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Emerging Chinese Theory and Practice of Media
Media in Cina: nuove teorie e nuove pratiche

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The Chinese Press and the Constitution

Bettina Mottura

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ABSTRACT

In March 2018, a qualified majority of members of the National People's Congress of China voted for the adoption of the fifth amendment to the current constitutional text. In the five years prior to the vote on the amendment, President Xi Jinping delivered a constellation of public speeches, and the CCP and state organs published a series of documents in order to reaffirm the centrality of the Constitution in the country's political life, thus building the discursive framework in which the new text was discussed and adopted. The Constitution hence became one of the keywords of the political discourse and the discursive framework stemming from the central leadership documents echoed in the news production of national and international media. This paper will map how the political discourse on the Constitution permeated Chinese press texts from 2012 to 2018. The aim of the contribution is both to illustrate the influence that political language exerts on the press in China through a specific case study, and to verify to what extent the importance accorded to the constitutional text by the leadership was conveyed by the press to public opinion before and after the adoption of the 2018 amendment.

Keywords: China; Chinese press; Constitution; corpus analysis; genre colony; political discourse; political stability; public opinion; specialised languages; Xi Jinping.

1. INTRODUCTION

In March 2018, a qualified majority of members of the National People's Congress of China (NPC), the supreme legislative power in the country, voted for the adoption of the fifth amendment to the current constitutional text.

Since 1982, the five sections of the constitutional text have performed a function that was supposed to go far beyond the crystallization of shared norms in the supreme law of the People's Republic of China. The vocation of the Constitution as a political text as well as the highest source of the legal system emerges first in the Preamble with a short narration of the political history of the country. There, the legitimacy of the Communist Party to rule the country is associated to the historical successful struggle for national independence and to the revolution, as well as to ideological principles characterising the institutional system and establishing CCP's unquestionable responsibility for the present and the future of the country. As for the next four chapters – which regulate the general principles of the country, the fundamental rights and duties of citizens, the structure of the state – which seem quite similar to those of the written constitutions elsewhere in the world, their history in the next decades confirmed that they keep playing a largely programmatic and political function in relation to the institutions and citizens.

Since its adoption, the Chinese Constitution has undergone a constant evolution through five sets of amendments adopted in 1988, 1993, 1999, 2004¹ and 2018. Generally speaking, several crucial moments in the political history of the People's Republic of China have been accompanied by an in-depth reflection on the Constitution carried out through wide debates on its contents and purposes. Through the political discourse on the Constitution, the leadership of the Chinese Communist Party has set forth and consolidated the major stages of the transformation of its role in guiding the country. Thus the Constitution was reconfirmed as an instrument of legitimation not only of the structure of the current political system, but also of the balance of power between its main actors.

For example, the 2018 amendment includes the insertion of, at several points in the text, formulas peculiar to Xi's political discourse; in article 1 an explicit mention of the leading role of the Chinese Communist Party (CCP) in the country; in article 27 the duty of public officials to swear loyalty to the Constitution; in article 79 the dismissal of the

¹ The main focus of the amendments in 1988 was to affirm the legal status of the private sector and allow transfer of land-use rights, in 1993 to declare China would practise a market economy instead of a planned economy, in 1999 the private sector was defined “an important component” in the country's market economy and in 2004 human rights protection was enshrined into the Constitution. See below in the article text for the latest amendment contents.

two-term limit for the President of the Republic; in chapter 3 a new paragraph for the establishment of a national supervisory commission entitled to supervise, inspect and punish public officials violating the laws (Zhonghua Renmin Gongheguo 2018). All these insertions highlight once more the dialectical relationship between the CCP's political project and the constitutional text, confirming the intent of using the Constitution to shape China's future.

In the five years prior to the adoption of the fifth constitutional amendment, President Xi Jinping delivered a series of public speeches dealing with the Constitution and its importance, thus building the discursive framework in which the new text would be discussed and adopted. Moreover, the CCP and state organs set a few milestones in the process of reaffirming the centrality of the Constitution in the country's political life. The commemoration of the thirtieth anniversary of the birth of the Constitution in 2012, the establishment in 2014 of a "Constitution Day" to be celebrated every year, and finally, the introduction of the oath of loyalty to the Constitution for all public officials in 2016 are good examples of the wide range of measures undertaken not only to highlight the importance of the constitutional text in Chinese politics, but also to disseminate a wider knowledge and awareness of its contents among the citizens.

