

GLOBAL INFORMATION SOCIETY WATCH 2013

Women's rights, gender and ICTs



ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS (APC)
AND HUMANIST INSTITUTE FOR COOPERATION WITH DEVELOPING COUNTRIES (Hivos)

Global Information Society Watch

2013

Steering committee

Anriette Esterhuysen (APC)
Loe Schout (Hivos)

Coordinating committee

Janine Moolman (APC)
Monique Doppert (Hivos)
Valeria Betancourt (APC)
Mallory Knodel (APC)

Project coordinator

Valeria Betancourt

Editor

Alan Finlay

Assistant editor

Lori Nordstrom

Publication production

Mallory Knodel

Proofreading

Valerie Dee
Lori Nordstrom

Graphic design

Monocromo
info@monocromo.com.uy
Phone: +598 2400 1685

Cover illustration

Matías Bervejillo

Financial support provided by

Humanist Institute for Cooperation with Developing Countries (Hivos)
Ministry of Foreign Affairs of the Netherlands Funding Leadership and Opportunities for Women (FLOW)



Global Information Society Watch

Published by APC and Hivos

2013

Creative Commons Attribution 3.0 Licence
<creativecommons.org/licenses/by-nc-nd/3.0>
Some rights reserved.

ISSN: 2225-4625
ISBN: 978-92-95102-06-4
APC-201310-CIPP-R-EN-DIGITAL-197

CHINA

Microblogs: An alternative, if limited, venue for addressing women's rights violations in China



Danwei and Media Monitor for Women Network

Hudson Locket and Lu Pin

www.danwei.com and www.genderwatch.cn

Introduction

Early 2013 and 2012 saw two major events with ramifications for China's women play out on the national stage via microblogs, or weibo (微博), platforms which as of November 2012 had 309 million users, according to the China Internet Network Information Center (CNNIC). In both cases, posts containing graphic mobile phone photos of violent acts against women stirred online tumult over two longstanding Chinese institutions – one state-enforced, one culturally inescapable, both facts of life for much of the country's female populace:

- The forced abortion performed in June 2012 on Shaanxi resident Feng Jianmei, who was seven and a half months pregnant, by local officials enforcing China's one-child policy.
- The April 2013 ruling granting a divorce and custody to US citizen Kim Lee, former wife of the famed Chinese English teacher Li Yang, on grounds of domestic violence.

Both cases hold lessons for those seeking to use weibo as a vehicle for improving the lot of mainland Chinese women, who by many accounts have seen a steady backslide in terms of gender equality since the beginning of "Reform and Opening Up" in 1978.

Background

With the ousting of central leadership candidate Bo Xilai in 2012, weibo once again proved its influence as a lever with which the public could exert some degree of oversight on the country's governing body.¹ Bo's crooked dealings were exposed when word spread online that his right-hand man fled to a US consulate with reportedly incriminating documents. While blaming the central government directly remained off limits, weibo showed it could still play an influential role in determining the course of certain events by making

them undeniable among a large enough portion of the population.

There is also precedent for online outrage prompting genuine reform of government policy. Prior to weibo's 2007 debut, heated online discussion erupted after the 2003 death of migrant worker Sun Zhigang, who had been severely beaten and died while being detained for not having a temporary living permit or ID. The furore led then-Premier Wen Jiabao to announce the abolition of the custody and repatriation procedure, which had allowed anyone travelling without proper documentation to be detained and returned to their registered place of residence.

Case 1: The forced abortion of Feng Jianmei

On 1 June 2012, the Zhenping County Family Planning Bureau in southern Shaanxi province ordered 23-year-old Feng Jianmei and her husband, Deng Jiyuan, to pay a massive fee of CNY 40,000 (around USD 6,500) or face the abortion of Feng's seven-month-old foetus. According to a report on the incident eventually released by China's National Population and Family Planning Commission, Feng's failure to change her household registration after moving to the town meant she was still an urban resident, unlike her rural neighbours who were allowed two children through a loophole in the "one child" family planning policy. Late-term abortions, coerced or otherwise, are illegal in China. Accounts differ as to when the couple was notified, but imposing hefty (technically illegal) fines has long been popular among local governments looking to turn a profit while enforcing the policy under central government mandate. Family members said that local officials accosted Feng while Deng was away and took her to a hospital, where on 2 June the staff injected shots into her womb to induce labour. Prior to injection Feng, isolated and blindfolded, was forced to give her thumbprint and signature consenting to the procedure. Early on the morning of 4 June she gave birth to a stillborn girl.

