S. and other western countries, but considered pornographic in China. Fashion magazines in Europe routinely display bare breasted young females in advertisements.

40. See Huus, *supra* note 12.

41. See *id.*

42. Eckholm, *supra* note 15.

43. See *id.*

44. *China News Digest*, <http://www.cnd.org>.

45. See *id.*

when it ran a package of pictures and commentary marking the anniversary of the Tiananmen Square "unrest."<sup>46</sup> Not surprisingly, the Chinese government blocked access to the site within days.<sup>47</sup> *VIP Reference* is an electronic newsletter sent out by Chinese democracy advocates in Washington.<sup>48</sup> *VIP* "sends out reports on dissident activities, essays and reprinted articles on human rights and other issues" to more than 250,000 e-mail addresses in China.<sup>49</sup> It also has a daily news edition that goes to 25,000 Chinese e-mail addresses.<sup>50</sup>

### *Dissent from within*

Although the voice of dissent from outside China may be more prevalent, there are many dissenters within China's borders that have begun to use the Internet to communicate their message. In Tibet, all of the major newspapers are owned by the communist government.<sup>51</sup> There has been a severe repression of local media.<sup>52</sup> Growth of the Internet offers the potential for the spread of independent journalism by residents and exiles.<sup>53</sup> Newsletters, which previously consisted mainly of handwritten notes and articles by exiled leaders, were difficult to distribute, and it was very dangerous to be caught with one.<sup>54</sup> By using bulk e-mails just as "junk-mailers" or "spammers" in the U.S. do, these newsletters can be distributed more safely to a greater number of people.

The Internet magazine, *Tunnel*, which is mainly written in China, uses the Internet to e-mail its newsletter to a Silicon Valley address. The newsletter/magazine is then e-mailed back into China to thousands of addresses.<sup>55</sup> This practice makes it difficult if not impossible to track down its authors. Newsletters like these, along with on-line discussion groups, have been an important link between political activists. In addition to being a venue for discussion and distribution of literature, the Internet is an efficient and powerful tool for organization. Supporters of the banned spiritual group Falun Gong have already used the Internet to organize demonstrations and protests,<sup>56</sup> and in January

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46. See Richtel, *supra* note 13.

47. See *id.*

48. See Eckholm, *supra* note 17.

49. See *id.*

50. See *id.*

51. See Reuters, *Secret Newsletters Spread in Tibet-rights Group*, <http://www.tibet.com/NewsRoom/secret-newsletter.html> (Apr. 7, 2000).

52. See *id.*

53. See *id.*

54. See *id.*

55. See Eckholm, *supra* note 15.

56. See Rosenthal, *supra* note 20.

2000, a group of disgruntled farmers in a small Chinese village used the Internet to expose a corrupt local Communist Party chief.<sup>57</sup>

### CONTROLLING THE UNCONTROLLABLE

Because of these problems, Party officials are faced with the near-impossible task of controlling which information is available in China. They have attempted to do this with technology and with regulations.

#### *Technology*

Just a couple of years ago when the Chinese Internet was in the planning stage, many of China's leaders supported a domestic version of the Internet that would be "walled-off" from the international web. This "Intranet" idea was apparently abandoned when it became obvious that this technology would not stop the flow of information into the country.<sup>58</sup> Instead, China has relied on filter programs and blocking technology.<sup>59</sup> International links must go through the Ministry of Post and Telecommunications. There, software searches out sites with certain words or phrases and prevents them from passing further. This filtering is only marginally effective. While it may filter out a site discussing *human rights* in China, it may also filter out a site discussing the *right* side of the *human* body. Vice Premier Zhu Rongji reported that it is "[b]etter to kill 1,000 in error than let even one slip through."<sup>60</sup> China also uses technology to block specific sites it deems inappropriate or objectionable such as *China News Digest*. In 1996, China blocked access to hundreds of websites.<sup>61</sup> At times, even the *New York Times* and the *Washington Post* have been blocked.<sup>62</sup> Strangely, these blocking techniques are either of variable quality or unevenly applied. At one point, the *New York Times* was blocked, but access to the *Washington Post*, *Playboy* and many X-rated sites were not.<sup>63</sup> Blocking is also inefficient, as some sites, such as VIP Reference, are mailed from a different American address every day to avoid government attempts to block.<sup>64</sup> Moreover, even though the website of the group Human Rights in China is blocked, it still receives dozens

