

# Shaping A Free, Rational, Conversational and Consensus-oriented Cyber Opinion Ecology

Reporter: XU Ye



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Today, there is structural defect in our public opinion expressions. This deficiency mainly reflects on that when in discussions most users don't focus on public issues, but drift to express their emotional, irrational views away from the issues. These expressions are mainly mobilization based self-interest, or judgment based on emotion, rather than the rational thinking based on facts. The kind of expression that we really need is a public governance-based discussions and sharing on which we can reach social consensus.

**Reporter:** How do you assess the idea of Internet governance and the current Internet governance in China? What are the progresses it made and the challenges it faces?

**Zhang Zhi'an:** China now attaches great importance to Internet governance, and has made certain progresses in the past two decades that are valuable.

The first progress is the concentration of powers. In terms of the governance body, we have changed the somehow disordered pattern that was riddled by a multiple

governing bodies in the past. In that pattern, it was the Ministry of Industry and Information Technology, the State Council Information Office, and the State Administration of Radio Film and Television who took the responsibilities to regulate the Internet, but with low efficiency. Now the State has set up the Cyberspace Administration of China which, with the major administration power designated to it and strongly backed by the Office of the Central Leading Group for Cyberspace Affairs, is the only administration empowered with both of sufficient administration/management power and a certain legislative power, thus totally changing the pattern of a multiple governing bodies.

Another is to promote the rule of law of the Internet. Internet is not a space outside the legal world. It indeed needs of standardization and order. For example, the Country pays particular importance to manage cyber rumors, protect online privacy and fundamental rights of citizens, and protect intellectual property rights on the Cyber space. To promote legislation for cyber management, this is a progress made by China.

A challenge here is that as power is too concentrated, how we can avoid monopolization, officialism and power centralization when in the exercise of the power. In addition, for the sake of social stability, local governments manage the Internet still showing with a certain feature of rule of man, even bullying to a certain degree, in the process of advancement of the legal system. And also, even though we are now pushing cyber legislation, it is still insufficient and imperfect in certain areas in our legal system, which results in difficulties for enforcement, for example, despite government's emphasis on cyber IP protection, most people do not want to resort to legal means due to high cost in the specific implementation process; despite the emphasis on online privacy protection, but still there are a lot of human flesh search and moral judgment cases on Internet, still it is easy to violate privacy of individual citizens on Internet. Currently, it is very difficult to enforce and protect the rights.

Now the question which is worth exploring is whether it is possible to protect "The Right to be Forgotten" in China. On May 30<sup>th</sup>, 2014, Google launched in Europe a service for users which can meet users' demands to remove contents from the search results if the contents they think are objectionable. Within just four days since the service launched, Google received 41 thousand individual applications. As the Internet and social media goes popular, more and more people go into the "panopticon". Whether citizens can claim public Internet companies to "Delete" and whether China can have such laws in place to protect the Right to be Forgotten, we still have a long way to go.

**Reporter:** Some say that for Internet governance of our country, we can largely rely on the market by which a reduced, service-oriented government can be built upon. How do you see it in your opinions? And some even proposed to rely on the various private organizations and trade organizations as a governing body. In your view how do you think about this model? And which mode should China adopt?

**Zhang Zhi'an:** Cyber management should be varied in different countries. What China needs now is common participation. But it seems our governance model is still the one largely dominated by the government with limited public participation. Although companies have a certain influence, their voice is still relatively weak; in addition, social organizations participation is also very limited. Should Chinese government per se want to shift gradually from an Omnipotent Government to a Limited Government, its policies especially those public interest related policies, should be shifted from the one that is top-down, relatively closed and relatively powerful, to the one that is more open, equitable, diversely participated, and interactive.

China may not simply copy a mode from other countries. But it should adopt a mode that is more based on rule of law, open and governance-oriented, and depending on different areas, to choose governing bodies. For example, China's cyber legislation is

basically led by the government and the NPC, but when it comes to the areas of Internet policy and the Internet industry development policy, it should be fully devolved to the market and enterprises. In terms of citizen information and privacy protection, it should listen to public opinions and views and learn from the practice of developed countries. And in terms of cyber moral standards and ethical quality of Internet users involving cyber information content, it should turn it to the social community to make judgment. The more difficult part is the cyber media management. Because in China, the media is part of the ideology, so our cyber media management is also, to a considerable extent, incorporated into in the management system of traditional media.