In this discursive framework, Constitution became one of the keywords² of the leadership's speeches and documents and the institutional representation stemming from these political texts echoed in the news production of national and international media. It is against this political and legal background, that – for example – the expression "constitutional amendment (宪法修正案)" was listed the Top Ten Terms in the Chinese Media report of 2018 by the National Language Resources Monitoring and Research Centre for Print Media of Beijing Language and Culture University (Xinwen Zhongxin 2018)³.

² The "Constitution" is highlighted as a keyword in the *Xi Jinping's Series of Important Speech Large-scale Network Database* 习近平系列重要讲话大型网络数据库, <http://jhsjk.people.cn/article>, and the section devoted to this topic presents 253 entries.

³ The report is based on the *National Language Resource Monitoring Corpus*, which is obtained by using language information processing technology combined with manual post-processing extraction and screening on a full text corpus of articles published from January 1, 2018 until the end of November 2018 in 16 domestic newspapers. These newspapers include domestic government agencies, urban local newspapers, and evening newspapers with a large circulation. The corpus size is nearly 500 million words, representing the focus of mainstream Chinese media.

This paper will map how the political discourse on the Constitution and its function permeated Chinese press texts from 2012 to 2018. The aim of the contribution is both to trace the influence that political language exerts on the press in China through a specific case study, and to verify to what extent the importance accorded to the constitutional text by the leadership was conveyed by the press to public opinion before and after the adoption of the 2018 amendment.

2. THE CORPUS STRUCTURE

The case study was first designed by applying a quantitative approach to Chinese journalistic source analysis. The corpus for this paper has been extracted from the *China Core Newspapers Full-text Database* (CCND) *Zhongguo Zhongyao Baozhi Quanwen Shujuku* 中国重要报纸全文数据库⁴ by searching for “Constitution” (*xianfa* 宪法) in the article headlines.

Headings were chosen as focus for the analysis, as these are important on two levels: firstly, in a newspaper the choice of a title of an article is often driven by the editorial line of the outlet. Therefore, a word in the headings can be useful to draw an overall picture of the general position of the different actors in the media sphere. Secondly, the words located in the headings are meant to strike the reader’s attention and therefore have an important role in the eyes of the public.

Searching the whole database, the corpus extracted consisted of 1395 articles from 2009 to 2018. In this paragraph we shall examine the corpus as a whole and describe the texts distribution in terms of time and publishing context.

2.1. *The time distribution of the corpus*

The annual trend of publication of the corpus is quite interesting. As *Figure 1* shows, no titles meeting the search requirement were found

⁴ The *China Core Newspapers Full-text Database* (CCND) of the *Zhongguo Zhishi Jichu Sheshi Gongcheng* 中国知识基础设施工程 collects academic and informative documents from core newspapers in China since 2000 and is updated daily. To date it has collected 633 China newspapers (164 at the national level, 469 at the local level), and the full-text paper amount has reached to 17,021,961.

before 2009, although the database collects texts from the year 2000 and the Chinese Constitution had a long history and undergone a number of amendments before that year. Besides, in the ten years taken into consideration, the graph shows three peaks: 158 articles in 2012, 389 articles in 2014 and 340 articles in 2018.

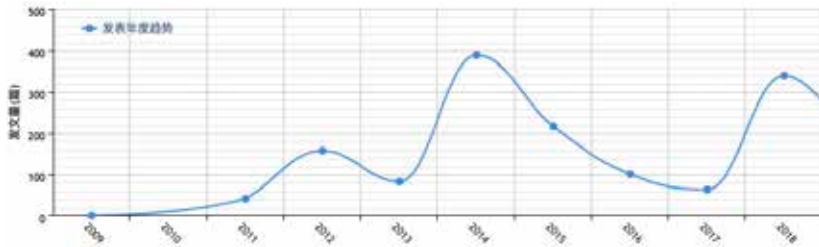


Figure 1. – The annual trend of publication 2009-2018.
Source: Zhongguo Zhongyao Baozhi Quanwen Shujuku 2018.

The graph peaks, at first glimpse, would seem to indicate three crucial years for newspaper interest in the Constitution. Therefore, the hypothesis of the existence of a close relationship between news production and political language can be easily verified by searching for important events in the official discourse on the Constitution produced in the peak years highlighted in the corpus.

In the context of our case study, we shall define political discourse as the complex and multifaceted set of texts issued by the party and the state organs and leaders in performing their functions. These texts are concrete realisations of a great variety of textual genres currently in use within the two institutions. For our purpose the Chinese Communist Party and the People's Republic of China organs, which are in legal terms distinct institutions, will be treated as different authors using one common language for the same objective: the stability of the political system.