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57. See *id.*

58. See Landler, *supra* note 18.

59. See Richtel, *supra* note 13; Eckholm, *supra* note 15.

60. Parker, *supra* note 36.

61. See Eckholm, *supra* note 15.

62. See *id.*

63. See *id.*

64. See Eckholm, *supra* note 17.

of hits from within China per week.<sup>65</sup> *China News Digest*, also blocked, receives hundreds.<sup>66</sup>

### *Regulations*

Using technology to beat technology is a continuous, on-going race. No matter what programs are developed to block or filter, intelligent and ambitious users can always find ways around them. For that reason, China has also relied on regulation of the Internet as a control mechanism.

Beginning in 1996, China has passed a series of regulations aimed at controlling the use of the Internet. In that year, Premier Li Peng announced a ban on transmission of state secrets, information harmful to state security, and pornography over international computer links.<sup>67</sup> It is also a crime to defame government agencies or to promote separatist movements.<sup>68</sup> There are also laws against "hacking."<sup>69</sup> It is illegal to use the Internet to "split the country" (this is the Chinese terminology used to describe the independence movement in Taiwan as well as the supporters of the Dali Lama).<sup>70</sup> Violators are subject to an \$1800 fine and "criminal punishments," whatever they may be.<sup>71</sup> Internet users are required to register with the police.<sup>72</sup> Security agencies have formed special units to fight the spread of dissident information,<sup>73</sup> and all people who use encryption software to protect the privacy of their e-mails are required to register with the government.<sup>74</sup>

These laws apply to both the individual users and the content providers.<sup>75</sup> Internet sites must be examined by secrecy offices to ensure that their content does not violate these regulations.<sup>76</sup> This liability for the Internet Service Providers (ISP)<sup>77</sup> or Internet Content Providers (ICP)<sup>78</sup> has resulted in the self-censoring of the Internet. Most Chinese sites, including its most popular, Sina.com, screen chat room discussions and limit

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65. See Eckholm, *supra* note 15.

66. See *id.*

67. See Parker, *supra* note 36.

68. See Eckholm, *supra* note 15.

69. See *id.*

70. See *id.*

71. See Richtel, *supra* note 13.

72. See Parker, *supra* note 36.

73. See Eckholm, *supra* note 17.

74. See Landler, *supra* note 18.

75. See Eckholm, *supra* note 15.

76. See *id.*

77. For example, Earthlink.net, Bellsouth.net, etc.

78. For example, Yahoo.com, Excite.com, Go.com, etc. (Some services such as America On-Line and the Microsoft Network are both ISPs and ICPs).

their political news to copies of the official state media.<sup>79</sup> ISPs and ICPs do "not hesitate to shut down chat groups where politically sensitive ideas [are] exchanged."<sup>80</sup>

China also uses financial regulations to restrict the Internet.<sup>81</sup> It briefly prohibited foreign investment in Chinese Internet companies.<sup>82</sup> China has since backed off that prohibition, but still plans to require all Internet companies based in China to seek governmental approval from three different agencies before going public in foreign markets.<sup>83</sup>

Attempting to control information traveling across the web of wires that make up the Internet is like fighting the Hydra.<sup>84</sup> It has been compared to attempting to stop every car on I-95 during rush hour to search for drugs. It is possible, but such action would render the route virtually useless.<sup>85</sup> There are millions of web pages and an unimaginable potential for e-mails.<sup>86</sup> Although the government has the technological capability to intercept and read individual e-mails as well as the ability to block certain sites, the sheer volume and ease of redirection makes interception of any serious amount unrealistic.<sup>87</sup> These laws, therefore, are not easily enforceable. *VIP* and other newsletters are sent out indiscriminately to thousands of addresses.<sup>88</sup> "The theory is that when so many are automatic recipients, individuals cannot be accused of deliberately subscribing."<sup>89</sup> Few have been jailed in relation to Internet activities.<sup>90</sup> Arrests are primarily useful as a symbolic show of force in an attempt to frighten Internet users.<sup>91</sup> For that reason, and fortunately for free speech and democracy, these laws have not stifled the voices of dissent.