Word of the forced abortion began spreading through online discussion forums (Bulletin Board Systems, or BBS), with pictures posted by at least 11 June. That morning, one discussion thread on a

1 For more details, see the country report from China in GISWatch 2012: giswatch.org/en/country-report/internet-and-corruption/china

BBS run by Shaanxi province's China Business News (华商报) posted a description of the incident alongside two pictures of Feng and the aborted foetus on a hospital bed. The post included Deng's mobile phone number and an official response released by the Zhenping County Family Planning Bureau, which claimed it had acted in accordance with the law. Deng also posted about the incident on his verified Sina Weibo account on 11 June, though he did not post an image containing uncensored pictures of Feng and the foetus until 13 June. The latter was re-published by other users 1,650 times. Another post that day with essentially the same content was re-published 6,580 times and received 4,243 comments. As the image went viral, commercial Chinese media began picking up the story. *The Wall Street Journal* reported that the issue was among the most forwarded on Sina Weibo that week and that the phrase "seven-months pregnant forced abortion" was the most popular search term on 15 June according to data from the University of Hong Kong.

That day, the website *China Digital Times* released a leaked directive from the Central Propaganda Department instructing media outlets to refrain from independent reportage or opinion columns on the incident and requiring them to use only reports from the Xinhua state news service, but the online furore continued. On 25 June, after giving an interview to a German news organisation, Deng posted a picture on weibo of "protestors" he said had been hired by the local township government holding up banners calling him and Feng traitors. The post was re-published by other users over 5,000 times.

That day, state-run paper *The Global Times* ran an opinion piece under the headline "Policy must reflect generation changes", and the next day lawyer Zhang Kai wrote on commercial media site *Caixin* that the local government's actions, which prompted Deng and Feng to accept an out-of-court settlement, had squandered an opportunity for reform through rule of law by giving the issue its day in court. A 27 June Xinhua report announced that officials had been punished for the forced abortion following an investigation by the Ankang city government – though it made only slight mention of the graphic images online and said nothing of weibo. On 11 July, in a story mentioning neither weibo nor the internet, the final word came down through another Xinhua story with the headline "Family compensated for forced abortion, case 'settled'".

A Chinese media report in February 2013 showed that Feng was still suffering from after-effects of the forced abortion and that the local government

had not covered her medical bills as promised. It also found that Deng, working sans contract at a government-arranged job for a concrete plant, would no longer speak with the media for fear of repercussions.

Case 2: Domestic violence and Kim Lee

On 31 August 2011, the Sina Weibo user "Li Na Hua's Mom" responded to a post by the founder of the wildly successful Crazy English² language programme, Li Yang. Li exhorted his millions of followers to "love losing face" by making mistakes while learning English. "Li Na Hua's Mom" responded in Chinese: "I love losing face = I love hitting my wife's face?" and attached a picture of a woman's forehead covered in bruises and welts. The account published more photos of the woman's bruised and bloody body over the next few days. It quickly became clear that the user was Li's wife Kim Lee, a US citizen. The account name was a reference to the couple's three young daughters.

Domestic violence is endemic in China, normally goes unmentioned in public, and is widely accepted as part of married life by many women on the mainland. A 2011 survey by the All China Women's Federation, a state-controlled NGO, found that one in four women had been victims of domestic violence. A gender-based violence survey by Tianjin Normal University made public in May 2013 found that half of Chinese men reported physically or sexually abusing their partners.

Indeed, initial reactions in the media tended to focus on the scandal of a celebrity's wife divulging such private matters to the public at large. Kim Lee's handling of the situation would change that.

The pictures quickly went viral, spurring cacophonous debate. A picture of Lee's bloody ear, posted on 4 September 2011, was re-posted by other users over 24,000 times and received over 10,000 comments. While some users criticised Lee for not suffering silently, others offered encouragement, gratitude, or related their own trauma. Lee continued to post about her experiences while her husband refused to respond publicly or to come with her to a local police station to face charges – though he continued to make media appearances promoting Crazy English.

On 9 September, state-run English newspaper *China Daily* ran a story on legislation being drafted to combat domestic violence, though it gave no details about its contents or when it might be passed. China lacks a national law against

2 www.bjcrazyenglish.com/

domestic violence, and the exacting requirements for evidence in such cases – stipulated by local laws drafted at the provincial or municipal level – often act as systemic disincentives against going to court over abuse.