The decision to adopt such a broad definition of political discourse is based on the Chinese context peculiarities. Not only, currently the CCP firmly leads the country political realm, but two recent norms – in different domains and with a different legal status – show that the 1987 project of a strong separation of functions between the party and the state is probably outdated. The first one is the publication in 2012 of a set of regulations defining a new common framework for party and government organs official document processing (Zhonggong Zhongyang

Bangongting, Guowuyuan Bangongting 2012). The second one is the insertion in article 1 of the Constitution of the leadership of the Communist Party of China as the defining feature of socialism with Chinese characteristics (Zhonghua Renmin Gongheguo 2018). In both cases the emphasis is laid on the synergy between the two political actors, not on the independence of one another.

We shall now see whether and how the graph peaks reflect major changes in the leadership's discourse on the Constitution by taking into account important political events which took place in the three mentioned years. In December 2012, Xi Jinping held a speech commemorating the thirtieth anniversary of the entry into force of the constitutional text (Xi 2012). In October 2014 the Fourth Plenum of the XVIII Central committee of the CCP issued a document on governance and the legal system, which established the annual celebration of the Constitution and called it "Constitutional day" (Zhonggong Zhongyang 2014). Finally, the fifth constitutional amendment was voted by the members of the National People's Congress in 2018 (Xinhua 2018). The texts associated with these political events, although they were issued by different institutional subjects and belong to distinct textual genres, can all be identified as milestones in the construction of a discursive framework attributing a growing emphasis on the importance of the Constitution in Chinese politics. The coincidence in time between the political events (and related text publication) and the rise of newspapers interest in the Constitution testify to the existence of a close relationship between the news production and political discourse in the context of the case study.

2.2. *The sources in the corpus*

As far as the sources are concerned, close attention should be paid to the 37 media outlets publishing the selected articles of the corpus. In particular we shall focus on the first 10 media outlets listed in decreasing order by number of published articles in *Figure 2*, issuing 60.93% of the corpus texts, as the other newspapers listed in the corpus published only 8 to 20 articles on the topic in ten years.

The ten newspapers publishing sixty per cent of the articles of the corpus are official newspapers of top-level state or party organs (De Burgh 2017, 75; Lupano 2017, 128). Following the order of appearance in *Figure 2*, their English titles and affiliation are: the *Legal*

Daily is released by the Committee of Political and Legal Affairs of the Chinese Communist Party Central Committee; the *Procuratorate Daily* by the Supreme People's Procuratorate of the People's Republic of China; the *People's Court Daily* by the Supreme People's Court of the People's Republic of China; the *Renmin Ribao* (*People's Daily*) is the organ of the Chinese Communist Party Central Committee; *Democracy and Law* is released by the China Law Society; *People's Liberation Army Daily* by the Central Military Commission of the Communist Party of China; *People's Representative Daily* by the National People's Congress; *Chinese Social Sciences Today* by the Chinese Academy of Social Sciences; *Guangmin Ribao* (*Enlightenment Daily*) by the Chinese Communist Party; *Qinghai Daily* by the Chinese Province of Qinghai.

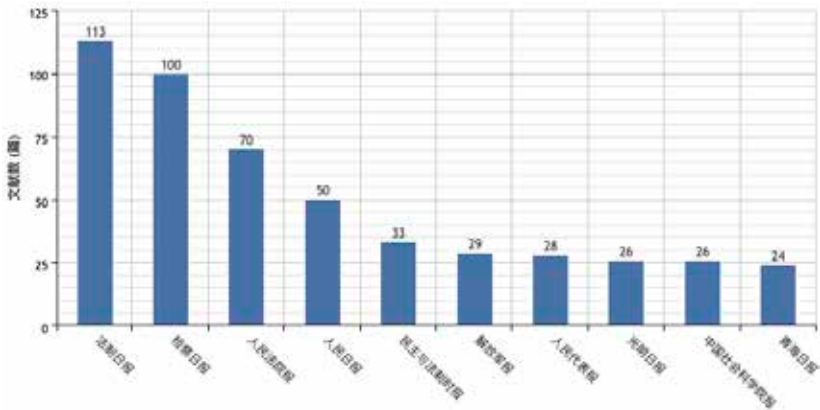


Figure 2. – The distribution of the 2009-2018 articles by newspaper, first 10 titles.
Source: Zhongguo Zhongyao Baozhi Quanwen Shujuku 2018.