Part of the problem in controlling the Internet is the lack of clear jurisdiction within the government. The Ministry of Information Industry had been regarded as the agency that would oversee all aspects of Internet regulation, but in December 1999, its minister, Wu Jichuan, stated in an interview that his ministry

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79. See Rosenthal, *supra* note 20.

80. Parker, *supra* note 36.

81. See Landler, *supra* note 18.

82. See *id.*

83. See *id.*

84. The Hydra was a mythological beast with many heads. If one head was cut off, two grew back in its place. Thus, attacks against it were not only futile, but put the attacker in greater peril.

85. See Richtel, *supra* note 13.

86. See *id.*

87. See *id.*

88. See Eckholm, *supra* note 17.

89. *Id.*

90. See Rosenthal, *supra* note 20.

91. See *id.*

only had jurisdiction over ISPs.<sup>92</sup> With billions of dollars at stake, there is fierce competition within the central government for control of the remainder of the Internet. Now, all international Internet traffic must be routed through the Ministry of Post and Telecommunications.<sup>93</sup> The State Press and Publication Administration claims jurisdiction over how the news should be disseminated on the Internet, and the Administration for Radio, Film and Television claims jurisdiction over companies that provide online broadcasting.<sup>94</sup>

### WILL DEMOCRACY RESULT?

As discussed above, it is fairly obvious that China cannot have the Internet and at the same time control the information it carries. “[O]ne cannot have the Information Age without information.”<sup>95</sup> China will assuredly continue its patchwork of regulations in an attempt to curb the wave of information, but even the Great Wall cannot hold back the massive onslaught of digital information. Nothing short of destroying the Internet in China will stop this flow of information, and China is “desperate to participate in the high-tech revolution.”<sup>96</sup>

### *Fall of Communism*

Before one can discuss whether China’s communist system will fall in the future, one must first understand why it did not collapse during the great anti-Communist movement of 1989-91. Holmes’s book, *Post-Communism: An Introduction*, provides a brief look into China’s past. At the beginning of the 20<sup>th</sup> century, as at the beginning of the 21<sup>st</sup> century, China’s leaders acknowledged that China required economic modernization, but were wary of the political consequences.<sup>97</sup> That challenge resulted in China’s first ever elections.<sup>98</sup> When the communists took power in 1949, China was a peasant society.<sup>99</sup> There was no bourgeoisie or any substantial urban proletariat.<sup>100</sup> These were not the conditions Marx would have considered ripe for communism.<sup>101</sup> According to Alexis de Tocqueville’s theory of rising expectations,

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92. See Landler, *supra* note 18.

93. See *id.*

94. See *id.*

95. Rees-Mogg, *supra* note 6.

96. Richtel, *supra* note 13.

97. See HOLMES, *supra* note 2 at 118.

98. See *id.*

99. See HOLMES, *supra* note 2 at 119.

100. See *id.*

101. See *id.*

the more people receive, the more they expect.<sup>102</sup> Many experts on revolution believe that revolutions do not occur simply because the economy is bad or the people are oppressed.<sup>103</sup> Instead, "they tend to happen when a reforming government has raised expectations but has been unable or unwilling to deliver what citizens believed it had promised."<sup>104</sup> In the former Soviet Union and Eastern Europe, the economy of the late 1980's was declining.<sup>105</sup> By contrast, Deng Xiaoping's economic programs were largely successful.<sup>106</sup> By the late 1980's, China was much better off than it had been. Peasants were granted more autonomy and responsibility. Industry was transformed with more privatization and foreign investment and less central control.<sup>107</sup>

Another factor in China's survival of the anti-communism wave is that Chinese are traditionally fearful of chaos.<sup>108</sup> They may prefer the known evils of communism to the unknown evils of something else. Also, unlike Eastern Europe, China's communism was not strongly influenced by the former Soviet Union.<sup>109</sup> There was no feeling that the government was being dominated by a foreign power.

Although China's communist system did not collapse at the time of the anti-Communist wave, Holmes believes it is only a matter of time.<sup>110</sup> Chinese culture is strongly tied to the philosophy of Confucius. One of the basic tenets of Confucianism is "that society should be led by the wisest and most virtuous."<sup>111</sup> Moreover, "people have a right to challenge and remove a ruler who is exercising power in the 'wrong' way or for the wrong reasons."<sup>112</sup> President Jiang Zemin has acknowledged that "corruption was now undermining the very foundations of communist rule in his country."<sup>113</sup> Holmes also points out that several post-communism elements already exist in China.<sup>114</sup> In fact, central control has been loosened so much over the economy that some experts wonder if China is truly a communist country at all.<sup>115</sup> In the beginning of the 1990's, there was a higher percentage of out-

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102. See HOLMES, *supra* note 2 at 35.