**Reporter:** What kind of Cyber opinion ecology should China have to promote a sound and healthy governance?

**Zhang Zhi'an:** China needs a cyber opinion ecology that is fully free, rational, and conducive to public dialogue and consensus. This is one of the important preconditions for development of Chinese society. There are three main criteria for Cyber opinion space.

First, it's freedom of speech. People should be fully allowed to say, speak and express on public affairs. Otherwise, it is impossible to form a so-called opinion interaction and the consensus that most people could reach to hold. To make everyone fully express without fear is an important prerequisite.

Second, it's public and rational dialogue. This kind of expression is neither the one in which you and I gabble, just like a dialogue of the deaf, nor the one you say on the Wechat and I say on the micro-blogging and he says in the mainstream media, without listening to each, nor the government states official opinions on the CCTV News Simulcast while general public express opinions on the micro-blogging, that keeps the society divided and fragmented, and nor the one in which top ten people's opinions on

Wechat that affect thousands of people following behind them. But instead, it is the one that based on basic facts we examined to carry out a rational expression. If we cannot interact, if we always say without listening, it is extreme and emotional. Most people are selective to contact information; public opinion is polarized. This is very bad.

Third, it's formation of consensus. We are particularly concerned about a torn social value. No party seems to want to listen or learn from the other. What we express and discuss on the Internet falls into great divisions, as figuratively speaking in Chinese—falling into “a ground of feathers”, and finally no way to form a real social consensus, thus hindering the rational development. Today, there is a structural defect in our cyber opinions. This deficiency mainly reflects on that when in discussions most users do not focus on public issues, but drift to express their emotional, irrational views away from the issues. These expressions are mainly mobilization based self-interest, or judgment based on emotion, rather than fact-based Rational Thinking. The kind of expression that we really need is a public governance-based discussion and sharing on which we can reach social consensus. No consensus, it cannot really provide a basis of values and attitudes for the so-called public governance. So we think today's cyber opinion place in China is not rational, but unhealthy.

We should strive to promote consensus, at least it is necessary to facilitate elites to reach consensus. To form such opinion ecology in China, it depends largely on the growth of rational citizens and protection of freedom of speech, depends on whether the serious media can survive and develop in the opinion fields to become an important public space, and also depends on education and the civic literacy of next generation of young people.

**Reporter:** What are the effective foreign governance models and mechanisms that China can learn from?

**Zhang Zhi'an:** What is worthy to learn for our Internet governance is to have a holistic strategic arrangement. For a country to form the overall architectural design to govern Internet, it must have arrangements on macro, meso and micro levels. For example, the US National Internet governance system that is with an overall strategic plan includes at least three capabilities: First, the top-level design capability which mainly refers to paying importance to the national strategy and to conducting the national system design; the second is the collaborative capabilities, which means to establish a management system in which the government, businesses, multiple main think tanks and associations can participate in; the third is socializing capabilities, which means to set up a co-sharing mechanism in which exchange of the information can be conducted between citizens, companies and organizations. Internet governance is part of the national governance structure, and both are highly homogeneous. We rarely see that a government which takes the way of power politics will take an open attitude towards to Internet governance.

In addition, the protection of privacy and the right of freedom of expression should be the baseline for all of the Internet Governance. Internet Governance should not be carried out at the expense of the right to criticize and the right to express of the normal public, and it should not ignore the protection of privacy, fame and related rights of the public. In many cases, it may exist in a conflict between privacy of citizens and national security, and the government may easily take the reason of national security as its ground to weaken the protection of citizens' privacy. Actually, it should have a very clear boundary placed between the two.

**Reporter:** In terms of Chinese Internet governance, what kinds of roles should Shanghai take?

**Zhang Zhi'an:** Shanghai has done a lot to study and explore Internet governance. For example, the reconstruction of cyber opinion fields, especially its efforts to improve its capability to guide the public opinions on the mobile Internet; positive reforms

implemented by Shanghai United News Group; the introduction of *The Paper*, *Shanghai Observer* and other new media platforms; quitting some of the press from the market; and structural adjustment of the old and new media; as well as the Government supports given to serious mainstream media to allow them cover news with a relatively free degree. These efforts are the active attempts to shape and improve the influence of the mainstream media in the opinion fields, and to actively bridge the official opinion fields and public opinion fields.

However, in the fields of the intelligent government and mobile government, particularly in the opening-up of government data, Shanghai got lots of things to do. Many European and American cities have their own government data channels through which public data involving people's livelihood (non-privacy) can be available to the public, so that the public can be better aware of critical information of urban governance. For this aspect, Shanghai can learn a lot from them.