This data strongly highlights a direct involvement of party or state organs in shaping the information flow on the Constitution even when it is published in newspapers. A trend that could possibly be rooted in the open government policy, promoted in China since 2008, and aimed at generating a steady and timely flow of information between the state and the citizens. Thank to an effort in guiding the circulation of news through the publication of selected information on the executive bodies' work, supported by documented opinions of eminent independent experts, the public institutions would reinforce their credibility and prestige (Mottura 2017).

3. THE CORPUS CONTENTS

With regard to content, as we can see below the data collected in the corpus are fully coherent with the landscape outlined in the previous paragraph. An exam of the articles as products of an academic discipline, performed through the database statistical analysis tools, shows that a vast majority of the items are identified as law studies or political discourse texts. In terms of linguistic complexity and intended purpose, the overwhelming majority of the texts fall under the classification of public policy research in social sciences, while just a few texts are labelled as aimed at professional training, fostering popular culture, promoting scientific popularisation for the masses, etc.

In this context we can examine the corpus content by identifying the most significant keywords (*guanjianci* 关键词) occurring in the texts.

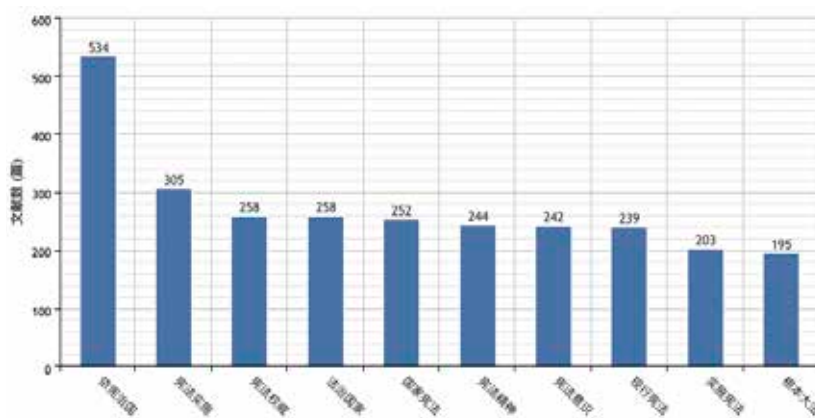


Figure 3. – Distribution by keywords.

Source: *Zhongguo Zhongyao Baozhi Quanwen Shujuku 2018*.

Figure 3 shows the top ten keywords listed in terms of frequency distribution in the 2009-2018 corpus and associate each of them with the number of documents where it occurs. The keywords are: to rule the country according to the Constitution (*yi xian zhiguo* 依宪治国), to implement the Constitution (*xianfa shishi* 宪法实施), authoritativeness of the Constitution (*xianfa quanwei* 宪法权威), country ruled by law (*fazhi guojia* 法治国家), spirit of the Constitution (*xianfa jingshen* 宪法精神), awareness of the Constitution (*xianfa yishi* 宪法意识), Constitution in force (*xianxing xianfa* 现行宪法), to implement the Constitution (*shishi xianfa* 实施宪法) and fundamental supreme law (*genben da fa* 根本大法).

Besides the general overview on the keywords in the 1395 articles of the corpus, in order to refine the analysis, we applied a qualitative approach in examining the data in a diachronic perspective. For this purpose, the 2009-2018 period was divided into three phases based on Xi Jinping's rise to power. A first phase included all the years before Xi Jinping became Secretary General of the CCP (2009 - October 2012). The five year of his first term of office would be the second phase (November 2012 - September 2017). The third, and shorter, phase would embrace the first fifteen months of his second mandate (October 2017 - December 2018). We then extracted from the corpus three lists of keywords based on the selected periods of time and labelled them KA, KB and KC.

Table 1. – List of top 14 keywords in three different political phases.
Source: *Zhongguo Zhongyao Baozhi Quanwen Shujuku 2018.*