103. See *id.*

104. *Id.*

105. See HOLMES, *supra* note 2 at 65-114.

106. See HOLMES, *supra* note 2 at 120.

107. See HOLMES, *supra* note 2 at 121.

108. See *id.*

109. See *id.*

110. See HOLMES, *supra* note 2 at 121-22.

111. HOLMES, *supra* note 2 at 117.

112. *Id.*

113. HOLMES, *supra* note 2 at 121.

114. See *id.*

115. See HOLMES, *supra* note 2 at 120.

put from China's private sector than in the emerging post-communist democracies.<sup>116</sup>

Holmes predicts that ethnic conflict and at least some dissolution of the country is likely.<sup>117</sup> With the Internet's ability to unite common voices, regions may begin to unite against Beijing. Wealthier areas may wish to throw off the burdens of the poorer areas. Poorer areas may feel neglected by Beijing if the resources are seen to be unevenly distributed. Areas such as Tibet may wish to return to self-governance.

### *Regionalism*

#### *Tibet*

Tibet has long seen itself as an occupied country. Tibet is still the "wild west" compared to eastern China. It is overwhelmingly agrarian and poor.<sup>118</sup> Nomadic herdsmen still roam the countryside, and mule-drawn carts are commonplace.<sup>119</sup> One Tibetan *wang ba* owner stated, "Tibetans almost never use high technology; they don't understand it."<sup>120</sup>

The Tibetans consider their leader, both spiritually and politically, to be the Dali Lama, who fled China in 1949. The Dali Lama, who is considered a type of "god-king" to Tibetans, has since become a celebrity in his pursuit to raise the awareness of the plight of his people. Many of Hollywood's brightest stars have campaigned on his behalf. Although China claims to promote equality amongst its people, the Tibetan Centre for Human Rights and Democracy has reported that China is actually tightening its grip on Tibet.<sup>121</sup> The organization cites examples of racial and gender discrimination, denial of freedom of religion and expression, forced sterilization and abortions and death by torture.<sup>122</sup> The Tibetans feel even more neglected by the increase in Chinese settlers, who are the ones benefiting from the developments and economic improvements.<sup>123</sup>

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116. See HOLMES, *supra* note 2 at 122.

117. See *id.*

118. See Lee, *supra* note 5 ("Depending on where you go and whom you ask, China is alternately prosperous or poor, cutting-edge modern or heartachingly backward.")

119. See *id.*

120. *Id.*

121. See Tibetan Centre for Human Rights and Democracy, *Tibet: Tightening of Control* <http://www.tichrd.org/press/pr000103.htm> (Jan. 3, 2000).

122. See *id.*

123. See *id.*

### *Hong Kong*

The former British colony Hong Kong was officially transferred to Chinese control in 1997.<sup>124</sup> As a British colony, Hong Kong enjoyed a democratic political system and a full, free market economic system. China has pledged to run Hong Kong under its “One China—Two Systems” policy.<sup>125</sup> Although China has promised that its socialist economic system will not be practiced in Hong Kong and that it will allow Hong Kong to retain a high degree of autonomy in all matters except foreign and defense affairs for 50 years, many in Hong Kong are wary.<sup>126</sup> Ethnically, Hong Kong is 95% Chinese;<sup>127</sup> nevertheless, virtually none of its citizens have ever lived under communist rule. Little has gone right for Hong Kong since the transition from British to Chinese governance, and Hong Kong’s people are afraid that China’s meddling may injure their booming economy.<sup>128</sup> If that happens, China risks a backlash in Hong Kong, possibly resulting in a separatist movement.