Later that month Li Yang admitted to state-run newspaper *China Daily* that “I hit her sometimes but I never thought she would make it public since it’s not Chinese tradition to expose family conflicts to outsiders.” Li failed to attend therapy to deal with the issue, and began making appearances on TV talking about it to mixed reactions.

On 27 October 2011, Kim Lee filed for divorce at the Beijing Chaoyang District Court, requesting equal division of the couple’s property and full custody of their three children. In weibo posts Lee said she insisted on using the Chinese legal system to both teach her daughters a lesson and to provide an example for other women suffering domestic violence. By this time Lee’s weibo account had around 61,000 followers, according to the blog Shanghaiist.

Over the course of the next year Kim Lee posted not just about her experiences building her case and dealing with an intransigent legal system, but of her life raising her daughters. Li Yang occasionally sent her threatening text messages which she would then post to Sina Weibo, such as one on 12 April 2012 reading: “In America you should be killed by your husband with gun. This is real American way. You’re so lucky to be in China!”

On 3 February 2013, Chaoyang District Court finally granted Kim Lee a divorce on the grounds of domestic abuse and, in a first, issued a three-month restraining order against Li Yang. The ruling ordered Li to pay CNY 50,000 in compensation to Lee and an annual fixed stipend of CNY 12 million until all three daughters reached 18. But the amount was minuscule compared to what Li had made from his Crazy English empire, which the court did not force him to disclose.

Still, the ruling was landmark, and Lee told the *International Herald Tribune*’s *Rendezvous* blog that since going public in 2011 she had received 1,141 letters and emails from abused women and their children. “It quickly became a matter of the other women and their stories,” she told the blog. “No one else was speaking out. I just felt I had to.”

Conclusions

Feng’s case clearly demonstrates the power of net-enabled camera phones and microblogs to raise awareness both of a specific incident and broader issue, provided conditions are right. The incident only truly vaulted itself into the public consciousness

via weibo; Deng’s post and the accompanying mobile phone photos combined with a screenshot of text messages from local authorities were visceral enough to prompt reactions from netizens that quickly spread knowledge across a broad swath of users and attracted attention from commercial media.

Later, more central government organs stepped in to conduct an official investigation, and state media ran opinion pieces condemning those responsible. However, state media also announced the “solution” to Feng’s case, after which media coverage of Feng and weibo-based discussion of family planning in China dropped off precipitously. Despite short-term popular awareness within China, the incident’s connection to a central government policy ultimately limited criticism and further discussion of family planning enforcement.

Kim Lee’s case is admittedly exceptional given her background as a US citizen and high profile as the wife of a Chinese celebrity. However, her insistence on treating the issue as one of domestic violence, her continued efforts at keeping it in the public eye, her refusal to settle out of court, and her decision to work within the Chinese court system while drawing public attention to the trials and travails of the process can serve as a model for those who find themselves thrust suddenly into the spotlight by similar incidents. Even so, it remains to be seen whether national legislation will be passed addressing domestic violence in China.

Both cases are particularly important for the substantial portion of Chinese women who still live in the countryside, and may be echoed by subsequent incidents as more become net-savvy. The latest reports from China’s Ministry of Industry and Information Technology indicate the number of mobile phone-only internet users is on the rise as PC-only users decline, and rapid growth of the former cohort is set to continue in many of China’s poorer, less-industrialised provinces.

Action steps

- Visceral subject matter (particularly pictures) is a key component for initially drawing attention to an issue online such that it can become a popular social cause.
- Caution should be exercised when pushing for reforms that run counter to major central government policies (e.g. population control). Even in areas characterised by a lack of explicit policy (e.g. domestic violence), the perception of any broader organisational effort may lead to a clampdown on discussion.

- Actively participating in the shaping of a story via weibo can help activists frame the debate over an issue such that it remains both useful and popular, as well as acceptable to the government.
- Continuous updates over a long period showing progress made working within the Chinese legal system may be more likely to remain unregulated, and as a result reach a wider audience.
- However, mere popularity or widespread outrage can still result in government backlash. In June 2013, when many other women joined activist Ye Haiyan in using weibo to shame a Hain-

an province principal and local official accused of raping students, Ye was beaten, temporarily detained and evicted by local authorities.

Coda: In recent months, however, a major crackdown by the government aimed at “online rumours” has targeted and shamed major microblog users, and a judicial ruling recently held that if a weibo post is retransmitted by other users over 500 times, or simply gets 5,000 views, the original user will be held responsible for any content the government deems inaccurate or harmful. It now seems likely that these measures will rob microblogging in China of its ability to effect any serious social change. ■