KEYWORDS A (2009.1.1-2012.10.31)	KEYWORDS B (2012.11.1-2017.09.30)	KEYWORDS C (2017.10.1-2018.12.31)
(11)法治国家	(374)依宪治国	(151)依宪治国
(9)依宪治国	(219)宪法实施	(116)习近平
(8)根本大法	(204)国家宪法	(89)宪法修改
(7)宪法解释	(189)法治国家	(88)实施宪法
(7)宪法学	(173)现行宪法	(88)宪法权威
(6)韩大元	(167)宪法权威	(81)宪法实施
(6)社会主义法制	(165)宪法精神	(76)宪法意识
(5)检察机关	(163)宪法意识	(76)宪法精神
(5)合宪性	(145)根本大法	(65)宪法修正案
(5)法治精神	(136)宪法解释	(62)现行宪法
(5)美国宪法	(120)国家工作人员	(57)法治国家
(5)宪法实施	(115)实施宪法	(48)国家宪法
(4)宪政建设	(86)法治中国	(42)根本大法
(4)法制宣传	(80)法律权威	(42)修改宪法

In *Table 1* (KA, KB and KC columns) it is possible to compare the top 14 keywords of each of the three political phases. The words highlighted in each column are the ones appearing for the first time in the list, which obviously does not imply that they were totally absent in the articles before that period, but emphasise their frequency respective importance in the texts grew in a specific time lapse.

Here we shall discuss some selected entries peculiar to each list from a qualitative perspective focussing mainly on Xi Jinping's two terms of office (KB and KC columns). Due to the uneven fragmentation of time in our periodization, in this context we shall not take into account the numbers of texts associated with each keyword.

In KB list, the new keywords are national Constitution (*guojia xianfa* 国家宪法), Constitution in force (*xianxing xianfa* 现行宪法), authoritative-ness of the Constitution (*xianfa quanwei* 宪法权威), spirit of the Constitution (*xianfa jingshen* 宪法精神), awareness of the Constitution (*xianfa yishi* 宪法意识), country staff members (*guojia gongzuorennyuan* 国家工作人员), to implement the Constitution (*shishi xianfa* 实施宪法), China ruled by law (*fazhi Zhongguo* 法治中国), authoritative-ness of the law (*fali quanwei* 法律权威). As we can see from a diachronic perspective, there are nine new entries over fourteen keywords, nonetheless these expressions are often equivalents or synonyms of the most frequent keywords in the overall corpus. The only exception is "country staff members", which might be related to the oath of loyalty to the Constitution introduced for all public officials in 2016.

In KC column there are four new entries: Xi Jinping 习近平, amendment of the Constitution (*xianfa xiugai* 宪法修改), constitutional revised draft (*xianfa xiuzheng'an* 宪法修正案) and to amend the Constitution (*xiugai xianfa* 修改宪法). The emphasis on the amendment and the leader in the past year reflects the political decisions adopted both by the XIX Congress of the CCP in 2017 and by the first session of the XIII NPC in 2018. Conversely, the absence of these keywords amidst the most frequent keywords in the overall corpus is a predictable effect of the short duration of this one-year-long phase compared to the ten-year-long time span of the entire corpus.

The overall homogeneity of main contents in the three selected phases testifies to a general continuity in newspaper discourse on the Constitution over the last ten years. On the basis of this evidence from the corpus the analysis can be further developed by crosschecking the presence of significant keywords in the political language of the same period.

4. THE INFLUENCE OF POLITICAL DISCOURSE ON NEWS PRODUCTION IN THE PRESS

In order to investigate to what extent political discourse influences news production and newspaper language in this case study, we searched for lexical congruence between the corpus and three important political texts of the Xi Jinping era. In particular, we mapped the occurrence of four keywords of the corpus – which did appear in all KC, KA and KB columns – in the 2012 speech celebrating the constitutional text (Xi 2012), in the CCP Central Committee 2014 Decision on governing the country according to the law (Zhonggong Zhongyang 2014) and in the the People's Republic of China Constitution text after the 2018 amendment (Zhonghua Renmin Gongheguo 2018).

Fundamental supreme law (*genben da fa* 根本大法) did not appear in the political texts, whereas country ruled by law (*fazhi guojia* 法治国家) occurred in the three of them in expressions such as: “Strongly promoted the process of socialist rule of law (有力推动了社会主义法治国家进程)” (Xi 2012), or as “Speed up the construction of a socialist country ruled by law (加快建设社会主义法治国家)” (Zhonggong Zhongyang 2014) and “Article 5 – The People's Republic of China implements the rule of law and the construction of a socialist country ruled by law (第五条—中华人民共和国实行依法治国, 建设社会主义法治国家)” (Zhonghua Renmin Gongheguo 2018).