### *Macau*

Macau is a small city less than 40 miles southwest of Hong Kong.<sup>129</sup> In December 1999, governance of Macau was officially transferred from Portugal to China. The residents of Macau are perhaps the most supportive of Beijing’s communist government. That is because under Portuguese control, the city became a playground for the criminal underworld.<sup>130</sup> Casinos were infested with prostitutes and it was common to settle disputes by gunfire.<sup>131</sup> Macau residents hope that the authoritarian communist regime will crack down on the triads, or gangs, because the local police have been ineffective, and gang warfare has devastated the tourism industry.<sup>132</sup> For these reasons, Macau residents actually lined the streets and cheered as the military rolled into town.<sup>133</sup> Because Macau’s expectations are so high, they are perhaps the

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124. See *CIA World Fact Book*, <http://www.odci.gov/cia/publications/factbook/hk.html>.

125. See *id.*

126. See generally the comments found on the China News Digest website <http://www.cnd.org>.

127. See *CIA World Fact Book*, *supra* note 124.

128. See Mark Landler, *The Un-Hong Kong; This Colony Can't Wait for the Chinese*, N.Y. TIMES, July 19, 1998, § 4, at 4.

129. See *id.*

130. See *id.*

131. See *id.*

132. See *id.*; see also Mark Landler, *China's Troops Cross Into Macau and Are Cheered by Residents*, N.Y. TIMES, Dec. 21, 1999, § A, at 5.

133. See Mark Landler, *China's Troops Cross Into Macau and Are Cheered by Residents*, N.Y. TIMES, Dec. 21, 1999, § A, at 5.

most susceptible to disappointment. It may not be within the power of China's leaders to control the Triads. Beijing may be unwilling to involve the army in local disputes, or they may simply not pay enough attention to the concerns of this small area. The failure to meet these expectations may result in a disenfranchised citizenry ready for revolution.

### *Taiwan*

Taiwan is the political hotbed of the day. Having just held its elections, Taiwan snubbed Chinese wishes by ending the 50-year rule of the Nationalist Party and electing a member of the Democratic Progressive Party, Chen Shui-bian.<sup>134</sup> Chen is a long-time advocate of an independent Taiwan. China considers Taiwan a renegade province and seeks to reunite the island with the mainland.<sup>135</sup> Chen, on the other hand, sees all talks with China as between two sovereign nations.<sup>136</sup>

The victory may have been brought about, in part, by the resentment felt by many Taiwanese for the Nationalist Chinese. Eighty-five percent of Taiwan's population is descended from people who migrated from the mainland centuries ago.<sup>137</sup> In 1949, when Chiang Kai-Shek led two million Mainland Chinese to the island, he established a government for all of China.<sup>138</sup> Chiang, and his Nationalist Party, held the belief that they would someday oust the communists and reunite with the mainland.<sup>139</sup> Over the years, this government neglected the Taiwanese already on the island, and resentment grew. When James Soong, a former high-ranking Nationalist Party member, left the party, he split the Nationalist vote. Chen was able to win the election by a plurality of 39% (Soong had 37% and Lien Chan, the Nationalist Candidate, received 23%).<sup>140</sup>

Although Beijing indicates that it would allow Taiwan to define "China" however it wanted to if Taiwan agreed there was only "one China," Chen refuses to accept China's offer of "One Country—Two Systems."<sup>141</sup> Unlike Hong Kong and Macau, Taiwan is not a former colony. Chen sees no need to officially declare independence, as Taiwan has always been a sovereign

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134. See Erik Eckholm, *Decision in Taiwan: The Overview: Taiwan Nationalists Are Ousted After Half-Century Reign*, N.Y. TIMES, Mar. 19, 2000, §A, at 1.

135. See Joseph Kahn, *China Indicating Caution on Taiwan*, N.Y. TIMES, April 1, 1999; See also, Eckholm, *supra* note 134.

136. See Kahn, *supra* note 135; See also, Eckholm, *supra* note 134.

137. See Eckholm, *supra* note 134.

138. See *id.*

139. See *id.*

140. See *id.*

141. See *id.*

nation.<sup>142</sup> He is adamant that he “will not let Taiwan become another Hong Kong or Macau.”<sup>143</sup> This position upsets Beijing immensely. It has even threatened many times to invade Taiwan and to take it by force if Chen refuses to seriously discuss Taiwan’s reunification with the Mainland.<sup>144</sup> It is possible that China may take Taiwan by force (if it can; see discussion *supra* p. 315). It is doubtful that western countries will do much more than provide intelligence and weapons to a grossly outnumbered Taiwanese army. However, it is more likely that China will continue to make concessions until a reunified Taiwan would see little difference in its day-to-day operation. As stated previously, China already has a post-communist economy. It is likely that the political system in Beijing will morph to some other form of government before Taiwan can be fully assimilated.

### *Sustaining Democracy*

Assuming communism does collapse in China, which seems inevitable, and assuming democracy is the result, which is not necessarily inevitable, could it survive? Adam Przeworski, in his book, *Sustainable Democracy*, addresses what fledgling democracies must do in order to survive. It is interesting to note that there are no poor democracies. One may think that these countries are wealthy because they are democracies. That assessment is wrong. In fact, they are democracies only because they are wealthy. Therefore, one of the post-communist’s primary concerns is the economy. China’s economy, at least in the eastern part of the country, is fairly strong and should be able to withstand the strains of changing political systems. In fact, because of the current level of privatization of industry, the transition would be much simpler than in many of the previous post-communist countries. The challenge will be to maintain the hopes of the China’s poor western citizens. They may just as well decide that life was better under communism and revert.

Przeworski states that modern citizenship requires material security, education and access to information.<sup>145</sup> The Chinese are highly educated. They have a literacy rate of 81.5% and excel at science and engineering.<sup>146</sup> Although access to information is presently limited, the expanding use of the Internet will fill that void. Unlike the Balkans and other post-communist countries, China is predominately of one ethnic/national background,

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142. *See id.*

143. *Id.*

144. Various news reports in New York Times, London Times, and Reuters.

145. *See* PRZEWORSKI, *supra* note 3, at 34.

146. *See CIA World Fact Book* <http://www.odci.gov/cia/publicatons/factbook/ch.htm#intro>.

and therefore there would be little difficulty with the nationalist movements seen in the Balkans.<sup>147</sup> Except for Tibet, there is no real presence of minorities. Even that presence is being systematically diminished.<sup>148</sup> In Macau and Hong Kong 95% of the populace are ethnic Chinese, and the Mainland is 91.9% ethnic Chinese.<sup>149</sup>

In sustaining a democracy, one of the primary institutions that needs to be controlled is the military.<sup>150</sup> The new government must keep the military leaders happy and the soldiers paid. Otherwise, the risk is that the military will shift its allegiance, or even worse, attempt a military coup.<sup>151</sup> China's military has shown that unlike the military of the former Soviet Union, it is willing to fire on its own citizens. The massacre at Tiananmen Square in 1989 is but one example. Recently in Tibet, the military opened fire on 3,000 demonstrators in Tibet who merely wanted the government to release religious leaders.<sup>152</sup>

#### CONCLUSION

No one can really say if or when China will become a democracy. The experts seem convinced that communism will eventually fall in China, and they at least suspect some form of democracy will result. It is this author's opinion that there will be no dramatic revolution as seen in Russia. There will be no Chinese "Boris Yeltsin" standing atop a tank waving a flag. Instead, the people of China will voice their concerns via the Internet. They will be so numerous, that the communist officials will have no choice but to gradually relinquish control. More than 26% of China's population was not even alive during the reign of Mao Zedong, and that number is growing every day.<sup>153</sup> It is the grandfathers of China that control the politics, the fathers that control the economy and the children who control the future of the Internet.<sup>154</sup> As in the United States, it is this generation that is driving the Internet revolution. The most popular uses for the Internet in China are to visit chat rooms and to play

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147. See PRZEWORSKI, *supra* note 3, at 21.

148. See Tibetan Centre for Human Rights and Democracy, *supra* note 121 ("The transfer of Chinese into Tibet is the most serious threat to the survival of the Tibetan people and culture. Population statistics estimate more Chinese than Tibetans in Tibet, thereby marginalising Tibetans in all sectors of the economy.").

149. See *CIA World Fact Book* <http://www.odci.gov/cia/publicatons/factbook/mc.html>; *CIA World Fact Book*, *supra* note 124; *CIA World Fact Book*, *supra* note 145.

150. See PRZEWORSKI, *supra* note 3, at 46-48.

151. See *id.*

152. See Tibetan Centre for Human Rights and Democracy, *supra* note 121.

153. See *CIA World Fact Book*, *supra* note 145.

154. See William Rees-Mogg, *supra* note 6.

video games.<sup>155</sup> It appears the “Americanization” of China has begun.

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155. See Lee, *supra* note 5; Parker, *supra* note 36.