To rule the country according to the Constitution (*yi xian zhi guo* 依宪治国) did not occur in the Constitution, but appeared in the 2012 and 2014 political texts. It was located in highly sensitive sentences such as “To rule the country according to law, is first of all to govern the country according to the Constitution; the key to governing according to the law is to govern in accordance with the Constitution (依法治国, 首先是依宪治国; 依法执政, 关键是依宪执政)” (Xi 2012) and “To persist in ruling the country according to the law, we must first of all persist in ruling the country according to the Constitution, to persevere in holding power lawfully, we must first of all persevere in holding power according to the Constitution (坚持依法治国首先要坚持依宪治国, 坚持依法执政首先要坚持依宪执政)” (Zhonggong Zhongyang 2014).

When they were first published, these two sentences fostered a great deal of political speculation in China. The statement in Xi Jinping's 2012 speech fuelled at the time a lively debate on Chinese media as some intellectuals first interpreted it as an evidence of the willingness of the newly appointed Secretary General of the CCP to promote political reforms

(Kellogg 2016). Giving full play to implementation of the constitutional norms would possibly restrict Party control over political life and society. On the contrary, the sentence in the 2014 Decision was understood as the demonstration of the prevalence of a much more restrictive interpretation of the commitment of the Xi Jinping leadership to a deep renegotiation of the equilibrium between the political authority of CCP and the implementation of national laws (Brødsgaard and Grünberg 2014).

Implementation of the Constitution (*xianfa shishi* 宪法实施), appears in the Preamble and in three articles of the Constitution. And other examples can be found both in CCP Central Committee Decision of 2014 and in Xi Jinping's 2012 speech, stating: "Ensuring the implementation of the Constitution is to ensure the realization of the fundamental interests of the people (保证宪法实施, 就是保证人民根本利益的实现)" (Xi 2012).

Although we are aware that this is just a preliminary attempt to locate the keyword highlighted in the newspaper's corpus in political discourse, we found evidence of lexical congruence between the texts and therefore we can confirm the influence that political language exerts on press language in China through the case study of constitutional discourse.

The continuity and coherence emerging from this data leads us to a further and last question: to what extent the importance accorded to the constitutional text by the leadership as conveyed by the press contributed to preparing public opinion to welcome the adoption of the 2018 amendment? Even though the answer to this question will be based on some considerations on media output and not on a public opinion survey, in this specific case study the corpus gives us a convincing tool to evaluate the impact of the texts.

The writing style of most journalistic sources found in the corpus was described in previous paragraphs as being quite complex since the overwhelming majority of the texts was labelled as being composed as pieces of public policy research in social sciences. Besides, the top ten media outlets issuing more than half of the corpus texts were newspapers published by state or party organs. These two items of information confirmed the assumption that the targeted public of the articles belongs to well-educated elites. In this perspective, it is unlikely that huge numbers of readers were reached by the information flow generated on the constitutional issue from 2012 to 2017, or at least it is implausible that lay people were deeply influenced by these articles.

5. CONCLUSIVE REMARKS

In the previous paragraphs, in describing and examining from different angles the corpus extracted from the database, we have highlighted important connections between Chinese news production and political discourse. The first link has emerged from the variation in intensity of journalistic interest on the Constitution in different years. The peaks of news production focusing on the Constitution were found in coincidence with the publication of highly representative documents or speeches on the Constitution. The second tie was the permanence in the selected journalistic texts of keywords stemming from political discourse demonstrating the existence of a shared set of lexical and syntactic features. The writing style has been described as being similar to the one used in public policy research in social sciences, and this is the third link. The fourth strong relationship between media outlet language and the political one was the authorship: more than half of the articles collected in the corpus were published by newspapers directly dependent on CCP or state organs.

All these common characteristics between the corpus journalistic texts and the political discourse lead us to the conclusion that in this case study newspaper articles, Xi Jinping speeches, CCP decisions and the Constitution could be considered as being part of a definite genre colony (Bhatia 2004, 57-84). Even though these texts belong to different disciplinary domains (journalism, politics, law), they are the realisation of closely related genres (news report, oral political communication, official document and normative text) serving similar communicative purposes (Wodak and Forchtner 2018).

The programmatic and legitimating function of the constitutional text, the ideological significance of the party decision, the persuasive influence of the political speech, the amplifying ability of the mass media would foster people support for a policy or political action (Cap and Okulska 2013), i.e. constitutional amendment in this context, hence fostering trust in political institutions and strengthening the stability of the political system thus perpetuating the Chinese Communist Party leadership over the country (Ben Shu Bianxie Zu 2018). The complexity of this genre colony and its importance in the Chinese institutional context has emerged from this contribution and deserves further research in order to widen the scope of the map drawn through the specific case study.

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